

SFC CLERK RECORDED 11/27/2013

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

October 29, 2013

- Kathy Holian, Chair – District 4
- Danny Mayfield, Vice Chair – District 1
- Robert Anaya – District 3
- Miguel Chavez – District 2
- Liz Stefanics – District 5



COUNTY OF SANTA FE)
 STATE OF NEW MEXICO) ss
 BCC MINUTES
 PAGES: 158

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SANTA FE COUNTY

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

October 29, 2013

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 1:05.m. by Chair Kathy Holian, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Following the Pledge of Allegiance and State Pledge led by Justin Salazar and Becky Trujillo from the HR Department, roll was called by County Clerk Geraldine Salazar and indicated the presence of a quorum as follows:

Members Present:

Commissioner, Kathy Holian, Chair
Commissioner Danny Mayfield, Vice Chair [telephonically]
Commissioner Robert Anaya
Commissioner Miguel Chavez
Commissioner Liz Stefanics

Members Excused:

[None]

V. MOMENT OF REFLECTION

The Moment of Reflection was given by Margie Romero from the Human Resources Department.

VI. APPROVAL OF THE AGENDA

- A. Amendments**
- B. Tabled or Withdrawn Items**

KATHERINE MILLER (County Manager): Madam Chair, we just have a couple small changes since the agenda was published last Tuesday. Item XIII. C. 14 was added, and then item XVI. Matters from the County Attorney, item A. 1. iii was added.

CHAIR HOLIAN: Thank you. Any further suggested changes, Commissioners? If not is there a motion?

COMMISSIONER STEFANICS: Madam Chair, I'll move to approve the amended agenda.

CHAIR HOLIAN: Is there a second?

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: There is a motion and a second to approve the agenda as amended.

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The motion passed by unanimous [5-0] voice vote.

COMMISSIONER MAYFIELD: Madam Chair, could you just tell me – read out the Matters from the County Attorney that was placed on the agenda please?

MS. MILLER: Madam Chair, Commissioner Mayfield, yes. The item that was added under executive session was a third item, to initiate arbitration of Denise Sanchez versus Santa Fe County, and then the third item is Authorization to file a petition to enforce the settlement of the post-disciplinary appeal brought by Denise Sanchez.

COMMISSIONER MAYFIELD: Okay. Madam Chair. I have that agenda.
Thank you.

VII. APPROVAL OF CONSENT CALENDAR

A. Consent Calendar Withdrawals

CHAIR HOLIAN: I will note that there are resolutions. Is there anyone here from the public who would like to comment on those resolutions that are in the Consent Calendar? Seeing none, are there any requested withdrawals? Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, Madam Chair. Under Consent Calendar I have a few questions on XIII. B. 4.

CHAIR HOLIAN: Commissioner Chavez, are they fairly short questions? Okay, why don't you proceed now?

COMMISSIONER ANAYA: I have several, so I don't know if you want to wait or do them now.

CHAIR HOLIAN: Well, I think that we can take short questions on the Consent Calendar. If they're long ones, please pull them.

COMMISSIONER ANAYA: I have a lot of questions on the Consent. This was one of the ones I was going to ask questions on.

CHAIR HOLIAN: Okay. So let's go ahead and just pull that. So, Commissioner Anaya, would you like to list the ones you would like to have pulled?

COMMISSIONER ANAYA: Yes, Madam Chair. Thank you. On Consent, item XIII. B. 1, 2, 3, 5, 6, 7, 8, and under C, Resolutions, items 8, 9, 10, 11, 12, and 14.

CHAIR HOLIAN: Okay. 8, 9, 10, 11, 12, and 14. Is that correct?

COMMISSIONER ANAYA: Yes, under C. Thank you.

CHAIR HOLIAN: Any further withdrawals? Is there a motion for approval of the Consent Calendar minus the withdrawals?

COMMISSIONER CHAVEZ: I'll make a motion to approve the Consent Calendar as amended.

COMMISSIONER ANAYA: Second.

CHAIR HOLIAN: There's a motion and second for approval of the amended Consent Calendar.

The motion passed by majority [4-1] voice vote with Commissioner Stefanics casting the opposing vote. [See page 58.]

COMMISSIONER MAYFIELD: Madam Chair, could you just tell me the items under C again please?

CHAIR HOLIAN: The items under C. Let's see it's XIII. C. 8, 9, 10, 11, 12 and 14.

COMMISSIONER MAYFIELD: Okay. Thank you, Madam Chair.

VIII. APPROVAL OF MINUTES

A. Approval of September 24, 2013 BCC Meeting Minutes

CHAIR HOLIAN: Any changes? Is there a motion?

COMMISSIONER CHAVEZ: Move for approval.

COMMISSIONER STEFANICS: Second.

CHAIR HOLIAN: There's a motion and a second for approval of the September 24, 2013 meeting minutes.

The motion passed by unanimous [5-0] voice vote.

IX. PROCLAMATIONS AND PRESENTATIONS

A. Introduction of New Employees

MS. MILLER: Madam Chair, we had several new employees that I didn't get a chance to introduce some of them at the last meeting, so I'm hoping some of them here. Aside from those listed in the back of your packet I believe - I'm going to try - see who's here from Growth Management Department. Chrisann Romero, who is a new administrative assistant there, and Maria Lohmann, who is one of our community planners. Oh, also in the community planning/open space position, Lisa Roach. So we have three new employees in Growth Management.

Then also in Public Works, Terry Lease, who's our facilities manager. And Chris Roybal who's fleet manager, Robert George who's our utility infrastructure manager, and Dennis Romero who is a project manager. So in addition to that we have some Sheriff's deputies and some of our RECC employees and they obviously couldn't make it here today but they're listed in your packet.

CHAIR HOLIAN: Thank you, Katherine, and I would just like to say welcome to Chrisann, Maria, Lisa, Terry, Robert and Dennis and all the rest of our new employees who have joined the County recently. Welcome.

IX. B. A Presentation Recognizing the Santa Fe County 2013 Fire Academy Graduates

CHAIR HOLIAN: Just by way of introduction, fighting fires and promoting fire safety, I think, are two of the very most important things that the County does. And we know from this last horrific fire season that fighting fires can be extremely dangerous. So it's absolutely crucial that we provide good training to our firefighters. And I think that in fact our Fire Department does an excellent job of doing that; I'm very proud of what they do. First I would like to ask Chief Sperling to describe the career academy and the volunteer academy, and then I will ask the Commissioners if they would like to say a few words in recognition of the achievements of our graduates, and then we will come down to present the certificates of recognition that we have prepared for you all, and congratulate you in person. And then we will do group photos so that we can remember this event forever. Chief Sperling.

DAVE SPERLING (Fire Chief): Thank you, Madam Chair, members of the Commission. I appreciate the opportunity to bring forward some of our newest members, both volunteer and career, from our two academies in 2013. I'd like to start with our career academy graduates, located here on my right. These cadets came to us, six out of the seven, with former volunteer experience. In fact five of them are past graduates of our volunteer fire academy process which I'll describe here in a minute, and they all came forward with their emergency medical technician license and prior Firefighter I certification, one of the advantages of training them through the volunteer fire academy process first.

They attended our academy which lasted approximately seven weeks and during the course of that academy they received additional training in vehicle extrication, wildland fire behavior, emergency medical services, and they all became certified in IFSAC Firefighter II. The graduates on my right, beginning with Scott Barlow – Scott was an original volunteer of the FA graduate and spent two years on our YCC Santa Fe County Fire Department hand crew. Manuel Gallegos from the Pojoaque Volunteer District, also a VFA graduate. Michael Judge, third in line, Agua Fria Fire District Volunteer, another VFA graduate. Number four in line, Ralph Limbourg, a former County Sheriff Deputy who came over to the brighter side. Number five, Carlos Martinez, a Rio Arriba County volunteer and he came over from the Espanola Fire Department, still pulls some time with Espanola EMS. Number 6, Jared Martinez. Jared is a VFA graduate, a regional volunteer and the son of Robert Martinez, who of course is in charge of our road program for the County. And Rachel Martinez, an Agua Fria District volunteer and a volunteer fire academy graduate. Rachel was also two years on our YCC Santa Fe County Fire Department hand crew.

On my left, representing the volunteer fire academy, which graduated in August, are three of the fifteen graduates. The other 12 I'm sure were challenged to take off time from work. In fact I'm sure their employers are already challenged by their response activities. But representing the group, on my left, Victoria Jenkins from the Edgewood Fire District, Dorothy Van Ark from the Galisteo Fire District, and Anna Hamilton representing Glorieta Pass. Those from the volunteer academy who were not able to attend this afternoon: Erick Avila from the Agua Fria District, Dané Bandoni from the Edgewood District, Brian Bergen, Tesuque Fire District, Mari Galang, from the La Cienega Fire District, Alan Gonzales from Agua Fria, Tiffany Herrera from Tesuque, David Keppel from La Cienega, Jeffrey Maestas,

Agua Fria, Julian Martinez from Agua Fria, Justin Sena from La Cienega, Kim Van Damme, who is a regional volunteer, and Federico Velasquez from the La Cienega District.

The volunteer fire academy was held on Monday and Wednesday evenings for approximately three hours and every Saturday for 15 consecutive weeks. It's quite a challenge. It totals more than 190 hours of training. Classes include an extensive orientation to the fire service and Santa Fe County Fire Department as well as firefighter first aid, CPR, wildland fire behavior – they become certified in an S 130/190 class, hazardous materials, awareness and operations, also a certification they receive from the State Fire Training Academy and IFSAC Firefighter I.

Currently we are in the process of doing another volunteer fire academy. In fact they're about halfway through and we anticipate graduating another group here toward the end of December, early January. And we also anticipate starting another career academy with the six or seven individuals in the short term. So with that I'd like to welcome our newest firefighters to Santa Fe County Fire Department.

CHAIR HOLIAN: Thank you, Chief and welcome. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair and thank you, Chief for introducing all our new graduates. I appreciate as all of us do the work that you will be doing, that you have done for us, and Chief, I noticed that in terms of the volunteers, when you were reading them out, we didn't have a lot from the San Marcos/Turquoise Trail I don't think.

CHIEF SPERLING: Madam Chair, Commissioner Stefanics, not this time around. We have in the past had a number from Turquoise Trail. It kind of fluctuates depending on how many new members they encounter.

COMMISSIONER STEFANICS: Okay. And then the other comment I want to make is that a lot of the times in my area, and I'm sure this mirrors other areas, calls to the rural areas are not always about fires, they're about injuries, they're about health issues, so I appreciate the care and the dedication you are going to give to some of the residents of Santa Fe County. Thank you very much.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Madam Chair. I think, Chief Sperling you touched on this but five of the seven that are the graduates are the product of the volunteer fire academy, and I think that speaks a lot, speaks volumes to the effort that you go through for the training and the commitment that it takes from the individuals to hang in there and be certified in the way that you, because without that certification you would not have the department that you have. Is that correct?

CHIEF SPERLING: Absolutely, Commissioner.

COMMISSIONER CHAVEZ: And the certification that you've achieved is a benefit to the County, to your local government, to the population that you serve but to the individual because that experience, that education is yours. You've earned it. But you can take that with you almost anywhere and share that and put that to use. So I really want to commend you on that. And then for those who are volunteering, Chief, you touched on that

too, but I want to expand on it, because these volunteers are doing what they do to provide for themselves and their families and on top of that volunteering and giving up 15 Saturdays in a row – that's a lot. So again, I want to congratulate you and thank you for your commitment and your dedication.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Madam Chair. I echo the comments of my colleagues and of the Chief that have already been said. I would say the three P's with you all: patience, perseverance and pain, I think, sum up much of what you've done and achieved. I congratulate each and every one of you. I would like to extend a personal thank you on our behalf as Commissioners but on your behalf as well to your families that afforded you the time, the opportunity to do the things that you did within the academy. We had an opening on Friday at the academy that the Chief did a great job with his entire team at the Edge Fire Station and I made a few comments related to Benjamin Franklin.

Among many other things for this country Benjamin Franklin was one of 26 individuals that started the first brigade in Pennsylvania of volunteer firefighters. Their equipment included two primary things: a leather bucket or leather buckets, and cloth bags to put belongings in as firefighters would go and try and get as much as they could out before they would use those leather buckets to put out fires. It was then that things started, but we've come a long ways. And you standing here in front of us are evidence of that, the changes that this country has seen and the things that are good tied to the fire service. The other thing Benjamin Franklin said was, among many other things, but one of his quotes was We must hang together or most assuredly we will hang alone.

And I think that you all know and understand that, after going through the fire service that you are one of many on a team set up to help us in the community and help citizens as a team. So I'm very appreciative of your work and your efforts, your patience, your perseverance and your pain. And thank you very much and welcome to the volunteer and to the paid career staff as firefighters. Thank you, Madam Chair.

CHAIR HOLIAN: Thank you. I really respect the professionalism and hard work of our firefighters. I was talking with Anna Hamilton not too long ago about the kinds of courses she was taking and what they consisted of and I was really impressed with how comprehensive they were and how physically demanding. I'm pretty sure I couldn't pass those courses if I were in that position. And also I think that it's really important that, particularly in our area that there's an emphasis on learning how to fight fires in the wildland-urban interface. I think those are some of the most dangerous fires that we face today, and I think that our firefighters are trained as well as anybody in the country on fighting those kinds of fires. So anyway, I want to congratulate you and commend you on your achievement.

I will now read a certificate – I would read all of them, but I will read a sample certificate and then we will come down to present them to you.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR HOLIAN: Oh, yes. Sorry. Commissioner Mayfield.

COMMISSIONER MAYFIELD: That's okay, Madam Chair. I'm sorry, because I'm on the phone. I just want to thank everybody also for your commitment, your service, your dedication and the time you put away from your family. I know it's been a big commitment on your part and just thank you again for the service you're providing to our community, and be safe out there. That's all I had, Madam Chair. Thank you.

CHAIR HOLIAN: Thank you. Certificate of recognition: The Santa Fe Board of County Commissioners hereby recognizes Scott Barlow for the dedication, excellence and outstanding achievement in completing and graduating from the Santa Fe County 2013 Career Fire Academy. Your devotion is an inspiration. May you continue to shape the future through courage and inspired leadership. Therefore the Board of County Commissioners presents this certificate of recognition on this 29th day of October 2013, and it is signed by the five Commissioners as well as our County Manager. So now we will come down to present them to you.

[Photographs were taken and certificates presented.]

IX. C. Government Finance Officers Association Distinguished Budget Presentation Award to the County of Santa Fe for Fiscal Year Beginning July 1, 2012

MS. MILLER: Madam Chair, every year when we finish the annual budget we – actually Carole, Teresa and staff work to put together a budget document that goes to the Government Finance Officers Association to be reviewed for an award. We put one together that was just a bunch of spreadsheets but then the one that you actually receive a little later in the year has all our demographics and all our statistics, our performance budgeting measures and a great deal of information about the county as well as the numbers that go with the budget and where our budget is allocated. And for the last five years I'm proud to say that Santa Fe County has received the distinguished budget presentation award from the National Association of Government Finance Officers Association. It's actually not just this country but it includes Canada as well and there are thousands of local governments and state governments that submit their budgets for award and I'm proud to say that our budget office within the Finance Division of the Manager's Office did receive the certificate of recognition for the budget presentation for this year and specifically Carole Jaramillo was the lead person on that. So is Carole here, and Sharon and Teresa? Is Teresa here? Our Finance Director. So anyway, I think it's a big honor. It's a big job. It's in addition to what they do every day keeping track of our budget and it's a really great tool for the County and a document for citizens to review when they're looking at what Santa Fe County does with its money. So for that I just want to thank Carole and Sharon and there is a plaque. I do believe somebody has it in their office so I was going to run and grab it.

CHAIR HOLIAN: I just wanted to say a few things. I noted in the letter that was included in our packet from the director of the GFOA that it said this award is the highest form of recognition in governmental budgeting. And its attainment represents a

significant achievement by your organization. So this is a big deal. Good work. And I am very proud of our Finance Department. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. And I believe that maybe this is not the first year this award has come to us. I think that speaks to the continued integrity of our Finance Department and the staff. And I would like to thank you and appreciate all the hard work that is going on there. Thank you.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, we're hearing the Taos hum I think. I want to take this opportunity to congratulate Teresa and you and Carole and Sharon. We see you guys a lot during the course of the year. Who we don't see is a lot of your staff, and so I know they're here and I want to acknowledge all the staff that works alongside with you that day in and day out are taking care of business and the business of finance and keeping us in good shape and working with you as a team with our County Manager and Teresa and everyone else. So I'd like to have you guys stand up. I'd like to point out the staff that work with you all together and let's give them a round of applause as well. Thank you, Madam Chair. This is -what is this? Like a three-peat? Four-peat on this? How many times have we won this?

CAROLE JARAMILLO (Budget Director): We've won the award five times.

COMMISSIONER ANAYA: Five times? How do you even say that? Four-peat? Five-peat? Awesome. Good job.

COMMISSIONER CHAVEZ: Congratulations.

CHAIR HOLIAN: Carole, would you like to say a few words?

MS. JARAMILLO: Yes, Madam Chair, Commissioners. I want to thank you very much for the recognition that you're giving us right now. As you well know, the budget process is long and challenging. Obviously, as Katherine mentioned, for the Finance Division the process doesn't end when the final budget resolution is passed. We spend about five months gathering information and updating the hundreds of spreadsheets and charts and graphs and editing and revising and printing and laying out and proofing and trying to come up with ways to convey the budget information to the public as best we can.

It does culminate in this big guy here and we're very proud of it ourselves. Like most thing it is a team effort and I appreciate Commissioner Anaya recognizing the rest of the Finance Office as well. It was a great team effort and I want to thank them too for contributing to the document, either whether it was directly contributing pages to the document or just holding us up while we were doing it. Our Finance Office is a great division and a great team. So on behalf of the team we thank you very much.

CHAIR HOLIAN: Thank you, Carole. Commissioner Mayfield, are you on the phone? Well, we will come down and present you with the plaque and then a group photo. And perhaps the whole Finance Department could come forward.

[Photographs were taken.]

IX. D. A Proclamation Honoring the Life of Mary Lou Cook, Peace Activist, Ordained Minister, Santa Fe Living Treasure

COMMISSIONER STEFANICS: Thank you, Madam Chair. I know this is from many of the Commissioners. I don't believe anybody from her family could make it today. Is there anybody here from her family? Okay. We know that tomorrow here in Santa Fe there is a memorial at St. Francis Auditorium at 11:00 am and this proclamation will be there for the memorial. And Madam Chair, I would like to read this into the record.

CHAIR HOLIAN: Please do.

COMMISSIONER STEFANICS: The Board of County Commissioners of Santa Fe County, a proclamation honoring the life of Mary Lou Cook, peace activist, ordained minister, Santa Fe living treasure:

Whereas, Mary Lou Cook was born April 29, 1918 in a hospital elevator in Chicago, Illinois, one of three children to James and Louise Borders;

Whereas, she met her husband, Sam Cook, at the University of Kansas, where she earned a degree in Fine Art in 1939;

Whereas, his job meant they moved often, El Paso, Texas; Tulsa, Oklahoma; Kansas City, Missouri; Milwaukee, Wisconsin; and Des Moines, Iowa;

Whereas, she started doing volunteer work in El Paso and Kansas City, where she first studied calligraphy. In Milwaukee, she helped to start an arts program for children. In Des Moines, she was a recruiter for the newly formed Peace Corps in 1962. In 1966, she was sent to Omaha to organize a Peace Corps office there;

Whereas, in 1969, after her husband retired, the family moved to Santa Fe where they were joined by their three children, by then all adults, and Mary Lou threw herself into creative pursuits;

Whereas, she studied calligraphy in London with Donald Jackson, scribe to Queen Elizabeth. In the 1980s she became the city's official calligrapher, providing the lettering to the seal of the City of Santa Fe;

Whereas, Cook helped found the Dispensable Church with the late Hugh Prather, author of *Notes to Myself* in the early 1980s, and a few years later became a minister and bishop in the Eternal Life Church, a network of independent ministers through which she married dozens of couples. As a minister in the Eternal Life Church, she oversaw as many as 90 weddings or commitment ceremonies in a year's time;

Whereas, in 1984, she founded the Santa Fe Living Treasures program, modeled on Japanese traditions of honoring local elders each year. Cook herself was named a Santa Fe Living Treasure by the organization she founded, the Santa Fe Network for the Common Good, when she turned 70;

Whereas, she incorporated the University of Peace, through which she lobbied unsuccessfully for state and federal Departments of Peace;

Whereas, one of the first artists and eventual president of the Shidoni Foundry, she helped convert a former chicken ranch into an arts center, so much as to getting on her hands and knees scrubbing the chicken droppings out of the coop to use as her calligraphy studio;

Whereas, she created the popular Black Kindness bracelet with the word kindness printed in 17 languages. My advice is to be kind, be kind, be kind, she said earlier this year at her 95th birthday celebration. Everyone has a choice as to what their attention is going to be,

and I choose peace, harmony and helping people;

Whereas, she co-founded both the Greer Garson Theatre and the Concerned Citizens for Nuclear Safety. She was also active in the Santa Fe Children's Museum, Habitat for Humanity and the Community Peace Forum;

Whereas, when she was in her early 50s, she was diagnosed with leukemia, a disease she fought three times. She immediately dived into alternative therapies such as diet and acupuncture. However, in her early 80s the disease forced her to take rounds of chemotherapy;

Whereas, preceded in death by her daughter Courtney, she is survived by her daughter Karen Cook and her son Sam Cook, Jr.

Now, therefore, be it resolved by the Board of Santa Fe County Commissioners by this proclamation to remember her many contributions to Santa Fe County and honor the life of Mary Lou Cook, peace activist, ordained minister, Santa Fe Living Treasure, approved, adopted and passed on this 29th day of October, 2013, signed by the County Commissioners, our County Manager, our County Attorney, and our County Clerk.

I do move the proclamation.

CHAIR HOLIAN: Second. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Commissioner Stefanics, Commissioners, thank you for bringing the resolution forward. If you read at the beginning, Mary Lou Cook was born in the hospital elevator, and I'm going to make a strong affirmation that that elevator was going up. It was going up throughout the course of her life and although it stopped on occasion through some challenges she faced it kept going up and is still going up. I heed your advice and appreciate your advice, Ms. Cook: be kind, be kind, be kind.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: And to always advocate for peace first. And try to reconcile differences before you pick up your sword and go to battle. That's the one thing that I appreciated of her most is her position in questioning the war machine, and she wasn't quiet about that or shy when it came to the issue of peace and war. And so I will remember her for that and I think the proclamation will send a message to the family and to the community that she was appreciated and that she will not be forgotten. Thank you, Madam Chair. Thank you.

CHAIR HOLIAN: Commissioner Mayfield? I lived next door to Mary Lou Cook and her daughter Courtney for a while and got to know them. I have to say that she was really one of the most interesting people I have ever met in the entire world. She was absolutely interested in everything. You could talk to her about any subject under the sun. She also lived life to the fullest, but the most important thing that she did was she worked tirelessly to make the world a better place. And I think that our world indeed has been a better place for having Mary Lou Cook in it. So thank you very much, Commissioner Stefanics, for bringing forward this proclamation. We have a motion and I think a couple of seconds.

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action.]

COMMISSIONER STEFANICS: Thank you. We will deliver this proclamation prior to the memorial tomorrow so it's available for people to see.

IX. E. A Proclamation Honoring Don and Nancy Dayton

COMMISSIONER STEFANICS: Thank you, Madam Chair, and I'm sorry that the Daytons cannot be here. They have already moved away. They have been long-standing members of our community so I wanted to make sure that we have recognized them. The Board of County Commissioners of Santa Fe County, a proclamation honoring Don and Nancy Dayton. And I know that they worked with all of us, not just myself. So please, to the public, I'd like you to know that everybody here has been involved with Don and Nancy.

Whereas, Don and Nancy Dayton were married in 1962 and raised three children;

Whereas, they moved to Eldorado in October 1980 as Don's last duty assignment in capping out a 36-year career with National Park Service. He served as superintendent of four National Park areas including White Sands and Carlsbad Caverns. After nine years as Southwest Deputy Regional Director he retired in 1989;

Whereas, for many years. Don and Nancy volunteered on the Eldorado Volunteer Fire Brigade and later the Eldorado Volunteer Fire and Rescue. Nancy was a volunteer EMT as well;

Whereas, Don served on the Santa Fe County Mine Plan Review Board and was a founding member of the Jemez y Sangre de Cristo Regional Water Planning Council;

Whereas, for at least 15 years Don and Nancy were State Advocacy volunteers at the New Mexico office of the AARP, American Association of Retired Persons. They each served as Subcommittee Chairs on the Consumer Committee for the last 10 years – Don on water and Nancy on elections and ethics. Both worked long weeks attending Legislative Committee meetings and providing testimony. The scarcity of water as a resource gained public awareness thanks to Don's work and Nancy played an essential role in forging practical compromise. It's because of their leadership that water issues remain a high priority and are now considered part of the national priority;

Whereas, they were instrumental in all aspects of the conception and creation of the Ken and Patty Adam Senior Center, from passing legislation to fund construction, to providing quality control oversight of the building, to organizing volunteers to set up programs for seniors and have remained active members;

Whereas, Nancy has held the office of Secretary for the Friends of the Ken and Patty Adam Senior Center since its inception;

Whereas, in 1999 they were honored as one of the Ten Who Made a Difference for their involvement with Santa Fe Search and Rescue and the Eldorado Community;

Whereas, for nearly ten years Don served as a member of the CDRC, County Development Review Committee and was the Vice Chair for six of those years and most recently served on the County's Audit Committee;

Whereas, Nancy served as an Early Voting Presiding Judge for Santa Fe County elections: and

Whereas, their dedication is a true example to their fellow advocacy volunteers.

Now therefore, be it resolved, by the Board of Santa Fe County Commissioners by this proclamation to recognize the many contributions to Santa Fe County by Don and Nancy Dayton. Approved, adopted and passed on this 29th day of October, 2013, signed by the five County Commissioners, our County Manager, our County Attorney and our County Clerk.

I do now move.

COMMISSIONER ANAYA: Second. Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Commissioner Stefanics, I had no idea they were leaving. I've known the Daytons. They've done many, many things, many that you listed and many that probably weren't listed, but I do believe they were a treasure that will be missed in the area, the region and thank you for bringing it forward. It's truly deserved.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, thank you, Commissioner Stefanics, for bringing this forward and what I would want to say about these two individuals is that they've contributed to their community, they've helped local government and I'm sure that they will continue in those efforts as they relocate. But these are the type of individuals that make our jobs a little bit easier, makes staff's jobs a little bit easier, and it speaks to the volunteer efforts of our community efforts that are willing to give back and make a contribution. And it's only right that we recognize them for their efforts. And so thank you for doing that, Commissioner.

CHAIR HOLIAN: Thank you. Commissioner Mayfield. I first met Don Dayton when he and I were both appointed to the County Development Review Committee at the same time. When we first started on the committee I would have to say that we were probably the most progressive voters on the committee and oftentimes we were at the short end of 5-2 votes. And I'm pleased to say that over time the CDRC changed and I like to think that they came around to Don's and my way of thinking. The voting record changed after a while.

I really learned a lot from Don Dayton over the years, especially just getting to know him on the CDRC. But the most important thing that I really learned from Don was the value of community and how important your community is. What I associated Don and Nancy with the most is in fact giving back to the community. They were early settlers in Eldorado and I think that they had a huge impact on how that community evolved over time. The Ken and Patti Adam Senior Center is a perfect example of that. They also worked tirelessly at the state level for role for seniors in our state over the years and I really appreciate all the work that they did.

So I am really going to miss Don and Nancy, but I figure it's just going to be a good excuse for me down to Carlsbad in the future to be able to see them again. So thank you. Commissioner Stefanics.

COMMISSIONER STEFANICS: One more item. It turned out that Ken and Patty Adam and Don and Nancy Dayton and another couple used to have sack lunched together at the Eldorado Community Center, the ECIA building. And at some point somebody said, well, are there other resources to help us. And so they asked for meals to be

delivered, and that was the start of creating a senior center in the Eldorado-285 area that serves from far north to far south on that corridor. And he did indicate to me very shortly that they were moving. I had not much advance notice and couldn't even be at their farewell gathering, but he lived it down in Carlsbad, so that is why they are there. So the proclamation, once passed will be mailed to them in Carlsbad. Thank you.

CHAIR HOLIAN: Thank you. We have a motion and a couple of seconds for approval of the proclamation.

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action.]

X. MATTERS FROM THE COMMISSION

A. Miscellaneous

1. Presentation and Discussion on Nomination for District 50 House Representative Seat [*Exhibit 1: Applicant Statements and Letters of Support*]

CHAIR HOLIAN: There is a very sad reason that we are discussing a nomination for the District 50 House of Representatives seat, the untimely loss of Representative Easley. Nevertheless, it is our duty as the Santa Fe Board of County Commissioners to nominate an individual to fill this seat. Ten individuals applied for this nomination and I believe one removed her name from consideration. At our last Board of County Commissioner meeting we heard from Matthew McQueen, Billy Peterson, Cynthia Lukas, Richard Rogers, Ann McCampbell, and Peter Mitchell. After our code study session that we had subsequent to that meeting, Eric Lucchetti addressed the Board. I believe that today the other two applicants for this seat are here, Debbie Larrañaga-Ortiz, and Ann Jenkins. I would first like to invite them to come forward to address the Board and perhaps talk a little bit about why they put their name forward, what they see as their role as Representative would be, and whatever else they would like to say to address the Board. Then I will open this topic up for discussion among the Board members.

Now, I will note that today we do need to make a decision as to whom to nominate, so after discussion I will take nominations for the individual to recommend to the Governor to appoint to the District 50 House of Representatives seat. I will note that more than one name can be nominated and there does not need to be a second. And then we will vote. So, would Ms. Larrañaga-Ortiz like to come forward to address the Board?

DEBBIE LARRAÑAGA-ORTIZ: Good afternoon, Commissioner Chair Holian, Commissioners Anaya, Chavez, Stefanics and Mr. Mayfield if he is present on the phone. And staff, Katherine Miller and all those present. Thank you for giving me the opportunity to introduce myself. I am Debbie Larrañaga-Ortiz, a resident of southern Santa Fe County. I am currently the director of the Moriarty Chamber of Commerce. I work closely with all communities within Torrance County, southern Santa Fe County, as well as the

Stanley areas. I've worked as a legislative assistant in the offices of Representative Nora Espinoza and Representative Dianne Hamilton for the past three legislative sessions.

My priorities as a legislator would be economic development in our rural areas, working with our senior citizens and the youth of our communities. Our children's education is the most important gift we can give them. The more prepared they are for their future in turn it secures our futures. It will be a challenge, but working collaboratively and [inaudible] for the entire district would be my goal. I mean to work closely with all our legislators and elected officials to obtain money for our capital outlay projects so that we can fully fund those projects.

Again, thank you for your time. I know you have a full agenda and I wish you all a good afternoon. Thank you.

CHAIR HOLIAN: Thank you, Ms. Larrañaga-Ortiz. Ms. Jenkins.

ANN JENKINS: Madam Chair, Commissioners, Manager Miller, I first of all would like to thank you for the work that you have done to keep our government open enough that this County had ten people willing to submit our names to be represented and nominated by this County. I think it's a sign of an open and involved community and you get credit for a lot of work to make our county that open.

I'd like to share with you a trip I took yesterday. District 50 is an interesting district and Stephen Easley talked a lot about how different and diverse it was. Yesterday, I wanted to get an overview and really get a sense of, in one day, what does District 50 look like. I started out in the Eldorado area, which is home, and drove through, down Glorieta and into Edgewood, a drive that's really familiar to me and I never ever get tired of how pretty it is. But then I drove over into the wooded area that's a little corner of Bernalillo County that is part of District 50, very isolated, very traditional community, down into Torrance County with its rangelands and beautiful view of the Manzano Mountains. Again, very old, established communities, into Valencia County in which there are miles of undeveloped platted land looking like Rio Rancho looked like 15 years ago. So it's very, very diverse.

District 50 sort of snakes around the incorporated areas so it's very unincorporated, largely, much like areas of Santa Fe County that are familiar to you and to me. There are some issues that are very important to all the communities in District 50. High on the list is education. Thank you. You said it well. And that will be an issue as the legislature meets in January and February. But there are some other areas in which I have experienced and I'd like to maybe forward my service to my community. One of them is the area of healthcare. District 50 is largely unincorporated, far from the services needed for medical, dental, mental illness and health education, an area that we need to address. Another area is the area of resource conservation.

This drive is absolutely beautiful and I hope that you all have a chance to do it soon, but it's blighted with signs of land for sale, five to 500 acres. Blighted with areas of abandoned homes and abandoned communities. It really needs to be vitalized. All these areas have a common need for fire services and I was delighted to see all the volunteers and professionals in our fire area. Big need for open space; big need for parks, and something that we can work on together.

The last area is more of an area I do have experience with and it's vitally urgent and that's one of capital planning. We don't have a lot of time to get a capital outlay request in to represent the needs of our community before the legislature meets again. So I was going to ask you for two things. One is your support for the nomination for District 50, but the other is that whoever sits in the capitol next year that you work with them and make sure that our capital needs for infrastructure improvement and funding are recognized and represented. So thank you.

CHAIR HOLIAN: Thank you, Ms. Jenkins. Katherine.

MS. MILLER: Madam Chair, Commissioner Mayfield has been trying to call. I was trying to get Ted to call back.

COMMISSIONER MAYFIELD: Katherine, I'm on the phone.

MS. MILLER: Okay.

CHAIR HOLIAN: Commissioner Mayfield, you're on?

COMMISSIONER MAYFIELD: Yes, I'm on, Madam Chair. Thank you.

CHAIR HOLIAN: Can you hear?

COMMISSIONER MAYFIELD: Yes, I can hear fine. I don't think you guys hear me once in a while when I speak but that's okay.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: Madam Chair, Commissioner Anaya, we tried to ask your question at our study session to the candidate so I hope you'll ask the same question because we wanted to make it consistent for everybody.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Madam Chair and thank you, Commissioner Stefanics. The question that I asked and the question that I would ask of you, Ms. Jenkins and Ms. Larrañaga-Ortiz is that the district is a broad district and represents both semi-urban areas as well as rural areas, a vast difference of perspective, cultural beliefs in many ways and background. What would you do to represent that entire district, all facets within that district? And you can both respond.

MS. LARRAÑAGA-ORTIZ: Commissioner Anaya, thank you for your question. I would work really hard to hold public meetings so that each community could express and talk about the needs of their communities, like the previous candidate expressed. District 50 I really think got spread out in an area where you have the urban, the rural areas and there are many, many differences. I think working together collaboratively and bipartisanly, not looking at whether you're a Democrat or a Republican or an Independent, but working together to do what's right for each community across the board and working with the commissions, because there's four commissions that you have to work with in this district that it would take a lot of time but it's time that I'm willing to commit to to make sure that people are heard.

We have a citizens' legislature and working as an assistant in a legislative office people come in all the time and it's so rewarding to be able to help those people. So I think community meetings, bringing people together, I think doing those things would be helpful and beneficial to all of the communities. Thank you.

CHAIR HOLIAN: Thank you, Ms. Larrañaga-Ortiz.

MS. JENKINS: It's not an easy challenge and I know it's one that you deal with every day. But I think in addition to the ideas that we just heard I'd also just point out that the advantage of talking to leaders who have represented and who know the community is really important. Certainly talking to people who are active in the school board, active in the community in various community organizations is important and being open for community meetings. The challenge is how to reach those people who don't have the time or maybe the wherewithal to make the meetings and that's a challenge I think of just being available in the communities, making that 100-mile drive down to the end of District 50 and doing it frequently enough to be heard and recognized and open. So I'd also be really interested in any ideas that the rest of you have; you're experienced in it. Thank you.

CHAIR HOLIAN: Thank you. Is there any further discussion among the Commissioners?

X. 2. Nomination of District 50 House Representative Seat Candidate From Santa Fe County

CHAIR HOLIAN: I will now open this up to nominations. I will note that it is not necessary to second a nomination but a Commissioner can, if they so choose. And there can be more than one nomination. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I'm not sure why we didn't have it our packet but I asked for it and we got it, so I appreciate that the Manager gave us again, because we had them, but gave us again these applications that I have in front of me. I have Mr. Eric Lucchetti, Mr. Billy Peterson, Mr. Peter Mitchell, Mr. Matthew McQueen, Ms. Ann McCampbell, Ms. Cynthia Lukas, Mr. Richard Rogers, Ms. Ann Jenkins and Ms. Debbie Larrañaga-Ortiz. When you look at these applications and the capacities and the experience, it's awesome. It's awesome that as a Commission and as a body that we asked for interested parties to put their name in the hat, to put forward themselves, and I think Commissioner Stefanics and probably all the Commissioners have said that.

Anybody that is – I'll just say it this way – insane enough for the right reasons to put themselves forward to try and be a public servant at any capacity, whether it's a community advocator, or an elected position or any place – a non-profit – anybody, that's willing to put themselves out there to carry a message or represent a group, I applaud them, and I applaud each and every one of you that put in this application. I'm glad that we went through this process this time in this review because we gave each of the individuals an opportunity to submit their packets and then we had an opportunity to review.

I'm not ashamed whatsoever to say publicly that I know one of these individuals very well. One of these individuals that's in this room has been an advocate for many years. An advocate for many years in the entire county and the state of New Mexico, an individual in this room that advocated along with their family members to do many, many things, not just in the Estancia Valley but throughout the state. I also make this nomination knowing that one of the other individuals in this room, Ms. Jenkins, has already been nominated and her name is already being put forward to the Governor by Bernalillo County. So she already has an

opportunity to be considered for this position that's very important to this county and all of the counties involved, and to, most importantly, the community members.

One of the things that I'm also not ashamed to say in any way, with all these wonderful qualifications that we have, one of the things that is frustrating at times as a County Commissioner is that many of the long-standing residents of Santa Fe County and the state of New Mexico don't put their names in or up for consideration. Many times we have people that maybe have more time and more opportunity to do so that have just as much interest. I know Ms. Jenkins and Mr. McQueen and Mitchell and all of the people to put in, the desire and the energy to put the effort behind what it takes to be a representative.

But I want to say, as I make this nomination that I make it because I think the individual will work very hard and be bipartisan, but also she's one of the only ones that's a very long-standing member of the community. That I think is important. I think it's important to have that diversity and consideration. So it's with that and with respect to each and every one of you that are here that I nominate Ms. Debbie Larrañaga-Ortiz.

CHAIR HOLIAN: Are there any further nominations? Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair and I really do thank, as Commissioner Anaya did, everybody who applied. And we have some other natives in the group that did apply, and I would recognize that as well. I am going to nominate Ms. Ann Jenkins for the position.

CHAIR HOLIAN: Commissioner Mayfield, are you there?

COMMISSIONER MAYFIELD: Madam Chair, I am here also.

CHAIR HOLIAN: Are there any further nominations?

COMMISSIONER MAYFIELD: Madam Chair, let me have the floor if I may.

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, [inaudible] I appreciate all the applicants and time, the commitments and putting themselves out there publicly, all the forums they attended. Also the times that they've spent in front of the Commission. We have a hard choice in front of us. I believe Commissioner Anaya said that there was already a nomination to the Governor's Office. I think there's probably multiple nominations already by various other County Commissions. Again, it's a hard choice for me and I don't think it would be a wrong choice with anybody that we would put forward through Santa Fe County. I guess there's already nominations for two individuals. But with that, I'm also going to put a third name in there right now, Mr. Matthew McQueen. That's whose name I'll put forward right now. Thank you. And again, thank you to all the applicants who applied.

CHAIR HOLIAN: Thank you, Commissioner Mayfield. Any further nominations? Commissioner Chavez.

COMMISSIONER CHAVEZ: No, Madam Chair. I'm not going to make any further nominations but just an observation, if you will. I do appreciate that we have the interest and I do see that there are many qualified individuals that have expressed interest in that and honestly, I support the nominations that have been brought forward so far. I think that's a short list out of the long list that was presented to us. But I also will state that I have not spent a lot of time on this particular issue because of the fact that our influence will be

short-lived. We will make the nomination, the Governor will appoint who she's more comfortable with, then that person will have to run in the primary if they so choose. And so I think that we're filling a gap because of an unfortunate circumstances and a lot of it is out of our control and I don't think we have the influence that we would like to have in the decision or in the outcome of the decision that we're making today. So I will yield to the others in their recommendations, hope that the Governor does the best in her selection, and then moving towards into the primary that one will place their name on the ballot in the primary and be successful in that election. Thank you, Madam Chair.

CHAIR HOLIAN: Thank you, Commissioner. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. I just wanted to let the Commission know and the public know that I did talk to the deceased's wife several times to see if Sue Easley was interested in being nominated. She indicated she was not, but I did want to let the public know that I thought that if the widow wanted to do this that would be appropriate. So she did decline several times to me. Thank you very much.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I have a question for Commissioner Stefanics because I just looked at the résumés again and I apologize if I spoke out of turn but could you point out which individuals – I was speaking to a native of the region; I'm talking about an individual that was born and raised in the Estancia Valley and that whole sector. And I respect all the other applicants but who are the individuals that – because you said on the record that they were native New Mexicans.

COMMISSIONER STEFANICS: I believe that Mr. Peter Mitchell is.

COMMISSIONER ANAYA: Peter Mitchell. Okay.

COMMISSIONER STEFANICS: He was born and raised here in Santa Fe? Is that correct?

COMMISSIONER ANAYA: My apologies, Mr. Mitchell.

COMMISSIONER STEFANICS: And maybe that's it. I'm not sure about Eric Lucchetti – I've lived and grown up for the last 12 years of his life. So it doesn't sound like he was born here, and –

COMMISSIONER ANAYA: On that point, Madam Chair, I want to be clear and explicit that living here doesn't necessitate and equate that that's the only consideration. But I definitely think that having a background in New Mexico and having a background in this specific community that would be represented is a good thing. I want to say that for the record. So thank you for clarifying that. My apologies, Mr. Mitchell.

CHAIR HOLIAN: I too would like to thank all of you who submitted a letter of interest for this position. I was extremely impressed with the credentials of the people who applied and the expertise of the people who applied. And most of all I was impressed with how many people want to give back to their community by serving in this largely voluntary, unpaid citizen legislator position. I believe if there are no further comments we will vote on the nominations in the order that they were given.

The first name was Ms. Debbie Larrañaga-Ortiz.

[Ms. Larrañaga-Ortiz received a vote of Commissioner Anaya.]

The second is Ms. Ann Jenkins.

[Ms. Jenkins received votes from Commissioners Anaya, Stefanics and Holian.]

COMMISSIONER CHAVEZ: Well, I abstained on both. Usually that indicates a lack of support, but I'm supporting both nominations.

CHAIR HOLIAN: And then there's another nomination, Mr. Matthew McQueen.

[Mr. McQueen received votes from Commissioners Anaya and Mayfield.

CHAIR HOLIAN: I believe Ms. Ann Jenkins got three votes. Is that correct? Am I reading that right?

COMMISSIONER MAYFIELD: Madam Chair, point of clarification from you please?

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, again, just a clarification point for me, respecting the process but not fully understanding it. I appreciate all the names that were brought forward, even the names that weren't, but were we to vote if we so choose on all of them and it was it going to be the majority vote or was it going to be the first individual who received the three votes?

CHAIR HOLIAN: Commissioner Mayfield, in this particular case, the first individual who received three votes was also the only individual who received three votes.

COMMISSIONER MAYFIELD: Well, I understand that, but –

CHAIR HOLIAN: Steve, would you like to provide some clarity on our votes?

STEVE ROSS (County Attorney): Well, Madam Chair, I think that's the chair's prerogative to call the votes. If there's some ambiguity you can call for a roll call. In my count the three candidates was Ms. Ortiz got one vote, Ms. Jenkins got three and Mr. McQueen got two. I think that's what I heard.

CHAIR HOLIAN: Thank you, Steve. Let me ask the Commissioners, would you like a roll call? Commissioner Mayfield.

COMMISSIONER MAYFIELD: Again, Madam Chair, I just wanted clarification. I'm not disputing the votes by any means, and I brought one name forward. I still – I had a respect for again, all the applicants and the three that we brought forward for final were fine. I just didn't know – can we vote for more than one person? I guess that was my question. But if we're going to bring Ms. Jenkins' name forward and she's going to have the majority of the Commission's support I don't have a problem also supporting Ms. Jenkins. I guess that's my point. If Mr. McQueen is not going to be the successful consideration going forward.

CHAIR HOLIAN: Steve, can a Commissioner vote for more than one applicant?

MR. ROSS: Madam Chair, yes.

CHAIR HOLIAN: Okay. So I believe that the vote as I understand the vote, Ms. Ann Jenkins is our nominee.

COMMISSIONER MAYFIELD: Madam Chair, I'd also like the record to reflect that I also support Ms. Jenkins.

CHAIR HOLIAN: Yes. So I believe we want the record to indicate that Commissioner Mayfield voted for Ms. Ann Jenkins as well. Congratulations, Ms. Jenkins. Thank you.

COMMISSIONER STEFANICS: Madam Chair.

CHAIR HOLIAN: Yes.

COMMISSIONER STEFANICS: I did happen to run into the Governor's chief of staff, so this is direct hearsay, not through a third person, but he indicated the Governor wanted to appoint by the end of the week. So I don't think we'll be waiting long. Thank you.

CHAIR HOLIAN: Thank you. I think I am going to call a ten-minute recess and we will reconvene at 2:40. Thank you, all.

[The Commission recessed from 2:30 to 2:52.]

X. B. Commissioner Issues and Comments

CHAIR HOLIAN: I would like to call this meeting of the Board of County Commissioners back to order. We are now on item X. B, Commissioner Issues and Comments. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I just have one and that is that, I said it earlier we had an opening of the Edgewood Fire Station the other day and I know the Commissioners wanted to attend. But I want to commend the Chief, Assistant Chief Moya, project manager Ron Sandoval, the Manager, Katherine Miller, Mr. Hogan, our architect that was hired. Is Mr. Hogan here? Or Mr. Sperling? If somebody could grab them real quick because I'd like to have them tell us the name of the architect and the contract. But the wet-down was awesome and it was a tribute to the resources that this Commission and the resources from the State of New Mexico provided, so as a fellow Commissioner, I want to thank my colleagues on the Commission for allocating the resources to the project. It's going to serve the entire region including residents in Torrance and Bernalillo through mutual aid. But it's an awesome station and it will serve the area well, the town residents and so for that I thank you.

Mr. Hogan, if you could just come forward. I was just thanking you guys for your efforts on the Edgewood Fire Station. I don't have the name of the architect and the contractor. Do you know those?

MARK HOGAN (Projects Management): Madam Chair, Commissioner Anaya, yes I do. The architect was Marci Riskin, and the contractor was Weil Construction. I'm not sure I'm pronouncing it exactly right. Weil Construction.

COMMISSIONER ANAYA: They did an excellent job, as did the Chief. The Chief's in the room. I wanted to thank you for your efforts on the Edgewood station. It was a lot of effort, going back to former Commissioner Anaya and his efforts. I want to thank him as well. But thank the prior Commission, thank this Commission, Ron Sandoval and all of you guys for your work and your efforts to get it done. Is there anything you want to add, Mark?

MR. HOGAN: Madam Chair, Commissioner, just to let you know that we appreciate that and thank you very much. It was an honor and it was a really good project for us. Thank you.

COMMISSIONER ANAYA: Thank you. Thank you, Madam Chair.

CHAIR HOLIAN: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, thank you, Madam Chair. I do have a presentation and some information that I want to share with you regarding a meeting with staff and the homeowners of the Salvatierra Neighborhood Association. There's been some issues in the area regarding illegal dumping, a tire dump, abandoned vehicles. There's some question about the water system in the area that the County just assumed responsibility for. But before I go any further I want to thank staff for attending the meeting with the homeowners. I want to thank them, recognize them for their time spent with the homeowners, and ask them to come forward and share with us a list of concerns and some action that you're undertaking to address these issues. Adam, if you would please.

ADAM LEIGLAND (Public Works Director): Madam Chair, Commissioners, Commissioner Chavez, yes. Commissioner Chavez, about a month – almost two months ago there was a waterline break in some newly acquired infrastructure that we acquired from the City as part of annexation and that caused a water outage in the Las Campanas, Aldea, Salvatierra area. So as a result of that I met with the community and they brought up some issues in addition to the waterline issue. But speaking to the waterline issue, one of the things I did bring up, some of the homeowners were complaining that because of the waterline break some sand and dirt has gotten into the line. And so in response to that, we did flush the line when we fixed the repair. We were going to flush the line. In fact, I think that might have already happened as of today. I checked with the staff, the utility staff yesterday and they said they would accelerate it on the schedule.

They also asked that we maybe establish a relationship with contractors because some of the members were concerned that maybe the quality we got out of the repair that was performed wasn't up to snuff, so I said that we would work on that. A number of the members did say that the utility number that's listed on their bill was incorrect and I think that was – we are looking at the number but also I think that the number the residents were given by the City as emergency response for the County utility was incorrect, and since the transition had only happened a week previously, between the City and the County a lot of the information didn't get out to the affected residents. So that was unfortunate but the proper number is now on the website

COMMISSIONER CHAVEZ: And would it be appropriate for you to give that number out now, Adam?

MR. LEIGLAND: Actually, Commissioner Chavez, I don't have it with me. I neglected to bring it. I apologize for that. One of the things I did ask is a number of the members, homeowners did submit claims for reimbursement because of the damage caused. The infrastructure failure was a pressure reducing valve and so it caused a pressure spike and that caused a lot of damage down the line to water heaters or water meters or whatnot. And so the homeowners submitted reimbursement to the utility on a utility reimbursement. So we're coordinating with risk management to pass those on to our insurer. The total amount of

claims that we've received, we've received 20 claims; the total amount of claims is just about \$27,000.

COMMISSIONER CHAVEZ: And Adam, do you anticipate this occurring in the future or do you already have a mechanism to prevent that from happening?

MR. LEIGLAND: Well, Madam Chair, Commissioner Chavez, it's impossible to prevent – this is infrastructure we're inheriting from another entity. We have an idea of where things are located but we have really no good idea of the condition of them, so I don't think it's possible to say that we can prevent our future failures, but I can say that we will improve our response procedures. And also there's going to be notification, having the right phone numbers and what not.

And actually, speaking of that, the last thing that they asked us with regard to the utility is that the line break that had been repaired by the City some years ago, in their area, many of the members were concerned that it was not a very good repair and they are worried about a future failure and the reason they were particularly concerned about that is that the community is going to pave their own roads through their own resources and they're worried that as soon as they pave their roads then there will be a water failure at this particular junction and then they will have to tear up their newly paved roads. So they asked us if we could do a pre-emptive, if you will, waterline repair, so we're speeding up for that.

So those are the utility issues. I think you addressed the water issues that were brought up to me at the meeting, the land use issues, the tires and the – oh, one other thing that they asked was about the mailboxes that are on the corner of Fin del Sendero and Camino La Tierra. There are mailboxes there that serve – mostly they serve people who live on Fin del Sendero, off that road, and they were worried about just the traffic movement, people turning into and out of that parking lot where the mailboxes are off of Camino La Tierra. So, they asked us what we can do about either improving that intersection somehow or even moving the mailboxes. So we went back and looked at it. If it's possible to improve the intersection but we understand that when those mailboxes were originally site an exhaustive survey was done to find the best place for for them and that is where they are now. So I think based on that we couldn't move them but we can improve the flow of traffic or look at the flow of traffic at that particular intersection.

COMMISSIONER CHAVEZ: Okay. Thank you, Adam. Then I guess all would say is that I really do again do appreciate you spending time with the homeowners. Madam Chair, we have one member of the homeowners association. Can we give him a few minutes to comment?

CHAIR HOLIAN: Yes. Please come forward and identify yourself for the record.

COMMISSIONER CHAVEZ: And if we could, Mr. Dimonte, I know that you have some concerns. You've shared them with Adam. If you could keep your comments relatively short and to the point.

GUY DIMONTE: I will. Thank you. Thank you for this opportunity. My name is Guy Dimonte. I live in the Salva Tierra section next to Las Campanas, District 2. And the recent water failures have made us realize that we're just not getting the proper Public Works out in our area. It started with the water break and what happened was we were

getting bills from the City. We called the City. They told us it was sent over to the County. We called the County to find out the status of the problem and we get voice mail. That kind of summarizes the kind of service we have been getting. And we still have not had our meter read since November and we're getting bills based on I don't know what.

As a result of this pressure spike many of us have had a lot of damage. There's plenty but there's more to come. We are going to flush our own system because sand gets into our valves. We're going to have to install a pressure relief valve because we cannot trust the pressure that comes to us from the City. And we have to put filters in the incoming line because we cannot trust the City to do proper flushing when there are repairs. So this is the kind of service we have been getting.

As a result, when we met the homeowners we asked our members if there were other issues and there were several other issues. One of them is a property on Chollas that has been under stress for seven years and again, there have been several members in our community who have called the proper agencies, they didn't come to bother you with it, but all we get is just promises. And this thing has been going on for seven years with no resolution. I understand it's a complicated legal thing but we don't seem to be getting any service, and that is the frustration that we have. So I won't go into detail with it.

CHAIR HOLIAN: Thank you, Mr. Dimonte.

COMMISSIONER CHAVEZ: Madam Chair, Mr. Dimonte, I feel your frustration and I am not ignoring your concerns. I appreciate you being here. We will work to turn things around. We've just inherited this part of the system. Okay? So let us work through that, trust that staff will do what needs to be done. Okay? And we'll stay in touch with you. As I've said before, establish a good working relationship with staff. I depend on them as you depend on them to do the work that needs to be done. So let's work with the team that we have. We've taken note of your concerns. What I would like to do now, Mr. Dimonte, is go into the land use issues and we have Mr. Dalton that can address those issues and talk about some of the challenges that we're facing on that particular issue.

MR. DIMONTE: Thank you very much for your attention.

CHAIR HOLIAN: Thank you, Mr. Dimonte. Wayne.

WAYNE DALTON (Building and Development Services): Madam Chair, Commissioner Chavez, I didn't attend that meeting but we have been working on some of these issues. The first issue is the tire issue. We have gone through our process. We've issued an initial notice of violation; we've issued a final notice of violation and if the property owner does not comply we'll move forward with our legal process.

COMMISSIONER CHAVEZ: Can you give us a timeline on when you think that might play out?

MR. DALTON: Madam Chair, Commissioner Chavez, I will work with Rachel from Legal and we'll get this done as soon as possible.

COMMISSIONER CHAVEZ: Okay. And then I guess if you could, if staff – I know that when we're faced with these legal challenges we have to be very careful with what we disclose, but if you could at least stay in touch with the Salvatierra Neighborhood Association and let them know on a regular basis, maybe give them an update so that they

know we're not ignoring their concerns. We're addressing them, but we have to do due diligence and do it the right way.

MR. DALTON: Also, Madam Chair, Commissioner Chavez, the house on Chollas Circle, we've actually gone through our processes with all the issues of notice of violation. The property owner's agent actually came in to submit for a permit but found out he owned taxes on the property, so he's trying to obtain financing to pay those taxes off and likewise, in the other case, if he doesn't comply then we'll move forward with our legal process on that case as well. We are working on these issues.

COMMISSIONER CHAVEZ: Okay. Well, again, I want to thank staff for all the work that you do, not only on these particular requests that are before us now but just stay in touch with the homeowners and I think we'll be okay. Thank you, Mr. Dalton.

CHAIR HOLIAN: Thank you. Commissioner Mayfield, are you there?

COMMISSIONER MAYFIELD: Yes. Are you on Consent?

CHAIR HOLIAN: Commissioner Mayfield, do you have any issues that you would like to discuss?

COMMISSIONER MAYFIELD: No, Madam Chair. I'm just checking out from my conference right now. Are you going to go to the Consent Calendar right now?

CHAIR HOLIAN: No, not quite yet. We first have our meeting as the Board of Finance.

COMMISSIONER MAYFIELD: Oh, okay, Madam Chair. Well, I don't have anything right now and I'm just going to go back into my conference right now and then I will get back on in a bit. Thank you.

CHAIR HOLIAN: Okay. Thank you, Commissioner. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. I would like to wish the Santa Fe County staff and elected officials and the public a safe and happy Halloween. Some people live in areas that do not receive trick or treaters so if you're going some place I hope you have an enjoyable time. Santa Fe County has a Halloween contest every year and I think this year we're going back to traditional. Is that the way it's reading, Katherine?

MS. MILLER: Madam Chair, each office picks their own theme.

COMMISSIONER STEFANICS: Oh, I see. So maybe – am I giving too much away for the Manager's?

MS. MILLER: You might be.

COMMISSIONER STEFANICS: Oh. I better stop talking. But anyway, if you come to Santa Fe County on Halloween you will see many people dressed up. Thank you very much.

CHAIR HOLIAN: Thank you. I just wanted to tell the other Commissioners about the Glorieta Camps. Glorieta Camps is the new – well, it's Glorieta Baptist Center, used to be, and there's a new entity running it now called Glorieta Camps. I met with Anthony Scott who is the director of the – he was named by the non-profit that now runs it, and I just want to let you know that they have really ambitious plans for the future. It's going to be the destination for literally thousands of kids from across the United States in the summer, and the whole idea is to make it a real outdoor experience for the kids, to make sure

that they're really outside doing things and not just sitting in front of their computer terminal looking at pictures of the outdoors.

And they're going to implement a number of new fun activities like they're actually going to put a zip line in there. So we are actually going to have a zip line in Santa Fe County. But the best thing is they really want to make sure that the community is welcome to the center. They're going to have several community days where anybody from the community can come and take advantage of all the activities and fun things that they have there. They are also going to make it possible for the public to access the trail that is on their private land that is a connection to the national forest trails. I know that was of great concern to the community, but they want to make sure that people can still get to the national forest from that area, and they want to work with the County to make that happen.

Also, I think that what's important about what they're doing is I think it's actually going to have implications for our local economic development because there's going to be a lot more activity at the camp and they are committed to hiring local people. So this is I think going to be a positive thing for our community.

The second thing I wanted to bring up – well, first of all, kudos to the Hondo Volunteer Fire Department. They got one of the best ratings in the entire state, an ISO rating which sort of rates fire safety in a particular area. It was a nine out of ten and their new rating is four out a ten. A lower number is better in the case of ISO ratings. What is important about that is that means that insurance rates for homeowners will come down significantly in the Hondo Volunteer Fire Department District. So again, kudos to them for such a huge achievement and it's going to make a difference in people's lives.

The last thing is I wanted to thank Robert Martinez and our staff in the roads department for all the work that you did to get the Local Government Road Improvement Grants. You really brought in significant amounts of funding and I think it's going to be very welcome to our county residents and I wanted to let you know that I already got positive feedback from somebody who lives in the Arroyo Hondo area about the improvements that were done on the Arroyo Hondo Trail. So thank you for all that work. We really appreciate it.

MATTERS FROM THE PUBLIC

CHAIR HOLIAN: Normally we would be on to Matters from Elected Officials, but I noted in looking through the agenda that we have left off Matters from the Public. So at this point in the agenda I'm going to ask is there anyone here from the public who would like to address the Board on an issue that is not an item on our agenda? Okay. Seeing none, then we will go on to Matters from Elected Officials.

XI. MATTERS FROM ELECTED OFFICIALS

A. Treasurer's Office

1. Call Meeting to Order

CHAIR HOLIAN: I will note that we will temporarily adjourn as the Board of County Commissioners and reconvene as the Board of Finance. Is there a motion for adjournment?

COMMISSIONER STEFANICS: I move that we adjourn as the Board of County Commissioners and reconvene as the Santa Fe County Board of Finance.

CHAIR HOLIAN: Is there a second?

COMMISSIONER CHAVEZ: Second.

2. Roll Call

Commissioners Anaya, Chavez, Stefanics and Holian were present and voted to convene as the Board of Finance.

3. Presentation of the County's Investment Portfolio for the Five Months Ending September 30, 2013

CHAIR HOLIAN: I will now turn this over to the County Treasurer for the presentation of the County's investment portfolio for the five months ending September 30, 2013.

PATRICK VARELA (County Treasurer): Good afternoon, Madam Chair, Commissioners. Today I brought with me members from the Public Trust, Mr. DeBow and Ms. Duffy. As you remember the last time, they were contracted to look over our investments and our office as well. Okay, first slide we have my challenges, actually for this half of the year. We have a volatile market out in the country, dropping bank interest rates and existing agencies that we owned that have turned from callables into bullets. A bullet, Commissioners, Madam Chair and our Investment Committee, so a bullet is actually an agency that [inaudible] and because of [inaudible] because of conditions have turned to a bullet which means it will go into its maturity. It will no longer be called.

Our investments, we have in our operations, we have \$105,517,107.17. Our GOB account, we have \$13,938,045.98. Our GOB 2011 we have 11,532,050.29 and our GRT 2010 we have \$534,250.48. And our GOB 2007 we have \$204,537.71. Since September 30th we've drawn down some of these GRT and GOB bonds to our operations that have matured and we have transferred it to our LANB operations account.

Our investments and account balances, we have \$19,602,859.93 in CDs and bank balances. LANB at this time we have \$22,989,473.66. Our First National Bank of Santa Fe we had \$9,011,344.53, and our LGOP we have a whopping \$641.13 for a grant total of \$183,333,810.88.

Our CDs, we have some brokered CDs that have rolled off and matured. Recently, we just had one that matured September 20th for \$248,000 and our local certificates of deposit, this is certificates of deposits in local banks, in Guadalupe Credit Union, in New Mexico Bank and Trust and so forth. We have a grand total of \$8,390,000 that we have invested. This is something I put in this packet. This is what our investment committee sees every month. These are actually our – this is what I purchased from January to the present that I've been in office. These are maturities and the last time if you recall I fully invested in short-term purchases because of our market, the way it's turned, so all of these have short maturity dates, three years, five years, seven years.

Right now I have been buying three years or one year bullets because – I'll elaborate on this a little bit further but this is all I have purchased so far and then also the companies where I purchased with.

Our portfolio balance, this first page is our CDs, certificate of deposit pages. These are all the – as it was in the pie chart, these are all the certificate of deposits that we currently own. Our next slide is our LANB balances and we have the First National Bank is on the bottom where there are what I like to call my liquidity cushion which is \$3 million. These are our current agencies that we have and T-bills that we all own. So our liquidity cushion, I've added this in there because I have gotten several phone calls of issues that was happening in Bernalillo. We have liquidity and we always have had it. In our First National Bank like I told you earlier, we had a total of the \$9 million. We had a \$5 million CD that was earning 50 basis points. That matured. They don't want our money anymore. So I transferred it back to Schwab.

Our \$3 million liquidity cushion that I call it, it was earning 50 basis points as of November 1st it will drop down to 15 basis points and that's based on the economy the way it is currently right now. They had predicted it was going to be an upswing but because of the closure it went the opposite direction. So right now in Charles Schwab I also have \$8 million in liquidity cushion earning one basis point and that's actually was lower because I transferred four million to operations to cover expenses.

Right now our current holdings, as you can see we're kind of fat in our first one year and then we're lean through years one through three and it kind of staggers throughout. So my goal has been to fatten up the beginning of our portfolio, our current year, and just purchase short-term investments, because we do have long-term ones. And over time my plan is to even them all out so they just – as they mature I'll reinvest into the following years within just a three-year window.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: Madam Chair and Mr. Treasurer, on your portfolio, the numbers reflect millions? At the bottom? When you were just talking about zero to one?

MR. VARELA: I'm sorry. Those are actually the percentage of the portfolio. So for my next six-month investment plan, I'm investing only in short-term treasury notes or bullets that – and also making a strong liquidity cushion. This is my first year in office so I wanted to keep that money liquid because I wasn't sure exactly what our cash flows. That's

why I've been talking closely with our Finance Department and also Public Trust has also set up a benchmark for me so we're looking more firm cash flow for the upcoming years.

So right now I'm working on maturities for 2014 only so we have a good cash flow at that point.

We have our delinquent collections. We had two people working on our delinquent taxes. We lost one of them and they're going to be working on getting people that have been delinquent for several years. They've actually collected from people that have been up to seven, eight years delinquent. We had 2,619 accounts that have actually been worked. \$6,143,309.77 was collected the first half. Second half we have \$2,140,261 success to date, actually as of September 30th that's been collected, for a total of \$4,003,048.09. So our workers have been doing their job.

I also initiated a red tag project. This was for delinquent mobile home taxes, and that's been showing some positive feedback. We've worked a total – this is only two individuals. They worked 30 out of 34 mobile home parks. 1,400 mobile homes have been placed with liens through the Department of Motor Vehicles. 249 mobile home accounts have been collected thus far and 160 mobile homes that we have on our tax rolls have been unlocatable. That's if they've disappeared overnight. This isn't just something that just happened in Santa Fe County. It happens statewide.

We had a higher number of unlocatables because of this new process that we've been going through so as we keep on doing this practice of red tagging our numbers will become smaller. The first month that we did it we collected \$78,647.74 in delinquent mobile homes. From May 1st though September 30th we collected an additional \$60,032.34 for a grant total of \$138,680.08. And then because of the 110 that we can't find an estimated \$118,000 was lost on those unlocatables. Unlocatable mobile homes, after they can't find them will be removed pursuant to statute 7-38-77, Section C.

So between the two collections of our delinquent taxes and our red-tagging program we have collected, year-to-date, \$8,471,535.56.

My short-term goals over the next few months is – will be using our internet services. Right now, we can't – actually customers can't get a copy of their bill. Right now this service is going to be available. We'll be getting the DVD soon. It will be on our website hopefully shortly, in the next few weeks where they can actually go in and print their own bill. I'm also looking at a self-serve kiosk. This is like a remote iPad that people can pay their taxes online, a remote site where they don't have to come into the office to do so. Hopefully in the future, looking at it maybe this kiosk can also be used to purchase trash permits. We would have a little dispenser to dispense one.

Now in November, I'm going to be doing a county outreach throughout the whole county to collect taxes. Each day of the week we would be at different sites. During the week we're looking at Chimayo, El Rancho, Eldorado, Glorieta, Edgewood, and also not here listed, because this was a little bit later was we're doing also the MEG – Mary Esther Gonzales Senior Center and some of the places have actually embraced this new outreach. The senior centers really did, they really thought it was great and we went to a City Council meeting in Edgewood and again it was also embraced, so it looks like it will be positive.

Next we'll be moving on to Public Trust to give their trust. If there's any questions, I'd like to answer them.

CHAIR HOLIAN: Thank you, Mr. County Treasurer. Any questions? Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you very much. Besides what we're reading in the paper about Bernalillo County, could you factually tell us like in a couple sentences what you perceive happened there, so that we don't get into the same situation?

MR. VARELA: What I think actually happened was the investment officer and the treasurer were probably chasing yield and when you buy agency for, say, 20 years, you might get 2.5 percent maturity at that time in stead of .75, which looks good on paper. When we're in such a low interest rate it would be fine at that point but we've been slowly creeping out of it and the government has stopped buying agencies, so with that in mind, they were loosing – they were buying to sell later, which that was the practice over there. They'd buy agency and then flip it later for a profit. That's not working out so it turned the opposite effect and so a million dollars, for example, they might be able to sell it at \$980,000 instead of a million. So there's going to be a \$20,000 loss. That hasn't been my practice. I've been doing short terms because I was surprised – when I came in office and before that I could see that the economy was going to start changing and I didn't want to buy long term.

COMMISSIONER STEFANICS: Thank you for that response, and the reason I'm asking and I'm looking forward to hearing the Public Trust Advisors is that the public is always interested in what our Treasurer does with their money, and so I think the more you can reassure not only us but the public about what you're doing is very important. Thank you.

MR. VARELA: Commissioner Stefanics, I received several calls after that. It's been hitting the air and how's our liquidity? Is our liquidity [inaudible]? And I have to say, what do you mean by our liquidity? I'm asking what's going on in Bernalillo and then elaborate on the situation and then I elaborate on how my purchasing practices have been and they walk away with a positive note.

COMMISSIONER STEFANICS: Thank you.

MR. VARELA: Any more questions?

CHAIR HOLIAN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, just a few – just a follow-up on some of the previous comments. We understand as policy makers that it's important to have a collaborative effort and that's what we have. We have professional partners that are working that you've looked to for consultation and advice and you also work closely with our Manager and our Finance Department as well in addition to us. So we appreciate that we have that type of relationship here and that will continue.

That being said, anybody in the investment market, if they had a crystal ball, we may not have had the levels that we had in the crash and the tough times that we had but the reality is that it's a juggling act and it's a balancing act and to assume that every time, all the time there's always gains is I think a premature or a false assumption. So we understand the volatility of the market. I understand the adjustments you're making, but some losses that are

being had, we just had a discussion in a meeting associated with the State of New Mexico Association Workman's Comp pool, and there's challenges that that pool faces, that are unforeseen and from my perspective many times unpredictable. So I want to say that on the record.

I would like to add, Mr. Treasurer, that when you came on board you came before the Commission, have always been very open about what it is your desire is to provide a professional service in partnership with us and the people that surround you but also to extend services to people outside into the entire county. And so I appreciate very much – we've had a few discussions about outreach and I appreciate you've taken that on aggressively and worked hard to get out there in the community and go to where the people are, as opposed to always asking them to come to us at the County. So I'm very appreciative of those efforts.

The one thing I want you to respond to is we are going out – you are going out – your team and yourself and your deputy and your team are going out with your staff and finding those areas where there's delinquent taxes, but on the record, we do work with people to try and achieve a workable way for them to pay back their billings, right? It's not merely a punitive search. We're trying to help people and try and get them to pay their bill but we work with them. Do you want to talk a little bit about that and what you do in those efforts?

MR. VARELA: Madam Chair, Commissioner Anaya, yes, we do. I set up payment plans with them. My goal is not for any of the property owners to go to state level and that is after 2 ½ years and they're aggressive on collecting. I work out payment plans with them, see how they can do it. There was – most of our delinquent taxpayers, they have a fear of coming into the office because they expect they have to pay everything at one time. Once you talk to them at their level and find out what their concerns are and what they can afford they usually walk away happy and they pay on time. So we're not – even our letters are different when we tell them that they're delinquent. They're structured in a way where we're telling them that they're delinquent but in a nice manner, not where we're coming down hard on them. Because this – the times are hard.

COMMISSIONER ANAYA: Madam Chair, Mr. Treasurer, I appreciate that response. I myself am no exception to having financial challenges at times in my life and I know that there's many out there that have done the same, especially in these economic times. So what I'm hearing is we're encouraging people to come in and we have a desire to work through those deficits that they may have on those billings to get them caught up. Thank you, Madam Chair, and thank you Mr. Treasurer to you and your deputy and your staff, Mr. Lujan and all your staff.

MR. VARELA: And a think I'd like to add on that note is we have a lot of non-English-speaking people in our community so I've been getting a lot of our material translated because once they understand, like in the mobile home program, once they flipped it over and saw it in Spanish for them they came right away and they resolved the issue because they didn't know. So that was another challenge that we found and we're working on that. I came with big ideas and I'm having to slow it down.

CHAIR HOLIAN: Mr. Treasurer, I also want to say thank you to you and to the Deputy Treasurer and to all of your staff. As a member of the Investment Committee I have to say that I've found the committee meetings very, very useful. The information that you have presented has always been very informative and thorough and we've had some good discussions. Also, I realize as you've pointed out that these are difficult times to make investment decisions in and I think that you have done an excellent job at changing your investment policy or starting to change your investment policy to reflect the changing conditions that we are facing now, so I really commend you on that.

MR. VARELA: Thank you, Madam Chair.

CHAIR HOLIAN: I think we now are going to have a presentation. Ms. Duffy.

XVI. A. 5. Presentation and Recommendation on the County Investment Policy From Public Trust

SHEILA DUFFY: Thank you, Madam Chair, Commissioners, Treasurer. I'm Sheila Duffy. I'm a director with Public Trust Advisers. We've been working with the County for several months now to do a thorough analysis of not only the investment policy and the organizational structure but the holdings and do a risk assessment. So I'll start out and then turn it over to my colleague Chris DeBow who is the managing director with our firm. I also want to make a point that we handed out a condensed version of our full report for today so we don't take too much of your time. *[Exhibit 2]* I understand we have about 15 minutes to present. Is that correct.

CHAIR HOLIAN: That would be good.

MS. DUFFY: Thank you, Madam Chair. So we -- I'll start with just saying that the County Treasurer, Treasurer Varela, was very pro-active when he came into office asking that we come in and assess everything that he inherited, so that he has a good grasp on what he holds and what needs to be done and preparing a good strategy for the future. I also want to take a moment to thank the County staff. They've been very good about getting us information and working with us so that we could do our analysis. So hats off to the County staff.

So the full report is in your Commission packets. It's a lengthy report with several appendices but we did an introduction of our scope of work. We also did a very thorough policy review, review of the organization of the Treasurer's Office and how it works with the other Finance staff in the County, and then we did an investment analysis, which we will go through today. We have at the end of today's handout a very concise list of any recommendations we make for managing the investment function going forward. And we are working with the Treasurer, we have been working with the Treasurer and as just presented, the strategy is kind of to smooth the ladder and invest short term, considering the current economic conditions.

You have met us before. I think we came and presented, Chris and I came and presented when we were first hired to do this report. So I won't spend a lot of time on our

firm's background. But we do have – we manage money for public entities. We have several billion dollars under management right now, and that's nationwide. So we have experience across the nation as well as a great deal of experience in New Mexico as I've been working in finance here for many, many years, and Chris in his previous firm has worked in New Mexico as well.

So we understand the public process and statutes and rules and so forth. Our bios, you've seen. At this point I want to hand it over to Chris DeBow to go over the executive summary of our findings and the investment analysis.

CHAIR HOLIAN: Thank you. Mr. DeBow.

CHRIS DEBOW: Thank you, Madam Chair, Commissioners. So my name is Chris DeBow and on behalf of Public Trust we're thrilled with the opportunity to present our findings. We do have maybe ten or so slides that really summarize and really point to some of the risks that are in the portfolio, and I do want to stop for a moment and talk about when we say risk. When I leave my home every day there's a risk that something could happen to me, so there's risk everywhere in the world. It's how we manage and how we mitigate those risks. What we really wanted to do in the report is we looked at all facets of the investment program. As we mentioned, from the operational perspective, to the holdings, to the reporting functions, etc. So I'll walk through some of the risk as we see them, and just because we use the word risk doesn't mean bad; it just means there's things we'd like you to consider in the future. We've talked to staff about, because with every investment program, you can always enhance it, because things change over time. You talk about the economy changes, the administration may change, risk tolerances may change, so it's very dynamic.

So in our executive summary, as I mentioned, the first bullet point, you have a very broad and very sound investment program. We will mention a few specifics there and give you some key recommendations that you may want to consider. Just because we recommend it doesn't mean that, oh, it has to be done. It's just something to be discussed and to be considered.

As I mentioned, there are risks anywhere in the investment process and a prime example of that is the United States Treasury. Last week there were rumors that we were going to default on our debt and here we are thinking the US Treasury, the safest investment in the world could default on its debt. That's a risk. So again, I use the term loosely, but we will talk about the limited risk in our portfolio.

In public funds investing, not only here in New Mexico but really nationwide, the key tenets of any successful investment program are really these objectives: safety, liquidity and yield. And when we talk about safety it's really, if I invest a dollar somewhere I would like to get my dollar back, plus a little bit of interest if possible. When we talk about liquidity, liquidity is really how quickly can I convert my investments into cash? How quickly and how easily can I get that money back? So we'll look at some liquidity parameters. The last thing that a public fund official should consider is yield because at the end I like to protect the money, I've got to make sure I have money to pay my bills, and then I'll worry about my yield. I've never seen a treasurer or an investment officer be fired from their job because they

earned too little yield, so really yield is the last consideration. It's nice to earn interest income because it helps on the budget side, but oftentimes folks focus too heavily on yield.

So I mention safety, we want to preserve the principal of all the investments. The County's portfolio is very safe and very sound. On the next slide I'll show you an asset allocation, where the County's dollars are. From a credit risk perspective, we want to talk about credit risk, that's the probability if I put money somewhere and invest it that I may not get it back. If that underlying security or underlying CD would default, meaning not pay us our principal and interest back, that's really the credit risk. So the credit risk in the County's portfolio by and large is very safe. There's a few nuances where it can be enhanced, and I'll comment on those on the next page.

So when we talk about safety, obviously over time you want to minimize all your other risks. You want to minimize your credit risk, your liquidity risk, your interest rate risk – you want to know what those are, and how those may affect your ability to meet your future operations in the future, and we'll highlight some of those as we walk through this presentation.

So this is a pie chart here that shows the total balances of the County's funds and just a couple nuances as it relates to balances. From a banking balance perspective as of June 30, and then from investment securities in the Schwab accounts, that's as of 9/30. So it's kind of a mix of dates but the County has money spread out among a number of different financial institutions, both banks, your money is also invested in various securities, treasuries and agencies, and there's a few money market funds.

One of the recommendations we had in our presentation, if you look at the top right sort of quadrant, it's the black pie so to speak. There is a little bit concentration of credit risk, and it has to do with the total amount of deposits that is at Los Alamos National Bank. And I want to highlight from saying the County conforms to state statutes as it relates to the collateral that is required for Los Alamos to post. We have a deposit at the bank. They are required to put collateral behind your deposit. In New Mexico, the State Treasurer's Office publishes the amount of collateral that they require for their counterparties. Currently, for LANB, that percentage is 75 percent collateral. So if you put a dollar in, they want to put 75 cents behind your deposit as collateral.

Across the country, most public entities outside of New Mexico would typically require a 100 percent or 102 percent collateral parameter. Again, that's going to increase your safety in the unlikely event that your counterparty – it's highly unlikely that that bank goes away, but if they ever do it's much better to have 102 percent than 75 percent collateral. Having said that, if you go to the bank and say I'd like you to increase your collateral, the rate that they are paying you on your deposits is certainly going to go down because it's a cost to them. So that's one simple way that things can be enhanced. It certainly conforms with state statutes but it's an enhancement that could be considered. Any questions just to this point in time?

CHAIR HOLIAN: Any questions? Commissioner Anaya.

COMMISSIONER ANAYA: Let's talk about that for a minute if we could. Talk about the difference in the enhancement going somewhere else. Does going somewhere else pertain to a broader scope with a broader base necessarily? Talk to that a little bit.

MR. DEBOW: Madam Chair, Commissioner Anaya, I think I understand your question. I think the recommendation as it relates to bank counterparties, any deposit that the County has we would recommend that you have at least 100 percent collateral behind that. And currently, with that specific counterparty it's 75 percent. Other counterparties may be 50, others may be 102, depending on how the State Treasurer's Office –

COMMISSIONER ANAYA: Understanding that the second part of what you said was that you would most likely see a reduction in rate –

MR. DEBOW: Quantify that.

COMMISSIONER ANAYA: Not necessarily quantify it but is that more secure to walk away from the rate and have the 100 percent backing or what are the pros and cons? And what I'm getting at is who are you suggesting or where are you suggesting that we would offset that investment to get that 100 percent backing if it wasn't at that bank?

MR. DEBOW: Madam Chair, Commissioner Anaya, I think from a public funds perspective, I would rather have 100 percent collateral. That's the industry-wide standard typically across the United States. I don't know that you have to move the money away from that specific bank. Again, they likely have – every bank has a balance sheet and on their balance sheet they have investments which they can post as collateral. So they will likely have other investments that they can move over to post as collateral, and again, there would be a haircut in terms of the rate they'll pay. But there are probably other financial institutions in the county that would have an interest as well; we have not explored that. Again, it's a great discussion item but it's really fine-tuning how much risk you're willing to accept.

COMMISSIONER ANAYA: And just one more follow-up comment on that. My assumption would be that the banks with the larger base or broader base would have an easier time competing than those that were more local in nature. Is that accurate or inaccurate?

MR. DEBOW: Madam Chair, Commissioner Anaya, that is, I would say, an accurate statement. A larger bank is going to have an easier ability to take down a larger deposit.

COMMISSIONER ANAYA: I would say it publicly that I think it's careful to evaluate that but that we also need to be cognizant of where and who we're putting the money with and its relationship to the locality. All things aren't equal; I'll say that, and that we have to have a balance associated with that spread of where those dollars go. Is that reasonable?

MR. DEBOW: Correct. I think in our written proposal there is an opportunity for a future RFP to explore what other institutions may be able to provide 100 percent collateral and where that shakes out.

COMMISSIONER ANAYA: Thank you, Madam Chair. Thank you, sir.

CHAIR HOLIAN: Thank you. Please continue.

MR. DEBOW: If you turn to page 14, I wanted to talk a little bit about liquidity. Again, there were some previous questions addressing liquidity. Actually, to summarize it very plainly, the County has more than enough liquidity to meet its ongoing operations for the foreseeable future. The County has a lot of money that is invested in a very

short-term nature. There are, however, some longer-term investments that were purchased by the previous Treasurer that are still on the books, and we'll talk about what that means in the future and what sort of risks there are. One of the keys that the Treasurer mentioned is he sort of is making sure he is working with all departments to make sure he knows what his future liabilities are. When we talk about liabilities, what is the County going to spend and when is it going to spend it. And I think referencing the Bernalillo County issue, there wasn't, there's not harmonization on what was being spent and when do I invest it. So they weren't able to make sure they had enough money to pay their bills. Santa Fe County has more than enough money to pay all the ongoing operations with a massive buffer.

The second area of liquidity is even though you have things that you can convert, some markets are more liquid than others. US Treasuries is the most liquid asset class, followed by agencies, and then you kind of can drift down into other sorts of securities. So it's not only how quickly can I do it but also how liquid are those markets, how quickly can I arrange something if I wanted to sell it.

This is, on slide 15 is a similar chart to what the Treasurer showed. We look at it from a different point of view. The County has two types of primary funds, at least the way you think about them from a County perspective. One is pooled funds and one is non-pooled funds. Non-pooled funds are funds that are really covenant or bond restricted, meaning they can't be pooled together for investment purposes. Pooled funds, we call it the general funds and a number of other funds. I have a complete listing of those in the report. So what we've done is we've graphed the maturity distribution of all of the pooled fund assets, specifically all the investment securities. This does not include some of the cash that's in the bank. These are purely investments of the County.

So there is broad representation here, but what we'll talk about a little later on is some of the longer-term securities, some of the 7 to 15-year securities that are in the portfolio.

As I mentioned previously, yield is the last consideration. Many public fund managers have been looking for yield anywhere they can find it – under their mattress, literally anywhere, and some of them have been reaching in buying maturities that are maybe a little too long, and others are making on some more credit risk. The County Treasurer here is not doing that. He's looking to fill his ladder. He's looking to buy treasuries, agencies, very simple securities that will provide some yield – it's not going to be the best yield, but again, he's ensuring that the public dollars are protected and that he has enough money to pay all ongoing operations.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, if I could just ask this question, maybe you could address it as you're going through your presentation. Understandably, you have to have investments that cover ongoing and immediate needs, and I understand the climate of the market, but is there a rule associated with a certain amount of revenue or dollars that we have that aren't in immediate need for us to also not completely abandon potential long-term opportunities that don't jeopardize the immediate needs? Because what I'm hearing a lot of is move all resources into shorter term and abandon ship on longer-term investments, but we understand and know that over time there will be benefit in dollars. So can you help kind of balance those and maybe help the public even understand that it's not all

about moving everything into short term but there is some necessity to also think about the longer-term risks and what percentage of dollars that might be as we move forward?

MR. DEBOW: Madam Chair, Commissioner Anaya, outstanding question and it's a very popular theme in today's market. Most public funds, investors of public entities, will do – they will actually partition their investment portfolio. So you take your pooled assets, they will identify a portion of pooled assets that will be the “liquidity bucket.” This is going to be money that's going to pay all of our ongoing operations for this year, plus a little reserve for next year. That's the first bucket. The second bucket will be additional money that we don't need to pay immediate ongoing operations, knowing what we have coming in for the next couple of years on our forecast, and let's call that our core portfolio. We mention that in your report. So certainly the better handle that any public entity has on the five-year forecast in terms of what revenue is coming in and what's going out, you can really harmonize where you put your investments along the curve.

I think our caution has been that the Treasurer has inherited a number of investments that are already in that core portfolio and it probably doesn't need anymore, at least at this particular juncture. So that may address it and I'll show you also some analysis. So even if you invest securities out five or ten years, there's implications to those securities because on an annual basis those securities are going to be what we call mark to market annually. In your financial statements you have to price them at fair value and I'll go into some shock analysis.

So there is the risk that if rates go up your core portfolio value could fall. But again, you had every intent to hold those to maturity, which is key.

COMMISSIONER ANAYA: Holding it?

MR. DEBOW: Yes, holding it.

COMMISSIONER ANAYA: Getting in a lot of discussions about immediate short-term loss on a long-term investment isn't very relevant and that's what's happening, I guess is what I'm putting forward in some cases, that there's a lot of focus on the short-term paper loss on investment that was never intended to be sold on a short-term basis.

MR. DEBOW: Madam Chair, Commissioner Anaya, you're absolutely correct. There has been a lot of focus on ensuring liquidity in today's market. In addition to that, being tactical and strategic – nobody knows when rates are going to go up. If I knew, anybody knew they would make a lot of money. But what we encourage public clients to do is to plan: know your budgets, know where your ladder should be and kind of keep building that out. It's okay to buy five-year securities in today's market. Absolutely, as long you don't overrun it. I think that a suggestion that we have right is that there is already a fair amount of securities that are earning great interest rates, but we don't need any more of those that will fit within this ladder.

To continue that discussion, when we talk about – and this is some headline risk that's out there. Earlier I told you there's two ways to increase yield. This is on slide 17. You can run increased credit risk. Again, that's buying a riskier asset. Instead of buying a treasury, if you bought a New Mexico security, so long as it's an eligible security, that's increasing credit risk. The second way is to extend your maturity structure. Every day that you invest out in maturity structure you should earn more money in today's market place. But that also comes with a risk. What I would like to just talk about just briefly is that the investment

world – we’re looking at bonds. We use the term called duration and I talked about things going up and down, think of a teeter-totter. If on one side of the teeter-totter you have interest rates and on the other side you have the price of a bond, if interest rates go down the teeter-totter goes up, and the price of your securities in your portfolio also goes up.

And if your interest rates actually go up, your teeter-totter goes the other way and the market value of your portfolio does fall. So in your current portfolio you do have some teeter-tottering going on right now but to Commissioner Anaya’s point, the County has every ability to hold whatever securities they have to maturity, so even though there might be a teeter-totter movement where you have an unrealized loss; that doesn’t matter. We’re collecting that nice coupon payment and we’re going to move forward. So that’s what slide 17 shows. It shows the farther you invest out in the interest rate market the lower that teeter-totter risk that you’re going to be taking on. Right now, we think the County has an appropriate level of securities that are sort of laddered in that core portfolio and that’s why we’re trying smooth out some of the front-end stuff.

Slide 18 is a prime example of what I just described. This really shows the liquidity risk that if the County had to liquidate all its investments today, all \$103 million, what would that effect be? Well, as you can see, some of those long-term securities, they do have marginal “unrealized losses” but that doesn’t matter necessarily to us today because we’re going to hold them to maturity. So this is sort of a what-if scenario. In our opinion, from the view of the portfolio of the County, it is that they are putting a substantial portion of their portfolio in long-term investments and then hoping that they could sell those for a gain at some point in the future. So they were taking interest rate risk. Santa Fe County is not taking interest rate risk here. It’s a very diversified portfolio but it also does show the effects of, again, if rates rise rapidly here there will be additional unrealized losses in the portfolio. Again, the County has plenty of liquidity to pay for operations.

And as we think about interest rates, we don’t really care where interest rates go, we care how fast they get there. If interest rates go from one percent to ten percent overnight that’s going to affect every public funds client in the United States.

So prior to moving to the summary of recommendations there three areas, one is an investment policy summary, an operations summary and then just an investment strategy. Are there any questions that I can answer? I know we’ve covered a lot.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: Well, okay. So I would like to go back to a comment that the Treasurer made and it’s related to some of your recommendations coming up. You indicated, Patrick, that one of the banks didn’t want some of our money, and in some of your recommendations coming up you’re talking about not holding everything in one place. So I think that when you want to invest locally, which we do, we’re going to not have as many options.

MR. DEBOW: Madam Chair, Commissioner Stefanics, you’re absolutely correct and again it’s a discussion point for the Commissioners as much for the Treasurer. It’s critical to invest in your local community. Many public entities do that across the country. It’s just balancing the importance of staying local with what risk you’re willing to accept. The

risk is very small that any bank, usually is going to go away, but when it does happen it's much better to have 100 percent collateral.

COMMISSIONER STEFANICS: We have had that happen. And in fact, Madam Chair, a few years ago we went out to bid, we didn't have everybody clamoring at the door to take our money. And we went out to bid because we were concerned about some potential problems. There were problems, actual problems but again, we didn't have a lot of local banks. Now, there are some local banks that are taking federal money that you think would want our money, and I think First National Bank is one of them, and didn't you say they don't want our money?

MR. VARELA: They can only maintain \$6 million total government money if we don't have an account there.

COMMISSIONER STEFANICS: See, where I'm going with this that in terms of some of your recommendations that I'm kind of reading and maybe I'm jumping too much ahead, but it's like we want to maintain local investment.

MR. DEBOW: Madam Chair, Commissioner Stefanics, local participation is very important and right now, we've talked about a couple – if a bank wants your deposit they're always going to pay a high rate for your deposits so it's also going to be a function of not only the collateral that is required to be posted, but also what other ancillary revenue the bank can actually capture and maintain from the partnership with the County, meaning that if they have payroll or if they have other services that they're earning non-credit revenue, they'll likely pay you a higher rate as well. But again, local investing is important. It's a discussion item to be considered. It's not for us to tell any constituent how to structure their banking relationships, just to point out the underlying credit risk.

CHAIR HOLIAN: Any further questions? Please proceed.

MR. DEBOW: Thank you, Madam Chair. I'm going to pass the next two, the summary of the investment policy and the summary of the operation over to my colleague Sheila Duffy and I'll be back to finish the last section of recommendations.

MS. DUFFY: Thank you, Chris. Madam Chair, Commissioners, on pages 5 through 10 of the full report you find in your packet we did an extensive review of your investment policy and went over this list of recommendations in some detail in the Investment Committee. The investment policy is somewhat dated, I would say, if I may just say. There's a long list and it's probably too detailed to go over in this forum, but just as an overview, it's just time to kind of update the policy to match the increased complexity of the County, the increased cash balances, and update some of the details within the policy. So you can find those recommendations in your full report. And again, the Investment Committee has seen all of the recommendations as we went through them in detail in that committee.

So moving on to organizational review, I think has been mentioned today the current Treasurer has worked with the Finance Department of the County and has been really open and probably more communicative in the way he's running his office, which is great. So our recommendations here are just to kind of harmonize that level of cooperation and say how we will create cash flows because as Chris said, the better the cash flow the better the investment strategy to harmonize with the cash needs of the County.

Also we would suggest that as the County has grown and this discussion has just happened, the banks have a hard time dealing with how much money you have. So I think that there have been some – the areas where Los Alamos National Bank brought internal Schwab and so forth to try to deal with how much – the level of funds that were flowing through the bank, and [inaudible] to invest those funds. It's time to probably step back and strip out the custodial services that are provided by Charles Schwab from the fiscal agent bank services that are provided by Los Alamos National Bank. And probably the best practice here would be to create two separate RFPs. We have discussed this with the Treasurer, so that you have two different relationships there instead of having it all flow through Los Alamos.

The RFP is due to come out in the fall for a fiscal agent bank, so we would just suggest that that just be the fiscal agent bank and that a second RFP be created to establish a custodial banking service.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: So, Madam Chair, fall means now.

MS. DUFFY: Yes.

COMMISSIONER STEFANICS: Fall 2013 I read.

MS. DUFFY: Madam Chair, Commissioner Stefanics, yes. That is coming up. The RFP should be coming out relatively soon. It's spring? I'm sorry. I stand corrected. It's spring.

COMMISSIONER STEFANICS: Spring. Okay. Thank you.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, quick question on the collateralization. Right now it's 75 percent? The Treasurer is shaking his head, so he's saying no.

CHAIR HOLIAN: Mr. Treasurer, do you want to come to the mike to answer that?

MR. VARELA: [inaudible – experiencing microphone malfunction]

COMMISSIONER ANAYA: So the state is trying to make it go to 75?

MR. VARELA: Just a recommendation. [inaudible]

COMMISSIONER ANAYA: Madam Chair, Mr. Treasurer, whoever wants to answer it, when those dollars are collateralized, is it the percentage, whether it's 75 or 102 contained within the assets of the institution or is there any gap there from federally funded or federally insured portions that they might have? Is it all in the bank or is it partially federal liability?

MR. VARELA: [inaudible] So every month we get a collateralization report for one month.

COMMISSIONER ANAYA: Madam Chair, Mr. Treasurer, how much is carried by the bank and how much is insured or carried by the federal government in the example of 75 percent, let's say. Do you know? Or 100 percent? What portion is carried by the institution and what portion is subsidized, I guess is the best way to say it, by the federal government?

MR. VARELA: \$250,000 is insured by the FDIC.

MR. DEBOW: Madam Chair, Commissioner Anaya, a couple of follow-up comments. As it relates to collateralization, as I mentioned banks have investments on their balance sheet that they can post as collateral. In our report, in our recommendation, we have recommended that we move to a tri-party agreement or a third party custodian to hold the collateral. Again, my job as a fiduciary is to look at the what-ifs, the what-ifs the what-ifs.

COMMISSIONER ANAYA: I just want to make sure I understand. Is the collateral 100 percent contained within the assets of the bank or do they get some backing from the federal government?

MR. DEBOW: The first \$250,000 is FDIC insured. The remainder is in the bank and it's held by the bank. And our recommendation is in the future to have a third party hold that collateral. Again, it would decrease the rate on your deposits but a third party would hold those assets in the event that the bank would go away.

COMMISSIONER ANAYA: So is it based on the investment or is \$250,000 the cap across the board regardless of how much money you invest?

MR. DEBOW: The \$250,000 is the FDIC limit based on a tax ID in accordance with the FDIC.

COMMISSIONER ANAYA: So just one amount. So only \$250,000. If you invest \$30 million you're only going to have insured \$250,000.

MR. DEBOW: Correct.

COMMISSIONER ANAYA: Okay. Thank you.

MS. DUFFY: Madam Chair, if I may, I would just like one more point of clarification. Some of this discussion we're talking about policy and some is reality. So at present there's 102 percent collateral, but we're discussing policy changes and we would suggest that you go 102 percent across the board for any bank and any deposit. Another option is to follow the risk assessments done by the State Treasurer's Office, which say that you can do 50, 75 or 102, based on the risk assessment, and that's laid out in the administrative code.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. And I'd like for you to correct me if I'm making any wrong statements. I'd like to remind the Commission that the state has lost money for Santa Fe County. And that the state doesn't collateralize at 100 percent or 102 percent.

MS. DUFFY: Madam Chair, Commissioner Stefanics, I believe that you're referring to the Local Government Investment Pool, which broke the buck in 2008.

COMMISSIONER STEFANICS: Which had our money and some other local governments' money.

MS. DUFFY: Right. And that is – bank deposits might be one type of investment within that pool. The state's policy for state money is that they do a risk assessment on all banks across the state. And based on – it's laid out in the administrative code, based on the ratio, computation of the ratios, the banks either have to collateralize at 50, 75 or 102 percent. So that is the rule that the State Treasurer's Office follows, and it's implemented by the State Board of Finance. So another option, if you want to mitigate risk or

if you want to be more conservative you can, as a Board of Finance, say we want 102 percent collateral on all bank deposits.

Now if you put any money in the Local Government Investment Pool, from your perspective that's an investment, so that is not collateralized.

COMMISSIONER STEFANICS: Well, Madam Chair, we did limit the amount of money that could be invested. While we had our old Treasurer we actually changed the policy and I think, Patrick, it was the month before you came in or a couple months, that we were very concerned that we not put money where it was not going to be secured.

MS. DUFFY: Madam Chair, Commissioner Stefanics, I think that's why you only have \$614 with the State Treasurer's Office at this moment.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, this is a very serious conversation that we're having, very comprehensive and complex. I would say from my perspective that it's not all on one or the other. I think that we have to secure investments but we also need to also have a diversified portfolio but also have in mind that we want to sustain investment in local investment. And so I'm not all in on taking everything and putting it at 102 because I think what that does is that only creates a market that's sustained by the big dogs and I think there are other balancings that we can do that still maintains our investment but doesn't, potentially – potentially I say this, walk away from opportunities to invest locally.

So I don't think it's one or the other. I don't think it's a policy taking it all to 102, but I do think that consulting with yourselves and our Treasurer and our Finance staff, our Manager, and that comprehensive effort. So that's my perspective. Thank you.

MS. DUFFY: Madam Chair, Commissioner Anaya, I would say that as the governing Board of Finance that is your decision. Any other questions?

CHAIR HOLIAN: Do you have anything further for the report?

MS. DUFFY: Madam Chair, just to continue through, as far as the biggest recommendation on this slide is to strip out the fiscal agent bank from the custodial bank, so one is a safe-keeping and one is where you keep your cash. Given the small size of the Treasurer's Office we would just say that it's a good idea to bolster the resources that are with outside services. And with that I'll hand it back to my colleague, Chris DeBow to go through investment recommendations.

CHAIR HOLIAN: Thank you. Mr. DeBow.

MR. DEBOW: Madam Chair, Commissioners, we can walk through the remaining slides I think in fairly short order. We've covered the recommendations in our previous comments, but from the investment perspective, item #1, concentration of deposits, again, we've brought this item to the forefront for spirited discussion. I think it's a great item to discuss going forward as it relates to setting your policy parameters. So we mention that in one.

Item 2 is just a cleaner way to think about your money. I talked about having two different buckets. One is to have a liquidity bucket and the other is a core. Obviously, if you

have a liquidity bucket you can see very clearly and plainly, here's how much money we have set aside to maintain and pay future operations. So that is recommendation #2.

Number 3, and this is much like participating and partnering with local banks in the community. Limiting your maturities on your investment portfolio is very entity specific. By and large, most public fund entities across the United States have a five-year limitation on maximum maturities. However, states such as Florida, Minnesota, and others do allow public entities to invest out to a ten-year time horizon. So it really comes down to as you create a policy, if there's any parameters that you want to bring in, it's to bring them in. I put a five-year rule in here because that is what is very widespread. The second reason I put that in there is because most entities will have a five-year budget. If you have a good budget and you feel comfortable with what you may or may not spend in the future you can certainly go beyond that, but if you don't know what your liquidity needs are seven or ten years out, in my opinion it's difficult to invest at seven or ten years because you don't know if you're going to need the money, if you're going to have to sell something prior to maturity. So that's how we form our basis for item #3.

The last item here is the brokered certificates of deposit. We covered this in our report. These are – brokered CDs are not like deposits how you walk down to your bank and you put money in as a deposit. They're actual securities that are created and they're called brokered CDs. These securities are not eligible by New Mexico statute. These were purchased through the previous Treasurer. The current Treasurer has been looking for opportunities to exit these at a gain without taking any principal loss. Right now, the remaining securities, there is very small losses in there and right now, the discussions and recommendations are to hold those to maturity and upon maturity we'll get all the money out of those CDs. There is virtually zero credit risk in them because all the CDs are backed by the FDIC. So it's really – again it comes down to if you had to decide today would you make money or not? And the answer is right now, rates have moved around a little bit. It's not an opportune time to sell them. So the Treasurer's Office is certainly not purchasing any more of these, but the recommendation was to hold them till maturity or sell them at a gain if rates go lower.

That concludes our prepared remarks. We would welcome additional questions.

CHAIR HOLIAN: Thank you, Mr. DeBow. Actually, I had a question. How much is in the brokered CDs at this point, total?

MR. DEBOW: The brokered CDs, I believe is under \$3 million and I believe that there may have been a maturity just recently, so that number is going down. As a maturity, the brokered CDs were done in \$250,000 chunks because it's like putting a deposit in a bank. You have to be under that \$250,000 mark.

CHAIR HOLIAN: Any further questions?

XI. A. 4. Presentation and Approval of the County Treasurer's Investment Plan

CHAIR HOLIAN: I will also note that there is at least one action item here, which is approval of the County Treasurer's investment plan.

COMMISSIONER STEFANICS: Madam Chair, I wanted to have you clarify or have them clarify the two possible actions so that I know exactly what we're moving on.

CHAIR HOLIAN: Mr. Treasurer, would you like to comment on what action we need to take?

MR. VARELA: Basically, my six-month plan is to continue investing in shorter-term bullets for the cash flow.

COMMISSIONER STEFANICS: From this page? That says use of internet services? That says short-term goals at the beginning. What is it we're taking action on?

CHAIR HOLIAN: Good question.

MR. VARELA: It's going to be slide 16. Six-month investment plan.

COMMISSIONER STEFANICS: So the one that says six-month investment plan, investing in short-term treasury bills, investing in short-term bullets, maintaining a liquidity cushion.

MR. VARELA: Correct.

COMMISSIONER STEFANICS: Thank you very much for that first clarification. So Madam Chair, I would move for approval.

CHAIR HOLIAN: I will second that.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Anaya. Any further discussion?

COMMISSIONER ANAYA: Madam Chair, that doesn't get into the collateralization discussion yet, or does it?

MR. VARELA: Madam Chair, Commissioner Anaya, it doesn't.

COMMISSIONER ANAYA: Okay.

COMMISSIONER STEFANICS: I believe, Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: I believe that's in the next possible action.

CHAIR HOLIAN: That's correct. That – there are recommendations on the County investment policy and that's what we will be potentially taking action on in the next item. Yes, Katherine.

MS. MILLER: Madam Chair, by resolution you're required to quarterly see the Treasurer's investment plan and the securities that we hold as well as transactions of sales and purchases. So that was in the slides. And then – so that's what that six-month plan is a plan that you'd be approving and that's requires by the resolution that created the Investment Committee and our investment policy. Then the second action item, what we were looking for was some direction on how you'd like us to go back and then revise the investment policy based upon the recommendations. So one is on what you'd like to see us bring back, but we'd have to bring the whole policy back to you. So this is just giving us some recommendations on how to work with the Treasurer's Office in rewriting that resolution for the investment policy.

CHAIR HOLIAN: Thank you, Katherine, for that clarification. So right now we have a motion and a second for approval of the County Treasurer's six-month investment plan.

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action.]

COMMISSIONER STEFANICS: Commissioner Chavez had a question.

CHAIR HOLIAN: Oh. Sorry. Commissioner Chavez.

COMMISSIONER CHAVEZ: Madam Chair, if I could I would like to read the investment plan into the minutes. There's three bullet points. The six-month investment plan includes investing in short-term treasury bills and notes, investing in short-term bullet, government agencies and maintaining a liquidity cushion. Those are the three points of your six-month investment plan.

MR. VARELA: Madam Chair, Commissioner Chavez, that's correct.

CHAIR HOLIAN: Thank you, Commissioner Chavez.

XI. A. 5. Presentation and Recommendation on the County Investment Policy From Public Trust

CHAIR HOLIAN: Now I will entertain discussion on giving direction to our Treasurer's Office on possible changes to the investment policy.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I'm okay with staff proceeding with our consultants to have a discussion but I really want us to focus in on that discussion of collateralization and possible impacts to what I was talking about associated with local investment and how that differs from diversification, if it might adversely impact it or positively impact it. So I'm not against diversification and I'm not against having parameters on collateralization but I don't want to just say arbitrarily it's 102. So I'm looking forward to some discussion and some recommendations. So that would be discussion between yourselves and then I'm assuming our Investment Committee which includes the chair and Commissioner Mayfield.

MR. VARELA: That's correct.

COMMISSIONER ANAYA: So I'd move for that, Madam Chair.

COMMISSIONER STEFANICS: I'll second.

CHAIR HOLIAN: Okay, we have a motion and a second. Any further discussion? Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair. I believe that when we went to bid the last time the goal was to protect as much as possible the County's funds, and it would seem to me that when you receive a bid at more than 100 percent that it creates a competitive atmosphere for others to step up to the plate. And so rather than stepping away from the plate, hopefully there would be others who would step up to meet that. And that's just a thought for one of our goals. Thanks.

CHAIR HOLIAN: Any further discussion? There is a motion and a second for direction to the Investment Committee.

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action.]

CHAIR HOLIAN: Thank you very much, Mr. County Treasurer. I believe now – did you have any further –

MR. VARELA: Madam Chair, Commissioners, I just want to thank my Investment Committee because they put in a great input and also our Finance Department because I work closely with them so I would like to thank them also.

CHAIR HOLIAN: Thank you.

MR. VARELA: And of course Public Trust as well.

XI. A. 6. Adjourn

CHAIR HOLIAN: Is there a motion to adjourn?

COMMISSIONER STEFANICS: I'll move to adjourn as the Santa Fe County Board of Finance.

COMMISSIONER CHAVEZ: Second.

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action.]

CHAIR HOLIAN: We are now adjourned as the Board of Finance and we will reconvene as the Board of County Commissioners. Steve, do we need to have roll call again to reconvene?

MR. ROSS: Madam Chair, you don't need a roll call for these items.

CHAIR HOLIAN: Okay. So we can just be the Board of County Commissioners again.

MR. ROSS: Yes. The motion was to move from one to the other, correct?

CHAIR HOLIAN: Yes.

XII. APPOINTMENT/REAPPOINTMENTS

A. Appointment of Planning Manager Robert Griego to Serve on the Santa Fe City and County Advisory Council on Food Policy

PENNY ELLIS-GREEN (Growth Management Director): Thank you, Madam Chair, Commissioners. Elizabeth Salinas was a community planner. She was sitting on the Food Policy Council. She has since left the County so the request is to appoint the Planning Manager, Robert Griego, who has been involved with the Food Policy Council, to appoint him to serve the remainder of that term, which will expire January of 2016.

CHAIR HOLIAN: Thank you, Penny. Any questions? Commissioner Stefanics.

COMMISSIONER STEFANICS: No, I would move the appointment.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: Any further discussion?

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action.]

CHAIR HOLIAN: I think that this would be a good opportunity before we get into the Consent Calendar items because there are quite a few of them, to take a short break. I will call a recess until 4:40 and this time I mean it.

[The Commission recessed from 4:30 to 4:42.]

Upon returning from the break Commissioner Anaya moved to hear item XIV. A. 3 first. Commissioner Chavez seconded and the motion carried by unanimous 4-0 voice vote.

COMMISSIONER ANAYA: Thank you, Madam Chair. One other item. Madam Chair, per communications with the Manager and the Attorney, I want to move to withdraw items on the Consent Calendar – let me make sure I get it right, XIII. B. 5 and 6. I'm moving to withdraw them from the agenda based on discussions with the Manager and the Attorney. There's some things they need to work out.

CHAIR HOLIAN: Is there a second on that?

COMMISSIONER CHAVEZ: For clarification, C. 5 and 6?

COMMISSIONER ANAYA: It's B.

CHAIR HOLIAN: XIII. B. 5 and 6.

COMMISSIONER ANAYA: That's correct.

COMMISSIONER STEFANICS: I'll second.

CHAIR HOLIAN: There's a motion and a second to remove items XIII. B. 5 and 6.

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action.]

XIV. A. 3. La Cienega Watershed Conditions and County Utility Expansion

MR. LEIGLAND: Madam Chair, Commissioners, we were requested to give a brief presentation on what are known as the La Cienega Watershed conditions. And I just want to note that included in the packet material is a map but I thought it might be a little bit hard to read so I actually asked that it be presented here so what's up here is just another map. It's the same as in the packet but just maybe a little bit easier to read.

In 2002 the County passed Ordinance No. 2002-9 which is what's called the La Cienega and La Cieneguilla Traditional Community Zoning District. As the title suggests it has much more to do with just watershed conditions, but it specifically implemented what we call the La Cienega Watershed conditions and the major tenets of these are shown in Attachment 1 of your packet material, and it says essentially that development will be

allowed in the La Cienega area with water being supplied by domestic wells, but as soon as the County water utility is available within 200 feet of the property line those landowners must connect to that County utility. It also has some provisions about sharing the wells. It says that when water utility is available to be connected to the domestic well that they were previously using must be disconnected and can only be used for emergency circumstances. And it also talks a little bit about well design.

So those are what are known as the La Cienega Watershed conditions, and the purpose of those are to essentially protect the aquifer so the groundwater in that area is not being used and the residents will connect to the County utility which as you know produces water essentially from surface water from the Rio Grande.

So that was implemented in 2002. What this map shows, in pink, if you can read it on your map or on the projection, all those pink or lavender parcels are all the parcels that have the watershed conditions imposed upon them. So those are all the parcels that came to the County after the passage of Ordinance 2002-9. So if it's not in pink it was developed before this ordinance and is grandfathered. The blue lines on the map – you can see them up there. They're a little bit easier to see on the overhead than they are on the handout, the blue lines indicate current, existing County water infrastructure. So you can see that there's a waterline that essentially ends at Los Pinos Road and there's a waterline that goes all the way down to Las Lagunitas and continues to Paseo C de Baca and continues all the way down to the end of Paseo C de Baca.

I point this out, and that's why the title of this presentation is call expansion of the County utility. In order to meet the waterline being within 200 feet of all the affected property owners they would have to expand the County utility and it would be expanded off the existing network that we see here. I'd also like to point out that the watershed conditions don't necessarily stipulate that the implication is that the landowner will pay the fees in order to connect to the County utility, so the County utility currently has a connection fee, a \$2,750 connection fee that pays for the water rights, the meter, the installation of the meter can and what not and at their property line, typically it's the landowners responsibility to pay for the line from that property line to their house or to wherever they're taking their water service.

So just estimated, and you'll see that in the memo that it's going to be approximately \$5,000 per household to connect to the County utility when the County utility is within 200 feet of the property line. So in addition to the County's infrastructure investment, to expand the network to get within 200 feet of all the affected parcels the landowners themselves will have a small financial obligation as well.

So we've done an analysis of the infrastructure investment that would be necessary to affect all the parcels. You'll see in the memo that there are 392 parcels that have the watershed conditions upon them presently. So we did an analysis and we estimate that it would take approximately 12 ½ miles of waterlines to get within 200 feet of all those parcels. That's just an estimate. It would go along 22 different road segments. So that area again, the map doesn't necessarily show it clearly but it's actually fairly dense with roads. So by running waterlines down all the roads it would be approximately 12 ½ miles of roads.

We wouldn't necessarily have to do it all at once. We could do it in phases. You'll see that there's actually clusters – actually, if you go to the next slide, this is a zoom-in or the

area. This is not in your packet. In the presentation you'll see this is the highest density of the affected parcels, so this is just around the racetrack. You'll see the airport just to the north. So if we construct this in phases you'd want to focus on this area first. This would give you the biggest bang for the buck, and so it would be probably three miles or four miles of waterline and you could get most of the households affected by the watershed conditions.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Say that again. How much to get the majority?
How many miles of the 12 miles?

MR. LEIGLAND: Well, Madam Chair, Commissioner Anaya, it depends on exactly how you would do it but we estimate that for about a third of the total mileage you would get the majority of the affected parcels. So you would come off the waterline that ends at Los Pinos, you could bring it down Los Pinos as the main spine and you can see that the bulk, within a mile and a half or two miles of the frontage road –

COMMISSIONER ANAYA: Well, if I could equate that to dollars. That's over two million dollars.

MR. LEIGLAND: Two to three.

COMMISSIONER ANAYA: Two to three million dollars. Yes. So you'd phase it so you'd get the bulk of that and then you'd have decreasing returns after that to get the outliers, if you will. So it could definitely be phased and we've already done the analysis. We already know where the greatest customer density is on the different lines, so it could be easily phased. And actually with that, Madam Chair, Commissioners, I would stand for any questions at this point. It's just a quick overview of the conditions.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Commissioner Anaya, and then Commissioner Chavez.

COMMISSIONER ANAYA: I have several, but I'd like to hear from some of the members here in the audience and then I'll reserve my comments and questions until after they speak.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Madam Chair, I guess I'll ask a question of staff. Adam, in your memo, under discussion, I want to talk a little about the fiscal impact. It's estimated that it would be \$5,000 to connect to the County utility system when the utility is within 200 feet of a specific property line. The connection fee, currently \$2,750 for a residential meter could be paid back over time or at the Board's discretion, be waived, but the cost of the infrastructure from the property line to their house, because of the Anti-Donation Clause cannot be waived by the County. So if you could, I want to spend a few minutes on the fiscal impact and what we might do to help the individual property owners with that fiscal impact.

MR. LEIGLAND: Madam Chair, Commissioner Chavez, I think, yes, the connection fee, that's under the County's control and that could be passed, if we allowed landowners, utility customers to pay that back over time you could put a small, say for instance, \$10 surcharge on their bill and pay it off over time. You could do that, but to be honest with you, I'm not exactly sure what mechanisms the County has at its disposal to pay

for the homeowners' connections from their house or intersecting their well somehow. And it says that when the waterline is within 200 feet of the property line but we have no idea how far each individual house is going to be from the property line. It could be another 300, 400 feet. So every case is going to be different, but we can have just an average cost. So there could be – actually, Madam Chair, Commissioner Chavez, I'm at a bit of loss. I don't know if there's a loan fund the County could make to individual landowners. I think that would be something outside strictly utility. The utility could work within the rate structure to pay the utility costs but the landowner's cost would be a little bit more difficult. Sorry I don't have an answer for you.

COMMISSIONER CHAVEZ: That's fine. Thank you, Madam Chair.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. But, Mr. Leigland, if there was a very large public improvement district to do this, the cost could be spread out even further, and the cost can be spread out over ten or twenty years.

MR. LEIGLAND: Madam Chair, Commissioner Stefanics, I think the problem remaining, and I stand to be corrected, but again, a County improvement district or a public improvement would pay for the provision of public infrastructure but I'm not sure that it can pay for the individuals in that district, to pay for their final connection.

COMMISSIONER STEFANICS: I'm not asking about the final connection, about the connection.

MR. LEIGLAND: Madam Chair, Commissioner Stefanics, yes. We could create a County improvement – probably I would recommend a County improvement district which we just created a policy for. It's a better mechanism, it's a much lower cost than the public improvement district policy. But yes, a County improvement district could be created for that. The County would fund the money, they would pay for everything, and then the affected landowners would pay back the County over, as you say, 20 years. The Board gets to establish the payback [inaudible]

COMMISSIONER STEFANICS: Well, Madam Chair, the reason I bring that up is because there are several areas in the county, not just this area, that we would like to have hooked up to a main waterline if it ever got there. So that's why I'm saying it could be a very large area that could be part of this planning.

MR. LEIGLAND: Madam Chair, Commissioner Stefanics, that's correct. Actually, the state statute for county improvement districts allows two different ways to create through the petition method, which is how, for instance Las Lagunitas started it. The other is through what's known the provisional order method where the Board of County Commissioners would decree that this is the order, this is the district and then there's a public hearing. So I think that's a very valid way [inaudible]

COMMISSIONER STEFANICS: Thank you, Madam Chair.

CHAIR HOLIAN: Adam, does a County improvement district have to be contiguous geographically, or could you have different spots joining together to make one county improvement district?

MR. LEIGLAND: Madam Chair, that's a very interesting question. The state statute just specifies that the borders or the outline of the improvement district are specified.

It doesn't talk about any sort of – there are no, as far as I can tell, no requirements for contiguousness, but that would probably be legal question. My opinion is that the improvement district statute is really geared toward county roads. It's very old fashioned. So I don't know if it even contemplated something like that, so maybe that's – but it is allowed because it's not specifically disallowed.

CHAIR HOLIAN: I agree with Commissioner Stefanics; there are an awful lot of places in my district that really need this kind of help as well, and I've had a lot of communication with people recently. As you probably know. I think that there are people here from the public who would like to address the Board on this issue. Is that correct? Can I have a show of hands to get a feeling for how many might like to address the Board? Three? Would you please come forward and then identify yourself for the record?

MAUREEN MESTAS: My name is Maureen Mestas. I am a member of the board of commissioners for Acequia de La Cienega. I'm also the secretary and we have the mayordomo, Reynaldo Romero here. We also have some of our parciantes in the audience. We asked to be included today because we have concerns about what's being proposed, not that it's being proposed. We support having the hookup done and we'd like to advocate for exploring assisting residents in the area that's been identified by Director Leigland if there's anyway for assistance that the County can participate in because in terms of demographics, the income in that area is not high. It would be challenging or impossible for most households to make that connection if it became required.

We're here today primarily because we have a concern of how this area affects our water resources for our acequia system. This last year we experienced some delivery issues at our well location because the well wasn't functioning properly. The pump did not fail but we had to shut it down, and we weren't able to deliver water to individuals in our community who have water rights, who own surface water rights. And we're finding that a lot of that challenge for our water delivery is coming from non-compliance with use in the area that's identified on the map because a lot of those properties exist by way of family transfer and they're not subject to County requirements for metering or rate of use, and that would be the quarter acre-foot of water per year.

We observe a lot of homeowners in that area who have extensive landscaping, who have agricultural endeavors, who have livestock, horses, cattle, other livestock, domestic livestock that just by their presence exceed that property's allowed water. And we know that metering is required. We haven't been able to determine that reporting is required and there doesn't seem to be any mechanism in place for fees or fines or any penalty when water is misused, abused or exceeded in its allocation.

We're downstream and we also have an area that's not developed yet that has water rights. I did some research, and we have parciantes who have been on the system since the early 1700s with priority for water. We don't want to have an adversarial relationship. We want to work with the County to make sure that everyone has the water they need, and that's why we've asked to be a part of this discussion on this topic because we're concerned with the continued depletion of our water and with the connection and monitoring and metering and how it affects our community.

I think one of the other important things that we want to address, and I believe a letter that we delivered to the County is in your packet at the back of the section for this agenda topic. It's for the Board of Commissioners from the acequia association. It details some of our concerns. I'm not going to read it verbatim. I'm pretty sure you've already read it or plan to read it. But this is essentially what we're concerned with and we would like to participate if we can, if we're approached. We're very, very willing to be cooperative to help address this issue because it's continuing to get worse for us each year.

The mayordomo who can talk about the kind of issues he's experienced in trying to deliver water is directly related to the draw-down of our aquifer and now our well, which is connected to the aquifer and the availability of water to the acequia system.

CHAIR HOLIAN: Thank you, Ms. Mestas. Let me ask you this. Do you think that your community would consider a County improvement district or a community improvement district?

MS. MESTAS: I believe they would. Some of the feedback that I've received is they would. We have the La Cienega Community Water Association properties that are already on that system. Some of the homes in the area use domestic well water for their use but others are already on a community system so are already participating in that type of water delivery.

CHAIR HOLIAN: Thank you. Who would like to speak next?

RAY ROMERO: Good afternoon, Madam Chair, Commissioners. My name is Ray Romero. I started out with the acequia serving the community in 1958 as a commissioner and now I'm serving as a mayordomo. At that time we had about 650 gallons a minute on those springs coming down to the valley. Now, our latest reading is 180 gallons a minute, so the springs have been depleted rapidly over the years. At that rate I figure that we will be out of water completely on the springs in 13 years, from my experience on the springs and how the rate of depletion has run.

I've submitted of course – we requested that the County extend the County water to all lots approved under the watershed conditions and also probably the benefit to the people to install fire hydrants for those people. Another option is the acequia – I'm just putting this out because I'm hoping that we'll get some assistance from you, but if not, the community could develop a supplemental well. We have a supplemental well in place. It doesn't produce much – 130 gallons a minute. So we have some quotes on what it would cost to do that, develop the well, run three-phase power to it and that will cost about – and a new pump of course. That will cost us about \$300,000. The community could do it. We could go to capital outlay but we'd rather go to capital outlay and help you get some funding.

And then the other thing is, number three, we could file for priority. Our rights are senior water rights compared to any other water rights in this community. But we don't really want to do that. We would like to see what you guys could help us out with. And the other thing is, we can do nothing and the springs, like I mentioned will go dry in about 12, 13 years the way it's going.

We appreciate you taking the state pen, hooking it up to the County water, but we're not going to notice any improvement, anything on that. Maybe in another 15, 20 years. It took 60-some years to deplete our water from the penitentiary but we don't expect to get any

results for a long time. Maybe we will; I hope we do but I don't see it. And that's about it. Just to tell you that we don't have the water to irrigate. Thank you very much.

CHAIR HOLIAN: Thank you, Mr. Romero.

COMMISSIONER CHAVEZ: If I could, Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Chavez.

COMMISSIONER CHAVEZ: Could you tell us in acre-feet what your senior water rights are?

MR. ROMERO: We have – multiply 98 times three, about [inaudible] We have 98.6 acres.

COMMISSIONER CHAVEZ: 98.6 acres, and it's on three –

MR. ROMERO: Yes. That comes out to 300- and some acre-feet.

COMMISSIONER CHAVEZ: And that's on – and you have three wells that are producing or just two wells?

MR. ROMERO: Just one well.

COMMISSIONER CHAVEZ: One. Okay.

MR. ROMERO: We are entitled to pump that – whatever we can't pump from the springs we are entitled to pump it from the well, but it's expensive for us. We just can't afford it. We don't make any money on the farming hardly. Just to support our families, or spend that kind of money on it.

COMMISSIONER CHAVEZ: I just wanted to ask for information so that gives me a little bit more background. Thank you.

CHAIR HOLIAN: Thank you, Mr. Romero. Mr. Gonzales.

J.J. GONZALES: My name is J.J. Gonzales. I live at 54 Entrada La Cienega. I'm a member of the Acequia La Cienega. I've lived there for all my lifetime. We asked the County Commission to support this La Cienega water shed condition. It's been in existence probably for the last 20 years since some of those lots were created around the racetrack. It was made into an ordinance back in 2002. Basically, what's at stake here is that all the roads along the racetrack area are into the aquifer that supplies the La Cienega springs, and those wells are statutory wells. You go to the State Engineer. You pay your \$5 fee and you're allowed to pump three acre-feet of water. Those are the wells that were created when the water code was adopted back in 1907.

So every lot owner in the state really can apply for a permit for a well. But you need to understand the ramification to this. All these domestic wells could at some point deplete the springs that are nearby. Progress has been made as far as the County water system is concerned. When this condition was adopted, the watershed condition, those lots, there was no waterlines nearby. In the next few years they've extended the waterlines across the highway where the TV station is and the industrial park, and then the BDD came into creation and that put the waterlines on Los Pinos Road.

The racetrack is one of the largest water users in that area until they closed about ten years ago. One of the conditions for them was when they start up operations they had to connect to the County water system. That is taking like 90 acre-feet that they have in the well off the table. Other progress has been made last summer with the help of the County, with the help of Kyle Harwood, a local attorney, with the help of Representative Egolf, Representative

Garcia Richards and Peter Wirth, they put a bill in the legislature that the pen's wells were taken off line and connected to the community system. They had an opening there, and thanks to the County supplying them with water they can take 300 acre-feet off the table.

So all of those increments, all those wells that are being capped or not used are a big benefit. The other thing is that we're looking at – we know what the obstacles are, and Mr. Leigland mentioned the obstacles to you, the watershed conditions are problematic to implement, enforcement is difficult. The cost is difficult, but the thing we need to do is look for solutions. We know what the problems are; we want to find some solutions. And this isn't short term. This is something that can be done in five, ten, fifteen, twenty years. Again, the cost of repairing a well is pretty expensive and when people's wells break down and they can't maintain them themselves they look for a municipal source, a county source of water. And that is a benefit to the property owners. A well is not such a suitable thing when you're running out of water. We had that experience in Lower La Cienega, around Entrada La Cienega, with the County help and the residents and some state funding we were able to extend into the water system down Entrada La Cienega and Paseo C de Baca, close to \$300,000 or \$400,000. There was a partnership there that served as many as 50 people. We could have served more people but some of them were reluctant to get on the system.

So we're asking you to support this watershed condition and this is to find solutions and that maybe working together the residents can put up some money, the County maybe, a grant of some sort, the Water Trust Board, a grant, the legislature, maybe they can come up with some money and help save the springs in La Cienega. Thank you very much for your attention.

CHAIR HOLIAN: Thank you, Mr. Gonzales. Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Madam Chair. I like Mr. Gonzales' approach in trying to match funds and not depend on only one funding source, so I think that partnership could really go a long way. I really, really appreciate that suggestion. But earlier in the presentation there was a comment made. I don't remember by who. It had to do with the metering of wells and the reporting of those wells. Adam, maybe you could speak to that, because I know that in many cases when we have a land use case before us and they're asking to increase the density on their property, in some cases we've allowed that but we have also put a restriction on their water use. We've said that they will meter that well and that it's a quarter acre-foot a year and that that reporting would be done on a regular basis. Can you touch on that a little bit?

MR. LEIGLAND: Madam Chair, Commissioner Chavez, yes. I believe in this particular case that the parcel owners are restricted to a quarter acre-foot and they're required to put a meter on their well.

COMMISSIONER CHAVEZ: And that meter would have to be reported to who?

MR. LEIGLAND: Madam Chair, Commissioner Chavez, I think it's – I don't think it specifies in here but it's either Growth Management or Public Works. But there are no standards on – there are no standard on what kind of meter is put on. It just says they have to get a [inaudible] I don't think much reporting has gone on.

COMMISSIONER CHAVEZ: Okay, but so – well, I think that maybe we could do better on that and I think that if the meters are a question I think that they do have to be standardized. They have to be meters that are dependable and accurate. Right? So that we know that we're using the water that we're using. That needs to be pretty accurate. But I think that in some of the cases that we've approved, land use cases, we have said that – we've put a limit on the use of water, the acre-feet, and that the reporting is required. So maybe in this case, as we move forward, I'm sure that that would apply and I think we would just have to tighten up the reporting requirements maybe. But I just wanted to touch on that a little bit. Thank you, Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Madam Chair and thank you, Commissioners. I appreciate the feedback. I asked for this presentation that we do the analysis. The basis for that request is the people that are sitting behind you, Adam. The basis what we as a County articulated in writing on plats that were recorded downstairs in the County Clerk's Office that stipulated what we would do, not just the people that we're going to have to connect would do. It's a partnership between those individuals that will ultimately connect to the utility system, the County, and many other players we're helping in between that help make it happen.

I appreciate very much that we got past the discussion on what we might do and started to break down in dollars what costs would be. My interest as the Commissioner for the district is to begin moving capital dollars that I have responsibility for to work towards a phased in approach of the expansion of the utility that's in the neighborhood. I'm not talking about a brand new extension but an expansion of a utility, of a line that's literally in La Cienega. There's no question at all that I concur with Commissioner Stefanics and Commissioner Holian and Commissioner Mayfield and Chavez for that matter that we have to look at water in a comprehensive manner. We have Aamodt water settlement issues and work that we're going to be working through as a County for many years to come.

We as a County have extended and are extending or are in the process of extending our waterlines out towards Cañoncito. We've had discussions with my colleague that shares borders on Highway 14 about taking that waterline further into communities. We have to have those all on the table for comprehensive discussions. But the here and now is that we have an opportunity to start small, if you will, and to evolve this into maybe a broader project that takes the entire county or a large segment of the county. My interest is to go from the discussion to the action of what we said we would do when those plats were approved, when those prior Commissions approved those plats and said when you get close to County utility you have to hook up.

Well, the intention there was that we don't have an endless supply of water and that at the end of the day we're going to need to hook those up to a comprehensive regional utility because there's just not enough water. I personally, with my family can speak personal, in recent days even, to the large expense of a pump when it goes bad. Over \$2,000, just for the pump. And on a well, over \$20,000 in expenditure when that goes dry, depending on where it is and how deep you have to go, but large amounts of money are going to have to be spent. Mr. Gonzales has articulated that.

The other thing I want to speak to is Mr. Romero has spoken to it time and time again, people throughout the county. Yes, they have access to a well. Yes, they have the right to drill a well, but it costs a lot of money for a traditional acequia system to try and drill a well and pump water to do agricultural watering with. It's cost-prohibitive. So it's a sharing of responsibility. I'm ready to take pieces of this pie with my own resources to try and help us get started but with legislators, with districts, if that's what we can find, we have to work together to do it, but we have to do it. We have to figure out a reasonable game plan. So, Mr. Leigland, I'm asking you to help me craft a reasonable game plan that helps us get started and progress forward, not just in La Cienega, but in areas like I suggested, in Highway 14 and even expansion of areas up north or what we're talking about in Cañoncito, that I'm going to have some questions on in just a few minutes on a different item.

So I'm ready. I'm excited. I think it's our responsibility. The last thing I'll say is what Commissioner Chavez said. Just because we're able to come up with combined resources and capital to get the infrastructure there does not equate to the individual citizen that now has to pony up, if you will, dollars to hook in to get it done. We're going to have to be creative. We're going to have to ask other governmental entities. We're going to have to do our homework to figure out how do we help people to help grow the utility that's going to reduce water from the aquifer and help those citizens. But how are we going to do it? I know there has to be mechanisms that we can do that are creative because that's going to be the biggest challenge of all, is being able to transition people in so that they're able to even do it financially. And in these times and these days, it's tough. It's tough.

So I'm excited about it. I'm willing to continue and progress this and not take it off the table. I'm going to leave it on the table and figure out how do we do it over time, how do we phase it in. And if it grows into a more comprehensive project that this Commission adopts, that encompasses multiple areas, well, then let's talk about that as well. Thank you, Madam Chair. Thank you to the community members and Mr. Leigland, but I think Mr. Gonzales, I would go back to what he said. We have many challenges ahead of us but let's figure out which are the smallest hurdles to jump first and try jumping those and getting some more action. You mentioned the state pen. Those legislators had a lot to do with helping us get there but you, County staff, and the Legal Department and many, many years of work from this County helped make that happen as well. So I appreciate your efforts, Mr. Leigland and staff in helping make that happen. 300 acre-feet is a lot of water to leave in the aquifer as oppose to taking it out. So thank you very much and thanks to all of you or your presentations and your presence.

CHAIR HOLIAN: Thank you, Commissioner. You have talked about a partnership and I think it's also important to make sure that the people in the community are part of that partnership as well, and that's why I like the idea of looking at County improvement districts or improvement districts in some form or another, because it's important for the people to have a buy-in to it as well, and the good thing about County improvement districts, it's a way of paying for a project over a long period of time with a small amount of money per year. So it makes it a lot less painful to pay it off. I think it's a great tool to use and I think that we need to look at it in this case as well, as well as many other cases around the county, for example, in Cañoncito. Thank you, Adam.

MS. MILLER: Madam Chair.

CHAIR HOLIAN: Yes.

MS. MILLER: Commissioner Mayfield said he would like to be on the line for Consent, the Consent items, so can I see if we can get him on the line.

CHAIR HOLIAN: Okay. Is our IT person here? Can we get Commissioner Mayfield on the line? Carole, are you going to be presenting these cases that are upcoming? Okay. Thanks. We're trying to get Commissioner Mayfield on the phone because he had some questions as well.

XIII. CONSENT CALENDAR (Public Comment for Resolutions)

A. Final Orders

1. **CDRC CASE # V/Z/PDP 13-5080 Windmill Water Variance, Master Plan & Preliminary Development Plan. Diana & Leon Rictor, Applicants, Jim Siebert, Agent, Requested Master Plan Zoning & Preliminary Development Plan Approval to Allow a Small Scale Commercial Use Consisting of a Domestic Water Supply Service. This Request Included a Variance of Article VII, Section 6.4.1d (Requirements for Water Availability Assessments). The Applicant Also Requested That Final Development Plan Be Approved Administratively. The Property is Located at 2042 Old U.S. 66, Near the Town of Edgewood, within Section 34, Township 10 North, Range 7 East (Commission District 3) Jose E. Larrañaga, Case Manager (Approved 5-0)**
2. **CDRC CASE # Z/S 12-5450 Cielo Colorado Subdivision. Cielo Colorado, LLC, Applicant, Jim Siebert, Agent, Requested Master Plan Zoning Approval for a 24-Lot Residential Subdivision on 246.30 Acres + within Tract 15A-2 of the Eldorado at Santa Fe Subdivision. The Property is Located on the East Side of US 285, Off Camino Acote, within Sections 21 & 22, Township 15 North, Range 10 East (Commission District 4) Jose E. Larrañaga, Case Manager (Approved 5-0)**

B. Miscellaneous

1. Request Authorization of the Use of District 4 Capital Funds, Per Capital Outlay Policy, Allocating \$10,000 for Infrastructure Improvements to Cañoncito at Apache Canyon Mutual Domestic Water Consumers Association (Finance/ Teresa Martinez)
ISOLATED FOR DISCUSSION
2. Request Authorization of the Use of District 4 Capital Funds, Per Capital Outlay Policy, Allocating Up to \$10,000 for an Assessment and Preliminary Schematic of a Proposed Animal Holding and Care Facility (Finance/Teresa Martinez) **ISOLATED FOR DISCUSSION**
3. Request Authorization of the Use of District 4 Capital Funds, Per Capital Outlay Policy, Allocating \$260,000 to Extend the Design

Services for the Old Santa Fe Trail Multimodal Project From Mt. Cloud Zen to Zia Road within the City Limits (Finance/Teresa Martinez) **ISOLATED FOR DISCUSSION**

4. Request Approval to Lease the "Old" Edgewood Fire Station Number 1 Eastern Buildings to the Town of Edgewood for Town Police Chief, Animal Control and Staff Use in the Amount of One Dollar Per Year (\$1.00/Yr) and Granting Authority to the Santa Fe County Manager to Sign and Execute Said Lease Contingent Upon Compliance and Completion to Legal Form of the Lease Document (Public Works/Adam Leigland) **ISOLATED FOR DISCUSSION**
5. Request Approval of Amendment No. 2 to SFC Lease Agreement No. 2010-0174-CSD/MS with S&G Land & Cattle Company for Agricultural Farm Lease in the Amount of \$90,000.00. (Public Works/Adam Leigland) **WITHDRAWN BY ATTORNEY REQUEST**
6. Request Approval of Amendment No. 1 to SFC Lease Agreement No. 2012-0104-CSD/MS with S&G Land & Cattle Company for Agricultural Farm Lease in the Amount of \$4,500.00 (Public Works/Adam Leigland) **WITHDRAWN BY ATTORNEY REQUEST**
7. Request Approval of Lease Agreement Between Santa Fe County and Julie Medina for Property Located at 205 B1 Juan Medina Rd in Exchange for in Kind Caretaker Services (Public Works/Adam Leigland/Agnes Leyba-Cruz) **ISOLATED FOR DISCUSSION**
8. Request Approval of Lease Agreements Between Santa Fe County and Edward Webb for Property Located at #2 Agua Fria Park Road in Exchange for in Kind Caretaker Services (Public Works/Adam Leigland/Agnes Leyba-Cruz) **ISOLATED FOR DISCUSSION**
9. **Request Approval of Lease Agreement Between Santa Fe County and Alan Vigil for Property Located at 2600 Galisteo Street in Exchange for in Kind Caretaker Services (Public Works/Adam Leigland)/Agnes Leyba-Cruz)**

10. **Request Approval of First Amendment to Cooperative Grant Project Agreement with the New Mexico Department of Transportation to Increase the Transportation Enhancements (TPE) Funding for Construction of a Portion of the Santa Fe Rail Trail (Public Works/Adam Leigland)**
11. **Request Authorization of GOB Series 2013 Fund to Plan and Design Improvements to County Road 89 (Feather Catcher Road) and 89C (Camino Catalina) in the Amount of \$80,000 (Public Works/Adam Leigland)**

C. Resolutions

1. **Resolution No. 2013-105, a Resolution Requesting Approval for a Budget Increase to the Law Enforcement Operations Fund (246) to Increase the JAG Grant Budget to Reflect the Supplemental Funding Award to Region III/\$20,000.00 (CMO/Finance/Teresa Martinez)**
2. **Resolution No. 2013-106, a Resolution Requesting a Budget Increase to the Law Enforcement Protection Fund (211) to Budget a Carryover Grant Balance From Fiscal Year 2013 Awarded Through the State of New Mexico/\$369.05 (Finance/Teresa Martinez)**
3. **Resolution No. 2013-107, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget One (1) Grant Awarded Through the United States Marshals Services for Fugitive Apprehension/\$1,000.00 (Finance/Teresa Martinez)**
4. **Resolution No. 2013-108, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) / Hondo Fire District to Budget a Grant Award From the NM Department of Health Trauma Fund in the Amount of \$12,267 (Public Safety/Fire)**
5. **Resolution No. 2013-109, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) / Chimayo Fire District to Budget a Grant Award From the NM Fire Protection Grant Council in the Amount of \$55,000 (Public Safety/Fire)**
6. **Resolution No. 2013-110, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) / Forest Restoration Program to Budget Cash Carryover From Title III Appropriation Funds in the Amount \$22,374 (Public Safety/Fire)**
7. **Resolution No. 2013-111, a Resolution Requesting a Budget Increase to the Forest Restoration Fund (244) / NM State Forestry Reimbursement in the Amount of \$26,788 (Public Safety/Fire)**
8. **Resolution No. 2013-___, a Resolution of Support for County Participation in the New Mexico Department of Transportation**

(NMDOT) 2013/2014 Local Government Road Improvements Fund (LGRF) Grant Cooperative Agreement No. SB-7806 (103) 14, for Pavement Rehabilitation/Improvements on CR58B (Arroyo Hondo Trail), El Gancho Way, Two Trails Rd, and La Joya Rd in Santa Fe County, New Mexico. (Public Works/Adam Leigland) **ISOLATED FOR DISCUSSION**

9. Resolution No. 2013-____, a Resolution Requesting an Extension of the (NMDOT) Year 2012/2013 Local Government Road Improvement Fund Program (LGRF) Cooperative Grant Project Agreement, Project No. SP-5-13 (184) Due to Emergency Flooding in Santa Fe County (Public Works/Adam Leigland) **ISOLATED FOR DISCUSSION**
10. Resolution No. 2013-____, a Resolution Requesting an Extension of the (NMDOT) Year 2012/2013 Local Government Road Improvement Fund Program (LGRF) Grant Cooperative Project Agreement, Project No. CAP-5-13(470) Due to Emergency Flooding in Santa Fe County (Public Works/Adam Leigland) **ISOLATED FOR DISCUSSION**
11. Resolution No. 2013-____, a Resolution of Support for County Participation in the New Mexico Department of Transportation (NMDOT) 2013/2014 Local Government Road Improvements Fund (LGRF) Grant Cooperative Agreement No. CAP-4-14 (470), for Pavement Rehabilitation/Improvements on Avenida Vista Grande in Santa Fe County, New Mexico (Public Works/Adam Leigland) **ISOLATED FOR DISCUSSION**
12. Resolution No. 2013-____, a Resolution of Support for County Participation in the New Mexico Department of Transportation (NMDOT) 2013/2014 Local Government Road Improvements Fund (LGRF) Grant Cooperative Agreement No. SP-5-14 (184), for Pavement Rehabilitation/Improvements on Camino del Rincon and East Feather Catcher Way in Santa Fe County, New Mexico (Public Works/Adam Leigland) **ISOLATED FOR DISCUSSION**
13. **Resolution No. 2013-112, a Resolution Authorizing the Surplus of Fixed Assets in Accordance with State Statute (Finance/Teresa Martinez)**
14. Resolution No. 2013-____, a Resolution Requesting an Extension of the (NMDOT) Year 2012/2013 Local Government Road Improvement Fund Program (LGRF) Cooperative Grant Project Agreement, Project No. SB-7806 (103)13 Due to Emergency Flooding in Santa Fe County (Public Works/Adam Leigland) **ISOLATED FOR DISCUSSION**

Items isolated for discussion:

- XIII. B. 1. Request Authorization of the Use of District 4 Capital Funds, Per Capital Outlay Policy, Allocating \$10,000 for Infrastructure**

**Improvements to Cañoncito at Apache Canyon Mutual Domestic
Water Consumers Association**

CHAIR HOLIAN: Commissioner Mayfield?

COMMISSIONER MAYFIELD: Yes. Thank you, Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I appreciate the efforts towards helping Cañoncito. This is \$10,000 out of Commissioner Holian's district funds to assist the mutual domestic system with what specifically? The line extension? The well? What specifically?

MR. LEIGLAND: Madam Chair, Commissioner, specifically the well.

COMMISSIONER ANAYA: The well.

MR. LEIGLAND: Yes. There's a long list of capital expenses and so it's one thing we're going to have to do eventually so this is essentially a cash advance to ourselves.

COMMISSIONER ANAYA: Thank you, Madam Chair. I don't have any more questions. Move for approval.

COMMISSIONER CHAVEZ: Second.

The motion passed by unanimous [5-0] voice vote.

CHAIR HOLIAN: Commissioner Mayfield, did you have any questions on that?

COMMISSIONER MAYFIELD: No, Madam Chair. I support all the intentions in the item.

XIII. B. 2. Request Authorization of the Use of District 4 Capital Funds, Per Capital Outlay Policy, Allocating Up to \$10,000 for an Assessment and Preliminary Schematic of a Proposed Animal Holding and Care Facility

COMMISSIONER ANAYA: Madam Chair, I would ask you this question. I had some brief conversations with the Sheriff and I believe the Undersheriff as well, but this is a conceptual idea to just determine if it's feasible to built our own facility using County dollars? It's not a commitment that we would build the facility, but it's an initial step towards evaluating costs? And I'm not asking leading questions. I want to do something similar to this but for something else and I just – I want to understand what the logic is and how you're doing it because when I bring it back I want to bring it back in a way that does it right.

CHAIR HOLIAN: Okay. Commissioner Anaya, I'll attempt to answer it first and then maybe Katherine would like to add something to it. Right now, the animal shelter is no longer accepting animals from the County Animal Control that are long term, like animals that have to do with a court case and may be there for months on end, or hoarding cases. And so the idea here would be to build a facility, a County facility where we could house those kinds of animals. Katherine, is there anything you want to add?

MS. MILLER: Madam Chair, Commissioner, yes, that was the impetus for it, because the Sheriff is kind of in a bind. We went to several different care facilities and they can't accommodate something if we have another case of like 30, 40 animals. Also, we have a really small pilot program with the inmates working with animals and so Pablo and the warden and the Sheriff, we got talking about maybe we could do something by the jail. But in order to move forward with anything we have to do conceptual design because Rancho Viejo partially donated that land, so we have to get approval if we were to ever move forward with something like that. So this is to do the conceptual design of how that might work.

COMMISSIONER ANAYA: So, Madam Chair, my follow-up position – this is also based on conversations not just with the Sheriff but with others. There's a potential that we might take on this obligation, not just for those longer-term animals but there's a potential we might take on this obligation for all of the animals.

MS. MILLER: Madam Chair, Commissioners, and Commissioner Anaya, we have definitely had some I'd say some slightly strained conversations relative to the cost of the care of County animals at the shelter and the amount of our contract. I'm pleased to report, however, though that the Sheriff and Finance and Legal met with the shelter and have sorted something out for this year anyway. A lot of this goes back to the issue of licensing and how much we charge for a license versus what that actually costs to do licensing. So we have worked something out but there was some discussion down the road, is it better if we house our own animals if that – and we have an opportunity to do that.

COMMISSIONER ANAYA: So, Madam Chair, I guess on that line, I didn't know all of the background associated with just your ten but I did want that to be said on the public record because it's a discussion we may need to have as a Commission that's much, much broader and a bigger policy discussion. But I have had that conversation with the Sheriff and Undersheriff and others. So I just wanted to bring that up.

Move for approval.

COMMISSIONER STEFANICS: Second.

CHAIR HOLIAN: Okay, there's a motion and a second. Any further discussion? Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, Madam Chair. I would like to share one other situation where the County would need a facility like this, and this did come out of a conversation that I had with the Sheriff's Department and Animal Control. In some cases where you have a vicious dog attack either another dog or livestock or even another person, the Sheriff right now and Animal Control right now do not feel that they have the authority to remove that animal from that situation. They've taken – they've used their discretion in one case that I know of where they did remove a dog that had attacked their neighbor's livestock, not once but twice. That was the reason for removing that dog from that situation and trying to quarantine that animal, but we have nowhere to take them that's really reasonable. So I think that's another situation where we would need a holding pen like this and I think that I agree with Commissioner Anaya that it's something that I think is going to affect all of our districts. And the feasibility study, I would be willing to contribute to that and have it apply countywide because it is an issue that is going to affect each of our perspective districts. And

so it's unfortunate that the animal shelter is not able to accommodate us. If that's the case then I think we need to move on. And so I would be willing to support this.

CHAIR HOLIAN: Okay. We have a motion and a second to approve item

XIII. B. 2.

The motion passed by unanimous [5-0] voice vote.

XIII. B. 3. Request Authorization of the Use of District 4 Capital Funds, Per Capital Outlay Policy, Allocating \$260,000 to Extend the Design Services for the Old Santa Fe Trail Multimodal Project From Mt. Cloud Zen to Zia Road within the City Limits

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, B. 3, I think looks like a good, awesome project that's going to allocate \$260,000 to extend design services for Old Santa Fe Trail, multimodal projects from Mt. Cloud Zen to Zia within the city limits. I think that's great and if that's something that you're wanting to do as a Commissioner for that district, I think that helps the area and the residents. My question is, is the actual easements associated with this – are they City easements and is this a transfer of dollars that are County dollars to City dollars, into City easement as a use of money? That's what I'm asking for associated with that.

So you're giving money from the County to another entity, which is great for the project, but is that what it is?

CHAIR HOLIAN: Commissioner Anaya, it's a little more complicated than that and I don't know for sure whether this will ultimately really go through, but the idea is this is for design services for the multimodal trail within city limits. It doesn't have anything to do with buying easements, I believe. It's just design services. But the thing – but what we're hoping for is that later on the City will pick up the costs for something else that would benefit the County in an equal amount. Adam, would you like to add anything to that?

COMMISSIONER ANAYA: I just want to say I appreciate the creativity. I just want to be clear as to what it is and where the money's going so I know that for potential uses I might have for my resources.

MR. LEIGLAND: Madam Chair, Commissioner Anaya, this particular thing would be to design [inaudible] within city limits so it's a City easement within city limits, this particular design effort.

COMMISSIONER ANAYA: So, Madam Chair, Mr. Leigland, are we going to design it? Or are we going to hand the money to the City and they're going to design it?

MR. LEIGLAND: Madam Chair, Commissioner Anaya, the idea is that we'll design it. We actually already have the design contract to do the portion of this outside city limits, from El Gancho to city limits. The idea is we can more cheaply in our contract do the second half as opposed to [inaudible] just designing it within the city.

COMMISSIONER ANAYA: Got you. Under their right-of-way.

MR. LEIGLAND: Under their right-of-way.

COMMISSIONER ANAYA: Thank you. Move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: There's a motion and a second. Any further discussion?

Commissioner Mayfield.

COMMISSIONER MAYFIELD: No, I have none, Madam Chair.

CHAIR HOLIAN: We have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

XIII. B 4. Request Approval to Lease the "Old" Edgewood Fire Station Number 1 Eastern Buildings to the Town of Edgewood for Town Police Chief, Animal Control and Staff Use in the Amount of One Dollar Per Year (\$1.00/Yr) and Granting Authority to the Santa Fe County Manager to Sign and Execute Said Lease Contingent Upon Compliance and Completion to Legal Form of the Lease Document

CHAIR HOLIAN: Commissioner Anaya, you pulled it.

COMMISSIONER ANAYA: Commissioner Chavez pulled it actually.

CHAIR HOLIAN: Oh. I'm sorry. Commissioner Chavez.

COMMISSIONER CHAVEZ: I just have two questions and then

Commissioner Anaya has a few also. In the action requested, I'm reading that the Purchasing Division is requesting that the Board of County Commissioners approval to lease two eastern buildings of the old Edgewood fire station #1. So that leads me to believe that we're leasing two of the eastern buildings and there are buildings left still vacant in that complex. Is that accurate?

AGNES LEYBA-CRUZ (Public Works): Yes, Madam Chair and Commissioner Chavez, yes. We are going to lease one of the buildings with the bays and there is a larger building available for other uses.

COMMISSIONER CHAVEZ: Okay. Well, this says that you're leasing two eastern buildings.

COMMISSIONER ANAYA: I could answer that, Commissioner. Commissioner, it's an old bay that the fire department used that's separate. One bay that's separate and then it's the living quarters area that was used for living quarters area that's right behind it.

COMMISSIONER CHAVEZ: Are they detached units or it's all –

COMMISSIONER ANAYA: They're detached. The bay's separate from the detached – what used to be a living quarters.

COMMISSIONER CHAVEZ: Okay. So those are the two buildings. So will there be other space vacant even after this lease?

COMMISSIONER ANAYA: Yes.

COMMISSIONER CHAVEZ: Okay. So then I guess that would be for a

future discussion to determine what use might be put to those buildings.

COMMISSIONER ANAYA: Yes. Madam Chair, if I could answer, I've talked about youth and other related needs in the area, educational as well. But yes, that would be an issue for later discussion.

MS. LEYBA-CRUZ: Yes, Madam Chair and Commissioner Chavez, we've also had interest from other groups that are looking at it such as a church in the area and also the satellite office, I believe is an option. So there's a lot of options on the table.

COMMISSIONER CHAVEZ: Okay, so then as we're leasing this County facility to another entity I would assume that the O&M, the operations and maintenance of that facility is there responsibility, not the County's responsibility.

MS. LEYBA-CRUZ: Commissioner Chavez, yes. We are going to write that in the lease that they are responsible for the maintenance on the building while they're in it.

COMMISSIONER CHAVEZ: Thank you, Madam Chair.

CHAIR HOLIAN: Is there a motion?

COMMISSIONER ANAYA: Madam Chair, I had a question. I would say on the record. Ms. Miller, I say this first. The Town of Edgewood has been collaborating with us on RTD projects, on our senior center work, on our RECC. They actually come to the table with contributions, so I very much as the Commissioner for the area appreciate the coordination and effort that they've done as a local government entity to pitch in and work with us. And I see this as an opportunity to basically help them quite a bit deal with some of their fiscal challenges that you have.

On that point, and you could also talk about the town, Ms. Miller. Could you talk about just the coordination aspects with the Town of Edgewood and our relationship from your perspective as the County Manager, briefly?

MS. MILLER: Madam Chair, Commissioner Anaya, they've been really good to work with. A lot of the things that they're working on for their municipal way in their area, they've asked to meet and make sure that they understand what our needs are in the areas as they move forward with building their facilities and designing where they're going to have their town hall, I guess you'd say, that they take into consideration needs of the County. They've also worked with us on the Edgewood open space and riding area. That's one of those facilities that we bought the land and built the facility but they're going to manage and operate it. And it really works nicely when we can work with some of the other local governing bodies within the county to provide the services to the county residents as well as their municipal residents, and I think they do a good job of trying to work with us that way.

COMMISSIONER ANAYA: I appreciate that, Ms. Miller, and also would you comment and provide thoughts as to if we have some coverage in this document? This provides a lease for a specific use. I want to help the Town of Edgewood, clearly, but I also want to protect the interest of the County as well. This lease covers that specific use and when they build adequate facilities for that use we'll be able to potentially consider using it again. I guess I don't want to have an open-ended term that's in perpetuity because we may have a need at some point and they may fulfill their own needs. So do we have that covered in the lease agreement?

MS. MILLER: Madam Chair, Commissioner Anaya, yes. They asked for it for

two years. They also offered, and I haven't seen the final version of the lease, but to help improve the parking lot as kind of an exchange for the lease as well. So I would anticipate that we'll get it back in better condition because they're going to make some improvements to it.

COMMISSIONER ANAYA: Awesome. I appreciate the comments from Commissioner Chavez. I would move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: There's a motion for approval and a second for item XIII.

B. 4.

The motion passed by unanimous [5-0] voice vote.

- XIII. B. 7. Request Approval of Lease Agreement Between Santa Fe County and Julie Medina for Property Located at 205 B1 Juan Medina Rd in Exchange for in Kind Caretaker Services**
- 8. Request Approval of Lease Agreements Between Santa Fe County and Edward Webb for Property Located at #2 Agua Fria Park Road in Exchange for in Kind Caretaker Services**

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Anaya, did you pull this?

COMMISSIONER ANAYA: Yes, I did. I pulled 7, 8 and 9 and I would lump my comments together for each of those. I just wanted to comment that I'm glad that we're still thinking out of the box associated with opportunities to work out arrangements with individuals who might utilize or live on a property for their service to be there. I just think many governmental entities get away from that and I think if you craft the agreements appropriately and there's responsibility that's clearly delineated it's a good tool. Law enforcement's another use that we've done in the past and this provides us assistance and it also provides those individuals assistance. So those are the comments I have, Madam Chair. I'll move for approval on items 7, 8 and 9 collectively.

CHAIR HOLIAN: Is there a second?

COMMISSIONER STEFANICS: Second.

CHAIR HOLIAN: Is there any further discussion? Commissioner Mayfield.

GERALDINE SALAZAR (County Clerk): Excuse me. Didn't we approve 9 already?

CHAIR HOLIAN: I thought we had. I did not write down that we were pulling 9, I'm afraid.

COMMISSIONER ANAYA: That's okay. Seven and eight.

CHAIR HOLIAN: We have a motion and a second to approve items XIII. B. 7 and 8.

The motion passed by unanimous [5-0] voice vote.

- XIII. C.**
- 8. Resolution No. 2013-113, a Resolution of Support for County Participation in the New Mexico Department of Transportation (NMDOT) 2013/2014 Local Government Road Improvements Fund (LGRF) Grant Cooperative Agreement No. SB-7806 (103) 14, for Pavement Rehabilitation/Improvements on CR58B (Arroyo Hondo Trail), El Gancho Way, Two Trails Road, and La Joya Road in Santa Fe County, New Mexico**
 - 9. Resolution No. 2013-114, a Resolution Requesting an Extension of the (NMDOT) Year 2012/2013 Local Government Road Improvement Fund Program (LGRF) Cooperative Grant Project Agreement, Project No. SP-5-13 (184) Due to Emergency Flooding in Santa Fe County**
 - 10. Resolution No. 2013-115, a Resolution Requesting an Extension of the (NMDOT) Year 2012/2013 Local Government Road Improvement Fund Program (LGRF) Grant Cooperative Project Agreement, Project No. CAP-5-13 (470) Due to Emergency Flooding in Santa Fe County**
 - 11. Resolution No. 2013-116, a Resolution of Support for County Participation in the New Mexico Department of Transportation (NMDOT) 2013/2014 Local Government Road Improvements Fund (LGRF) Grant Cooperative Agreement No. CAP-4-14 (470), for Pavement Rehabilitation/Improvements on Avenida Vista Grande in Santa Fe County, New Mexico**
 - 12. Resolution No. 2013-117, a Resolution of Support for County Participation in the New Mexico Department of Transportation (NMDOT) 2013/2014 Local Government Road Improvements Fund (LGRF) Grant Cooperative Agreement No. SP-5-14 (184), for Pavement Rehabilitation/Improvements on Camino del Rincon and East Feather Catcher Way in Santa Fe County, New Mexico**
 - 14. Resolution No. 2013-118, a Resolution Requesting an Extension of the (NMDOT) Year 2012/2013 Local Government Road Improvement Fund Program (LGRF) Cooperative Grant Project Agreement, Project No. SB-7806 (103) 13 Due to Emergency Flooding in Santa Fe County**

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, we have several items, items 8, 9, 10, 11, 12 and 14 that I think I pulled. They're all connected to the Local Government Road fund. They're all connected to work that we did associated with emergency work. Robert's shaking his head no. That's why I pulled it. So go ahead and come up to the mike.

CHAIR HOLIAN: Robert.

COMMISSIONER ANAYA: Some do and some don't?

ROBERT MARTINEZ (Public Works/Roads): Madam Chair, Commissioner Anaya, the three that we're requesting extensions for – all of these projects, all of these grant funds are utilized for our pavement preservation program, that's through the LGRF, administered by the NMDOT. The ones that we're requesting extensions for were relative to chip seal pavement preservation treatments on existing paved roads. We are asking for an extension because we weren't able to do the chip seal because of the flooding that took our resources away from completing these pavement preservation treatments.

COMMISSIONER ANAYA: Okay. So they're budgeted projects that we just ran out of time on and need more time because of the flooding.

MR. MARTINEZ: Madam Chair, Commissioner Anaya, that is correct.

COMMISSIONER ANAYA: Okay. Great. So that's item #8, item #9, 10, 11, 12 and 14? All fall under that category?

MR. MARTINEZ: Madam Chair, Commissioner Anaya, that is #9, 10 and 14. Those are the extensions. Item #8, 11 and 12 are the new LGRF projects that we're proposing for next year.

COMMISSIONER ANAYA: Okay. And on those proposals, those are discussions that we had as a body and priorities that we all had discussions on and then you're giving us recommendations now?

MR. MARTINEZ: Madam Chair, Commissioner Anaya, two years ago we did a presentation to the Board regarding the condition of our paved roads and how we evaluate them and the need to create a pavement preservation program, so we've been using the LGRF for our pavement preservation treatments. So the roads that we submit for these projects or these fundings are based on the PASR rating, not based on what the Commission or the community is bringing to us. We're doing it based on the condition of the asphalt.

COMMISSIONER ANAYA: Based on the need to be able to get the pavement preservation in there to have the extended life.

MR. MARTINEZ: Madam Chair, Commissioner Anaya, that is correct.

COMMISSIONER ANAYA: Okay. I think those were relevant points for the public to know, relative to expenditures of dollars and to point out the partnership that we have with the New Mexico DOT and the resources that we get from them that we leverage with our dollars to fix roads throughout the county.

MR. MARTINEZ: Madam Chair, Commissioner Anaya, that is correct. We provide a 25 percent match for all of these grants.

COMMISSIONER ANAYA: Madam Chair, move for approval of items 8, 9, 10, 11, 12 and 14.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: No, I don't have any comments.

COMMISSIONER MAYFIELD: Madam Chair.

CHAIR HOLIAN: Commissioner Mayfield.

COMMISSIONER MAYFIELD: I'd second it if it didn't have a second.

CHAIR HOLIAN: Okay. We have a motion and a second to pass Resolutions Nos. 2013-113, 114, 115, 116, 117, and 118. Is that correct.

The motion passed by unanimous [5-0] voice vote.

XIV. STAFF ITEMS

A. Public Works Department

- 1. Request Approval of Grant Agreement 13-L-1769 Between the Department of Finance and Administration, State of New Mexico and Santa Fe County for Funds Authorized Through the 2013 Legislative Session for Improvements to the Santa Fe County Fairgrounds in the Amount of \$450,500**

MR. LEIGLAND: Madam Chair, last year this was the County's number one priority in the ICIP of the state grant funds in the amount as specified of \$450,000. This is about [inaudible] a little less than we need to fully develop the County's plan for the fairgrounds but we can use this for the first important part which is the installation of the utilities. The fairgrounds currently is on septic an a well and we'd like to convert that to City utilities just to – for maintenance issues but also to allow further expansion. So we still need to build out the full plan. [inaudible] we think that we have a really good project and we'll just continue to execute the utility work with this agreement and we will continue [inaudible]

CHAIR HOLIAN: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I think – I'd move for approval, first of all.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: There's a motion and a second. We'll have further discussion.

COMMISSIONER ANAYA: Madam Chair, on the discussion, we do have it as a priority and I hope that we can work as a Commission with internal resources and collectively with the legislators to get to the point where we ultimately can build out that phase in the corner that expands the facility for extension work which does extension work, master gardens, 4-H and many other community oriented projects, which is what we have it designed for. Is that correct, Mr. Leigland?

MR. LEIGLAND: Madam Chair, Commissioner Anaya, that's correct. Yes.

COMMISSIONER ANAYA: Thank you, Madam Chair.

CHAIR HOLIAN: Any further questions or comments? There is a motion and a second for approval of the grant agreement for the County Fairgrounds improvements.

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action.]

CHAIR HOLIAN: Commissioner Mayfield, are you still on the line?

MS. MILLER: Madam Chair, he just told me he's off for the rest of the meeting.

XIV. A. 2. Notice of Determination Not to Update Land Use Assumptions, Capital Improvements Plan or Impact Fees for Santa Fe County Fire and Rescue Impact Fees, and Discussion and Possible Approval of Resolution No. 2013-119, a Resolution to Continue Santa Fe County Fire and Rescue Impact Fees and Associated Waiver of Requirements of Resolution No. 2013-26

CHAIR HOLIAN: I will note that in order to vote on this tonight we need to vote on a waiver of requirements of Resolution 2013-26. First is there a motion for that?

COMMISSIONER CHAVEZ: Madam Chair, I'll make a motion to waive the requirements of Resolution 2013-26.

CHAIR HOLIAN: Is there a second?

COMMISSIONER STEFANICS: There's a motion and a second to waive the requirements of Resolution 2013-26.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, would it hurt us any to let it go another public hearing so there's no perception that we're trying to just slam it through. I think it's something that we've done but does it hurt to have another public hearing on it, Mr. Leigland.

CHAIR HOLIAN: Adam, is there a deadline on this?

MR. LEIGLAND: Madam Chair, Commissioner Anaya, yes. The current fire impact fee is expiring actually today. So if we don't approve it there will be a two-week period with no impact fees.

CHAIR HOLIAN: We have a motion and a second on the floor to waive the requirements of Resolution No. 2013-26.

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action.]

CHAIR HOLIAN: We have waived the requirements.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, can we have a notice of upcoming items like this that are coming up instead of doing it like this on the last day? Because I want to be able to let the public know what's happening, what we're doing and doing it on the last day is probably not a good practice.

MR. LEIGLAND: Madam Chair, I'll explain this whole item and maybe it will become a bit more clear how we arrived where we are today. The first thing I'll notice is,

and I noticed that Commissioner Anaya and Commissioner Chavez were a little bit confused by the caption. That is actually straight out of state statute. We specifically had to say notice of determination on updates in order to comply with state Development Fees Act you had to have that language. I admit that it's a little bit awkward. So the County has had fire impact fees for many, many years and the state Development Fees Act requires that you periodically review and update them every five years. The two things you are meant to review and possibly update are the land use assumptions, which if you recall from the capital study session we had last week are just the demographics, the projected growth and what not, and you also adopted the capital improvements plan, which is the capital needs and produce the monetary amount.

So in October of 2008 this Commission extended those impact fees for five years and at the time you accepted the land use assumptions and the capital improvement plan that the Fire Department presented to you and both those documents are in your packet material here. Well, you're approaching the five-year deadline and you knew that we were going to be coming to you to extend the fire impact fees, but we also knew the County was going to be exploring general impact fees, so we wanted to keep the two efforts parallel because we didn't want to have to do two land use assumptions and two capital improvement plans at the same time.

So we were always watching this, but as it appeared that the general larger impact fee process was going to take longer we decided that we couldn't wait to do the fire impact fees. So in order to comply with the state Development Fees Act you have to convene a Capital Improvements Advisory Committee, they have to review it, they have to pass – they have to file written comments. And in order to comply with all those things that led us to where we are today. So Commissioner Anaya, I agree with you that this may seem like we're forcing something through but it was sort of a circumstance of timing.

COMMISSIONER ANAYA: Thank you, Mr. Leigland.

MR. LEIGLAND: So what's before us today is just a noticed not – that the Capital Improvements Advisory Committee and the Fire Department are asking not to update the documents – the land use assumptions and the capital improvement plan that were presented five years ago. The reason they don't want it updated is because, as I mentioned, the County is going to be doing a much larger countywide effort for impact fees and the Fire Department wants that to be part of the larger effort. So all we're asking for is that they not be updated. The state Development Fees Act allows us to do that, hence there is the language I mentioned earlier and the idea is that we'll continue these now, the Board passes a resolution and then they will continue until the larger impact fees are brought to this Board at which point the updates can be determined. So the Capital Improvements Advisory Committee has convened. They've met, they reviewed it and they have issued a letter with their comments. Their written comments are in the packet. They agreed with us. The actual impact fees that are being proposed are 27 ½ cents per foot for residential construction and those are the impact fees that have been in place since 2008 and with that I'll stand for any questions.

CHAIR HOLIAN: Thank you, Adam. And first I would like to recognize that Kathleen Magee, who is the chairperson of the Capital Improvements Advisory Committee is here today with us. Thank you, Kathleen. Is there anything that you would like to add?

KATHLEEN MAGEE: No. Our committee considered everything and we're very much in agreement. [speaking from the audience]

CHAIR HOLIAN: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Madam Chair. So, Adam, you touched on the impact fee for residential but not commercial. Is there a separate fee for commercial?

MR. LEIGLAND: Madam Chair, Commissioner Chavez, yes. Actually, if you – the pages aren't numbered but if look at the back page of the memo you'll see an NFPA class, three through seven, and those classes refer to type of construction and for the specifics I'll have to defer to our Fire Chief, but since most, at least in the recent years, most construction has been residential that's why I focused on NFPA Class 7, but other classes that are in this memo are the other types of development. If you have any more questions about that I'll turn it over to the Fire Chief.

COMMISSIONER CHAVEZ: So maybe, Chief, if you could maybe just expand on the commercial side and what that might look like.

CHIEF SPERLING: Madam Chair, Commissioner Chavez, as Mr. Leigland mentioned most of our impact fees were assessed to residential properties which are listed by NFPA as a Class 7. We have fewer commercial properties but the NFPA classes go from 3, which is a severe hazard. It would be something like an explosives storage unit, hay and straw bale storage. A Class 4, high hazard, mercantile, covered walls, that sort of operation – woodworking shops. Class 5 is moderate hazard, includes restaurants, machine shops, laundries, and Class 6, doctors' offices and beauty salons and so forth, listed as lower hazard.

The fees that are assessed under the Impact Fee Ordinance are a little bit higher for most of the commercial occupancies. So for instance, a restaurant, instead of a .275 assessment would see a .355.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes. Go ahead.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Wait. I'm sorry. Commissioner Anaya, Commissioner Stefanics was actually next.

COMMISSIONER ANAYA: I was going to say on this point –

CHAIR HOLIAN: Well, we're not doing on on this point. So Commissioner Stefanics.

COMMISSIONER STEFANICS: I'm moving for approval, but not to cut off discussion.

COMMISSIONER CHAVEZ: I'll second.

CHAIR HOLIAN: Okay. We have a motion and a second and we'll continue further discussion. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, when I raise questions I think it's important that we get the information and if we're going to – if we're raising fees –

COMMISSIONER STEFANICS: We're not.

CHAIR HOLIAN: We're not.

COMMISSIONER ANAYA: We're raising commercial fees is what I heard.

CHIEF SPERLING: Madam Chair, Commissioner Anaya, no. These are the exact fees that have been in place since 1994, so –

COMMISSIONER ANAYA: You didn't increase commercial?

CHIEF SPERLING: I'm sorry if I misled you in that in the use of my language. I should say that commercial occupancies are assessed a higher fee. That has been the case all along.

COMMISSIONER ANAYA: Increased or higher. The fees are exactly the same as the fees that exist now. Exactly the same.

CHIEF SPERLING: Exactly the same. That's correct.

COMMISSIONER ANAYA: Thank you, Madam Chair.

CHAIR HOLIAN: This is a resolution. Is there anyone here from the public who would like to comment on this resolution? Seeing none, we have a motion and a second for approval of Resolution No. 2013-119.

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action.]

XIV. B. Administrative Services Department

- 1. Request Approval to Award Nine (9) Contracts for No. 2014-0030-PW/PL on-Call Engineering Services, Each in the Amount of \$500,000 for a Total of \$4,500,000 Exclusive of GRT and Request Signature Authority for County Manager to Execute the Purchase Orders**

BILL TAYLOR (Purchasing Director): Thank you, Madam Chair, Commissioners. We're here before you to request your approval to enter into nine engineering contracts. The Purchasing Division, along with Public Works issued an RFP for on-call services pursuant to 13-1-154. We received 18 proposals. The committee selected the top nine firms and it has met the four basic disciplines that we require, for roadway, utilities, open space/trails and river restoration. And with that, Madam Chair, I'll stand for questions.

CHAIR HOLIAN: Any questions? Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Mr. Taylor, are we going to get to the point where we do this as well for vertical construction, so that we're not – I mean this is a good thing and we had a long discussion the other day about projects and being able to have an expeditious way to design them. So what about vertical construction?

MR. TAYLOR: Madam Chair, Commissioner Anaya, we are actually in the middle of a solicitation for architectural services, on-call. We had the pre-proposal meeting

yesterday with 30 firms. It was mainly 22 proposals but we had 30 firms show up for the meeting. So we're about to continue next month with a similar request for a vertical.

COMMISSIONER ANAYA: Madam Chair, Mr. Taylor, I think that's awesome, because it cuts to the core of project delivery and it helps us make sure that we have qualified firms but that we have an expedited process to bring someone in to help us design projects appropriately within appropriate price points as well. So I appreciate the effort and I would move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: We have a motion and a second. Any further discussion?
Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, thank you, Madam Chair. Mr. Taylor, I'm assuming that with this approval for these nine contractors, they're specific to engineering services.

MR. TAYLOR: Madam Chair, Commissioner Chavez, that's correct.

COMMISSIONER CHAVEZ: And will the list of projects that they're working on, does it tie into the list of projects that are approved by the last GO bond?

MR. TAYLOR: Madam Chair, Commissioner, most likely. That would be the determination of Public Works and those divisions on where they need to use this that would expedite the time schedule for these projects. But absolutely. They would be for our Public Works projects.

COMMISSIONER CHAVEZ: For road projects as was listed.

MR. TAYLOR: Yes. That's correct. All civil engineering, Commissioner.

COMMISSIONER CHAVEZ: Thank you, Madam Chair. Thank you, Mr. Taylor.

CHAIR HOLIAN: I'll just add that I think this is a very good thing. We have a lot of ongoing projects and I want to really thank and commend Katherine and Adam and Mark for putting this in place, and Bill for following through on this for sure. I think it must have been a lot of work. So we do have a motion and a second.

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action.]

XIV. B. 2. Request Approval of BI, Inc. Agreement No. 2013-0115-CORR/PL Amendment No. 1 for Electronic Monitoring Services to Extend Term, Add New Equipment and Increase Compensation to \$780,000, Exclusive of GRT, and Request Signature Authority for County Manager to Execute the Purchase Order

MR. TAYLOR: Thank you, Madam Chair, Commissioners. This is an extension of the annual renewal with BI, Incorporated for electronic monitoring. The amendment #1 and last year's amount of compensation was \$420,000. Compensation is being

reduced based on cost savings by the Corrections Facility or Corrections operation to \$360,000. With that, Madam Chair, I'll stand for questions.

CHAIR HOLIAN: Questions?

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Mr. Taylor, and I don't know, Mr. Sedillo might have to come up to answer this one. Last year we had discussions where we were talking about the courthouse associated with electronic monitoring and we had presentations about frustrations associated with how some of the sentencing orders were coming down and there were statements made by our own district judges about how we're going to work on that relationship. Specifically they were sentencing individuals to the highest – in some cases the highest cost in electronic monitoring equipment, as opposed to maybe using something more workable and more affordable that would help us expand our budget. Mr. Sedillo, is part of the savings that and/or is that relationship still in place and are we making progress associated with some of those what I would call commitments that the judiciary had in helping us?

PABLO SEDILLO (Public Safety Director): Madam Chair, Commissioner Anaya, you're absolutely correct. Communications is broadening. It's increased and I think that we have a good collaboration and relationship with them. Most of it is coming out of magistrate court rather than district court. A lot of the cost savings comes from mechanisms that we put in place to monitor the individual on EM. We're doing better case management. We are also looking at what we have on our shelf. At one point we had remnants of devices on our shelf. We have cleaned that out. We've increased our capacity to hold 20 percent with no cost to us. So we put a lot of self-audits in place so we can monitor our individuals and our communication with the judges has increased.

COMMISSIONER ANAYA: Thank you, Madam Chair. Thank you, Mr. Sedillo. I'd move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR HOLIAN: There's a motion and a second for approval.

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action.]

XV. MATTERS FROM THE COUNTY MANAGER

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Madam Chair. We're now on Matters from the County Manager. Is that correct?

CHAIR HOLIAN: Yes, that is correct.

COMMISSIONER CHAVEZ: And I wanted to make a motion to do the monthly reports first, because I know we have staff and they've been here all day and been very patient. And so if I could make a motion to move those ahead of – to the top of the agenda and just go in the order that they are listed.

COMMISSIONER STEFANICS: I'll second.

CHAIR HOLIAN: Okay, there's a motion and a second to consider the monthly reports first.

COMMISSIONER CHAVEZ: Starting with E.

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action.]

XV. MATTERS FROM THE COUNTY MANAGER

E. Public Safety Monthly Report

CHAIR HOLIAN: Let me just ask – why don't I go through these one at a time and ask if the Commissioners would actually like to have an oral report on this or whether reading it in the packet was sufficient. So first, Public Safety monthly report. Does anybody want an oral report?

COMMISSIONER ANAYA: Madam Chair, I'd like to hear a snapshot of some of the stuff from Mr. Sedillo happening at the Public Safety Department.

MR. SEDILLO: Thank you, Madam Chair, Commissioners. We have a monthly report that reflects the month of September of 2013. You have that report in front of you. We have actually consolidated the Public Safety report to include RECC and the Fire Department. So I'll start with the Corrections Department. We've begun to house overflow inmates from the MDC from Bernalillo County, both male and female inmates. We've entered into an MOU with them that's been – that collaborative effort has been very well accepted and accepted from MDC.

We attended the New Mexico Criminal Justice Association, had the 30th annual conference on September 25th through the 27th. The NMCJA board of directors, the conference was attended by myself, Warden Gallegos and the programs manager, Melissa Oberg. Actually, we were very – we're starting to get more involved within the counties and the state, especially with the New Mexico Association of Counties. We're going statewide also. We want to part of the process of corrections, so this is why we're starting to attend a lot of these conferences.

Bixie, our K-9 unit dog, was utilized in contraband identification with three successful contraband findings. She's done an excellent job.

We've held our volunteer orientation with 14 attending the session. That comes up to about 76 volunteers right coming into our facility.

We conducted two sessions of 40-hour in-service training for security and support personnel.

The New Mexico Association of Counties Detention Affiliate audit has been rescheduled for the week of November 11th. Actually, it's going to be November 7th and 8th for actual accreditation process on those days.

Santa Fe County Public Safety Day was held on the 28th. Events were attended by myself, Warden Gallegos, Deputy Warden Mark Caldwell, Sgt. Aaron Martinez, Sgt. Demetrio Padilla and Administrative Manager Stephanie Martinez.

We had 17 rides provided for the month of September from our facility into the Santa Fe Market Place, if they didn't have any rides at that point.

Our Youth Development Program, we had intern Olivia Green who will be working at the residents at YDP focusing on art therapy. Actually, I attended one of the art therapy sessions. They were all very well received on that and it was a therapy for the young kids at our facility.

Santa Fe Fiesta Council visited our facility with residents and gave an overview of Santa Fe history of the fiestas and provided some music and entertainment and actually the fiesta staff spoke to our kids and it was very [inaudible] for them.

Our EM, our new installation fee of \$25 began on September 23rd. There were no complaints and people are paying so our next report we'll be able to tell you the cost and the percentage of people that are paying this. Our BI, we just spoke about. BI has decreased \$11,921.88 since September 2012. EM has begun its first 40-hour training and the reason we did that is because we're doing better case management on those individuals who are trying on the devices. We conducted interviews and are in the process of hiring additional staff.

With our Fire Department, this is reflective of August 21 through September 26. Total emergency responses was 377. Fire was 12; EMS, 365; Transports were 244.

The operations and administration, we had seven career recruits completed International Fire Service Accreditation Congress Firefighter II testing and accreditation. We had three field staff begin a six-month paramedic training program at the Albuquerque Fire Department. Our volunteer fire academy began with 18 new members, 16 hours a week. We completed 16 hours of career and volunteer aerial training for Pojoaque District, northern region and Medic 50.

We have an internal posting for fire lieutenant positions and received 24 applications. I believe there was actually 28. We'll do interviews on that on Monday. Ambulance revenue of \$108,735 was received and we filled a vacant accounts payable position.

Fire prevention – we had business registrations for eight, development reviews, 26, lot line adjustments for land divisions and family transfers were three, school inspections were 14 and burn permits were nine.

Our volunteer recruitment and retention, new member applications were approved, eight of them. Grant applications submitted, 15 – total requests on that was \$1,189,423.

Emergency management, we had nine-day flood activation. We had the exercise director of the County EOC, Bureau of Reclamation flood drill, participated in Enterprise Pipeline Tabletop exercises for Santa Fe and Tarrant counties. We taught classes in medical response to active shooter and highway safety, national preparedness goal.

RECC – incoming calls to date: July to September was 106,000; year-to-date was 311,000. 911 calls to date, July to September was 21,000; year-to-date is 58,934. County calls for service to day July to September was 18,000; year-to-date was 56,000. City calls for service, July through September was 37,000; year-to-date, 104,000. Town of Edgewood calls, service to date was 1,857; year-to-date, 4, 252.

Current vacancies, we have three call-taker positions, five trainee positions. In training status we have two employees in the final month of training before they are signed off to work alone in the center; two new hires in the RECC academy for the five weeks. We have two re-hires on the floor with their trainers and are both taking calls for service. Interviews conducted on October 9, 2013, for four candidates. Our training academy schedule is starting October 21st and call-taker Eddie Lumb will be attending. I stand for questions.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I appreciate the overview. It helps understand the full scope of what goes on within the County Public Safety. I want to speak specifically to accreditation that's coming up on November 7th as part of your review. And as part of your accreditation, which is a lot of work that you guys have been going through, we had a discussion at our Workman's Comp meetings last week about ongoing maintenance associated with accreditation once you get it, and that that's a huge and important aspect of the accreditation itself. So I want to say that on the record.

I also want to say that it's important that we remain or get more engaged in the risk management affiliate. I think on the overall global level at the County that the risk management does at the Association and specifically the detention piece. They've had some training recently and coordination that was only eight counties that participated and I was disappointed to find out that we weren't one of them. Because of the accreditation and because of all of the work that's going to go on with maintaining that I think it's going to be important that we remain more engaged, not only from the global risk management aspect in the whole county but specifically related to risk management with detention. So I appreciate your efforts. I appreciate the report and I would hope that in discussions with Ms. Miller and the risk management staff that we could work something out to get more engaged with the Association of Counties affiliate. Thank you.

CHAIR HOLIAN: Thank you, Mr. Sedillo. I just will note that we appear to have driven away the people that were here for the Tesuque Community Plan.

XV. F. Community Services Monthly Report

COMMISSIONER STEFANICS: Madam Chair.

CHAIR HOLIAN: Yes.

COMMISSIONER STEFANICS: I don't think it's appropriate for staff to stand here and read their reports. I think we have had their reports and if we have questions for them I think that's the appropriate venue.

CHAIR HOLIAN: I couldn't agree more, Commissioner Stefanics. Commissioner Chavez, do you have a comment?

COMMISSIONER ANAYA: Madam Chair, I would just say sometimes it's good for the public to hear or listen to those aspects. I know maybe you have to go or there's places we have to be but I think sometimes it is appropriate for the public to hear what we have in our packets that they don't see, so I disagree.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Madam Chair, I guess I have to own responsibility for changing the agenda. I made the motion to move things around. I thought it would be in the best interest of time. I don't know that the people from the Tesuque community left because of that. I saw them leaving even before. It's unfortunate. I apologize for that. I was interested in all of the presentations and also in the NCRTD. If the presentation is going to be a summary I think that would be good. I think I agree with Commissioner Anaya that this is the public's business and some of this information I think would interest them. So I don't want to cut it off too short but I will apologize for getting us off track.

PATRICIA BOIES (Health Department Director): Madam Chair, at this morning's Healthcare Assistance board meeting I reported on many of the health related activities that are going on at the Community Services Department so for the moment I will just focus on updates from other parts of the department. In terms of community centers, we've been tracking the use of community centers throughout the county and the Nancy Rodriguez Community Center is the one that has the most – has been rented the most times, 51 rentals for the three-month period.

DWI, the DWI Planning Council is going to be doing a new public awareness campaign with upcoming holiday season. Senior services, we have a new transportation director there, Leroy Kahn, and a new nutritional coordinator, Elizabeth Lujan. We conducted a drug take-back event this past Saturday and gathered over 150 pounds of drugs that people brought in. We are doing a request for proposals as part of our effort to increase enrollment in both Medicaid and the New Mexico Health Insurance Exchange. We are actually going to be using some of our own money to help fund additional resources, probably working with one of the community providers who's already doing such work in the county.

And similarly, with the Department of Corrections we are wanting to increase Medicaid enrollment so that when people are discharged from County Corrections they are enrolled in Medicaid so we are funding a position at the department that will do that and will also work on helping people who have been addicted to opiates while they are in Corrections so that when they transition out into the community they have the appropriate treatment that will safeguard their re-entry into the community.

And those are the primary points that I would like to make here today. I'll stand for any questions. Thank you, Madam Chair, Commissioners.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Ms. Miller, could we have a senior service update, maybe at the next administrative meeting? Senior service – specifically tied to senior services.

CHAIR HOLIAN: Katherine, didn't we have an update like that at the last meeting?

MS. MILLER: Madam Chair, we've been trying to do reports so that you have them in your packet and you can see what's going on all the time. There are too many divisions to do reports every month at the admin meeting for each division, so what we try to

do with Community Services, you weren't hearing much other than just a rather long senior services report so we were trying to actually do a Community Services report with some senior stuff. But we can expand the next Community Services report with a little more senior stuff. We're trying to make sure that everybody gets – we report to you a little bit on what's going on in all departments and divisions, so that's why you'll see some of these ones you haven't seen before, but that's the dilemma, is whether to do big divisions and do them quarterly or do departments monthly with a little bit of focus on a certain division within that department at that time. So we can do that. It's totally up to the Board what you want to hear.

CHAIR HOLIAN: Thank you, Katherine. I just want you to know that I really appreciate the material that is included in the packet, and I do read it, and also I will note that I think it's posted on the web. So anybody who is really interested in the details of this can actually access the packet on the web and read it for themselves in excruciating detail. Correct?

MS. MILLER: Madam Chair, yes. We do post the entire agenda on the web. Once we put it together we also post it on the web. I think it goes on on Thursdays.

CHAIR HOLIAN: Thank you.

XV. G. Human Resources Monthly Report

BERNADETTE SALAZAR (HR Director): Madam Chair, members of the Commission, for the month of September we had 30 employees attend the New Mexico EDGE courses and for the quarter ending September 30th we had a total of 45 employees who attended New Mexico EDGE courses, and that was a total amount of \$11,050 that was granted for employees to attend these courses. As Mr. Sedillo mentioned, we also had our second annual Public Safety Day on September 29th. The turnout was a little bit lower than expected. We attribute that to the possible weather. It was a little cold that day so we were thinking that some people did not want to come out in that cold weather. But we will continue to have that – for our community to come out and learn more about public safety employment and gain more knowledge about that and do some practice examinations to prepare themselves for the test if they choose to pursue a career in public safety with us.

In addition, we also recruited for ranking positions with Fire to include fire lieutenant. We also had Sheriff Office deputy cadet testing and tested for detention officers at the Corrections Department.

We also began in the month of September our open switch enrollment for insurance benefits for our employees and the open switch enrollment is running from October 1, 2013 till November 15th. All the forms are due to the HR Office by November 15th. This is not a mandatory open switch enrollment so if employees choose not to make any changes at this point they just need to fill out the no-change form, basically.

And we have been notified from the State of New Mexico Risk Management Division that there will be a ten percent increase in medical premiums starting July 1, 2014 but starting in January there will be no rate increases. They won't begin until July of 2014.

One of the other voluntary benefits that's ending on December 31, 2013 is the ASI flexible spending account. However, we are working on securing an agreement with ASI Flex to continue those services for County employees who choose to use a flexible spending account for dependent care, medical care, or transportation expenses. So we will continue to work on that and we anticipate an open enrollment the first two weeks of November to run through probably the end of November to be effective the 1st of January. And with that I stand for any questions.

CHAIR HOLIAN: Thank you, Bernadette. Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Bernadette, Commissioner Chavez brought forward that resolution that dealt with veterans. Have we seen any movement on that? I know it's early, but have we seen any movement or –

MS. SALAZAR: Madam Chair, Commissioner Anaya, we have not seen a whole lot of people taking advantage of the resolution that was passed. We did update our webpage to include that and our applications have been updated, but we are tracking that information so in the next quarter we can give an update on that.

COMMISSIONER ANAYA: Thank you, Bern. Appreciate it.

MS. SALAZAR: You're welcome.

CHAIR HOLIAN: Thank you, Bern.

XV. H. Financial Report for the Quarter Ending September 30, 2013

MS. JARAMILLO: Madam Chair, Commissioners, you have the financial report for the quarter ending September 30, 2013. For the first quarter, the County collected a total of \$23.2 million from all revenue sources, the largest of which would be property tax at \$2.8 million and gross receipts tax at \$11.7 million. Expenditures across all funds totaled \$43.7 million with capital totaling \$8.9 million, debt totaling \$8.8 million and operational expenses totaling \$25.9 million.

Property tax collection of \$2.3 million through the end of September exceeded the budget of \$1.9 million by \$373,000 and property taxes collected through the months of July and August exceeded the budgeted forecast by \$388,000, but the month of September fell short by \$29,000. The property tax collections through September 30th are \$110,000 better than the previous year's collections, which is 4.9 percent higher than last year at this time.

But the countywide and the unincorporated gross receipts taxes collected through September total \$10.5 million and the GRT collections are \$949,000 greater than the cumulative budget amount of \$9.6 million. This is excluding the pass-through of the Regional Transit District gross receipts tax. The collections are above the prior year collections by \$636,000 or six percent. The unincorporated gross receipts taxes which have been a concern for several years now, for the first time did not fall below budget. This is the first time there has been a concern in years, since the economic recovery began, actually. We have an excess of \$41,000 in the unincorporated gross receipts taxes, exceeding budget by about nine percent.

It is important to note that the first months of collections for the fire excise tax came in in September at \$107,000 and that will be the first month of collection. We should see those collections coming in monthly from here on out.

The total gross receipts collection of \$10.5 million are exceeding the collections for the same period last year of \$636,000 or six percent above. Our general fund revenue totaled \$7 million. Recurring revenue was \$6.8 million. Coming in in gross receipts taxes, property taxes and state issued taxes. Overall the total general fund revenue of \$7 million is higher slightly than the previous fiscal year for this period by \$774,000. General fund expenditures totaled \$7.5 million, recurring expenditures totaled \$6.6 million of that.

Fire funds, total recurring revenue of \$4.7 million was collected and consists of gross receipts taxes, ambulance charges and some grants. Through September 30th, ambulance charges exceeded the budget by \$24,000 and we are \$51,000 less than last year at the same period. Fire operations expenditures totaled \$3.9 million and included operational expenditures of \$2.53 million. This is \$620,000 more than the previous fiscal year.

In our Corrections fund, the recurring revenue which includes the correctional gross receipts tax and the care of prisoners revenue, that total is \$2 million. It was \$1.2 million last year for the same period. The majority of the decrease is related to the adult care of prisoners revenue which reflects that the US Marshals was behind in making payments and then we had the federal shutdown which delayed the payments even further but we expect that we will be back on target within a very short period of time.

Total expenditures in the corrections fund was \$4.6 million and the operational expenditures of that fund totaled \$4.4 million with \$131,000 for capital.

In summary, the first quarter revenues and expenditures are property taxes of \$2.2 million. Collections exceeded budget by \$373,000. Gross receipts taxes are \$10.5 million cumulatively. Collections have exceeded budget by \$949,000. And capital expenditures totaled \$8.9 million with debt service payments totaling \$8.8 million. And I stand for questions.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Carole, overall six percent increase over a similar period or projections and then an increase on an item that I continually bring up and that's unincorporated area gross receipts tax. So hopefully that's an indication of continued improvement in the economy, specifically in the county. So, thank you.

CHAIR HOLIAN: Thank you, Carole.

XV. I. NCRTD Update

ERICK AUNE (Transportation Planner): Madam Chair, Commissioners, the two items on your report, the first one was that County staff and RTD staff are working with the Fire Department to procure a bus stop on Highway 14 at the Turquoise Trail volunteer fire station. Number two, there's been discussion and at the last board meeting on October 4th, the direction to RTD staff to commence a needs assessment report to consider the route to

the Santa Fe Ski Basin. So based on those two I'd be happy to answer any specific questions. Thank you.

COMMISSIONER ANAYA: Madam Chair.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I would just comment that I made comments at the last meeting. I know we have a good representative in Commissioner Chavez, but that we continue to maintain our focus as a County in coordination with the rest of the NCRD district to deal with community routes and routes that bring people in and out of Santa Fe to work, and that I think that's a higher priority. I know that Commissioner Chavez has additional comments he might make, but I just want to make that comment additionally. I made it the last time and I'll make it again. Also, in the paper today we saw that there's other challenges that the City's facing associated with Santa Fe Trails and some of their internal routes but that we on the regional system and the NCRD system we continue to keep in mind the regional nature of the needs. So, thank you, Madam Chair.

COMMISSIONER CHAVEZ: Madam Chair.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: I think that these updates are good. This is good information to have. The issue with the request before the RTD regarding Ski Santa Fe, that will go through our North Central Regional Transportation process and it will be determined at a later time whether that service is warranted or not. But Erick, you do have a handout, and if you could just provide that to the Commissioners for reading material. *[Exhibit 3]* I think it was interesting that you did a breakdown on the pie chart, because the RTD depends on gross receipts to provide its services, but half of that gross receipts that's collected goes to the Rail Runner, so the RTD is not in full control of the gross receipts that we receive. So if you could leave that for information I think that would be good, the pie chart that you did.

MR. AUNE: Sure.

CHAIR HOLIAN: Thank you, Erick.

XV. J. Growth Management Monthly Report for September 2013

MS. ELLIS-GREEN: Thank you, Madam Chair, Commissioners. I guess briefly from this report, under our Planning Division, affordable housing, we developed an RFP for the County-owned Public Works site on Galisteo Road. We also – the fourth County-owned affordable home that was purchased under the foreclosure prevention program has been sold, and another low-income household was approved for down payment assistance.

Under Open Space, the two vacancies on the COLTPAC committee have been appointed and COLTPAC has been meeting monthly, and Lisa Roach has joined the planning team as the open space planner. She was introduced earlier.

Under community planning we're working on two active community planning efforts, that's the Tesuque Community Plan and the Chimayo Community Plan, and Maria Lohmann has also joined us. She's a recent graduate of UNM masters in community and regional planning. So she has joined us as a community planner.

Under transportation planning, in addition to the item that Erick just presented, he has also been working with the DOT District 5 engineers to review issues, constraints and opportunities for a number of road segments within the county.

Economic development, the economic development plan is being drafted. It will have a legal review and then be released. We are also drafting language for an arts, culture and tourism task force committee, that once that's been reviewed will be brought forward to this Commission. And in collaboration with the RDC we organized a series of three economic development courses for elected officials within the county and surrounding areas.

Under the SLDC, the adoption draft has been released. We so far have had two BCC study sessions and two evening meetings out in our four growth management areas. We're actually meeting tomorrow night in Galisteo, and on November 7th, for the northern part of the county at the Bennie J. Chavez Community Center.

In the Building and Development Services Division, I provided a few statistics. For permits and approvals in September of 2013, new residential permits for stick-built homes, we issued 21 of those. New residential permits for mobile homes, we issued three of those. Commercial building permits, we issued three. The number of lots that were created through subdivision exemptions, we created four lots; through summary review subdivisions it was five lots; commercial business licenses, we issued two of those, one home occupation business license and one film permit.

Code enforcement, we currently have three – or we did have three code enforcement officers. We were given one additional in this budget year and Daniel Day has actually started last week so we now have four code enforcement officers. A few statistics from code enforcement, the number of initial notices of violation issued, we issued 22; final notices of violation, we issued seven, and the number of notices of violation that were resolved without court action are 18. And just a few projects I listed for our GIS which including creating new maps for the Precinct #89 for inclusion in the resolution. And I'll stand for questions.

CHAIR HOLIAN: Commissioner Anaya. Thank you, Penny.

XV. K. Public Works Monthly Report

MR. LEIGLAND: Madam Chair, Commissioners, Commissioners, I'll be very brief. You have in the Public Works report you have just a list of some of the projects that are ongoing. I'll note some of the more notable updates since I wrote this report. The very first one, County Road 98, that project is actually almost done, well ahead of schedule. And just to remind you that County Road 98 is the County road that goes to Chimayo, and this was the second phase to put a pedestrian walkway on both sides so it's a much safer roadway now.

The second one, Commissioner Anaya, that's the project for the Old Santa Fe Trail I mentioned earlier. The intent is to modify that design contract to do the city portion. And

then just on page 2 of the Madrid ballpark, that is in Procurement now, to go out for IFB. So that is phase 2 of the Madrid ballpark grandstands. That one is progressing.

The ICIP, we recently submitted to DFA on time with no issues. I would like to note we were able to do it electronically. We took our electronic database and we imported it into the state's electronic database in a very smooth fashion. As far as I know we are the only ones who have done that, so that was good.

And then I'd just like to noted that despite all the activity in the storm response that we had in September we were still maintaining a good reporting response rate. That's across the enterprise, not only roads but also facilities and open space. And both property control and building services. Our goal is a 75 percent on-time work order completion rate and we are at 72 percent.

The annexation, water is moving apace. You heard earlier one of the hiccups we had was the Salvatierra but overall, we've finalized the master meter plan. We're working with the City. We're working on the sewer customer transfers now which is going to be a little bit problematic just because the infrastructure is more intertwined than the water facility. We're trying to devise the service areas for the annexation. The solid waste annexation is complete and the road annexation will start the improvements next spring. So just a quick snapshot. I also put a brief update on the quick start projects.

And then at the very end, I just wanted to bring your attention to the work order response policies. So we have a series of work order response policies. I just wanted to say that we have a 75 percent on-time completion rate goal, that's reflected in the policies in my report, so you'll see for instance it's a request to put in a stop sign, 24-hour [inaudible]

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I'm sorry, Adam, but we're going to have to figure out the microphone or something. I used to be able to hear you pretty good but now I can't hear.

MR. LEIGLAND: Madam Chair, well, I was told that I was too close to the microphone because I was making it do feedback. Is that better? That's better. Okay. So what I was saying – I apologize for that. I haven't figured it out yet myself I guess. The work order response policies are at the end of the packet, so the response policies show – we break it out by the type of work order that we receive and then our response time. And the response policies serve a number of purposes. They establish customer expectation but they also allow us to group, for instance, geographically group work orders, so instead of having a work order for the Edgewood Senior Center, going down there and then two days later having another one, having to go down there. We can wait and go down there one time. So that's table 3 and the report lists all of the response policies.

So, Commissioner, I hope I was a little bit more understandable and with that I'll stand for any questions.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, three things I want to bring up. I got calls, and I know we received some feedback from the Manager relative to the old

courthouse. This Commission hasn't made any determinations whatsoever associated with final use on that. We gave staff direction to explore alternatives and we're in that process and on November 12th you're going to come back and give us some options and presentations on what some of those alternatives might be for us to consider as a Board. Is that correct?

MR. LEIGLAND: Madam Chair, Commissioner Anaya, that is correct. So we just received the final report from the consultant. We're reviewing it now, as we speak. To be honest with you, weren't 100 percent happy with it but we'll be bringing something to you on November 12th.

COMMISSIONER ANAYA: None of us, none of my colleagues or I have made any specific things that they want specifically. We've all kind of said we want to get feedback. Is that correct?

MR. LEIGLAND: Madam Chair, Commissioner Anaya, that is correct.

COMMISSIONER ANAYA: Thank you, Adam. I just wanted to clear that up. Two things, Madrid Ballpark, a project that has been in the pipeline for many, many years. We're done with the plans, we're ready to go to bid. I think that's an exciting add-on to the project that we've been working on for many years that former Commissioner, Rhonda King and most importantly the people of Madrid have been waiting for for a long time. I'm excited about that. On the phase 1, on the Stanley wellness, that was the infrastructure piece that dealt with the utilities. We got those bids in. Where did we end up on the bids?

MR. LEIGLAND: Madam Chair, Commissioner Anaya, the bids came in. I understand there was one protest. I don't know the details of the protest that came in. I think it was last Friday. So the low bid was protested. I don't have all the details. I could ask Bill if you like.

COMMISSIONER ANAYA: I just want to know the amount. What was the bid amount?

MR. LEIGLAND: Madam Chair, Commissioner Anaya, I don't know if I could say that.

COMMISSIONER ANAYA: Maybe offline you could tell me. I'm just glad that you finally got to the point of getting utilities in. That's for a structure that's been there for quite some time that we'll finally have water and electric to it once we – so I appreciate those efforts. Thank you for the presentation. I appreciate it.

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Madam Chair, and Adam, I'd like to thank you and your staff for taking the time to meet with all the different Commissioners about the capital improvement projects. Thank you.

CHAIR HOLIAN: Thank you, Adam.

XV. L. Miscellaneous Updates

A. Acknowledgement of the Schedule to Adopt and Incorporate the Tesuque Community Plan Into the Sustainable Growth Management Plan as Amended

MS. MILLER: Madam Chair, as noted earlier, some individuals from Tesuque were here. They had come to the last meeting and what they're requesting is that the Tesuque Community Plan be heard and part of our issue has been we really haven't had an opportunity to review it. It's rather long. So one of the things that we agreed with them is that we would put it on the November 26th and the December 10th meetings. So I just wanted to let you know that. I put this in the packet so that it could assure them that, yes, we are going to put it on for it to be heard and for public comments on the November 26th meeting and the December 10th. We said you may decide that you do not want to take a vote on it based upon the code. We let them know that, but that we would get the plan reviewed and that we would get it in front of you for comment.

I also want to note that I had talked to Commissioner Mayfield about this. He did state he is in support of getting this plan in front of the Commission and moving it forward.

- XV. B. Introduction and Discussion of a Resolution Amending Procedures for Resolutions with a Fiscal Impact; Requiring Fiscal Impact Reports; Prescribing Uniformity of Fiscal Impact Reports; Ensuring Public Input on Resolutions; Rescinding Resolutions No. 2012-056 and No. 2013-026**
- C. Discussion of Possible Changes to the Format of the Agenda of the Board of County Commissioners Meetings to Better Engage, Involve and Inform the Public and to More Efficiently Conduct the County's Business**
- D. Discussion of Options to Provide Reasonable Public Notice for Meetings of the Board of County Commissioners and for Boards and Committees Appointed Or Acting Under the Authority of the Board of County Commissioners**

MS. MILLER: Then the next three items, Commissioners, I had planned that – well, a couple of things. These came about out of a couple of different discussions on some resolutions. One resolution that was passed in 2012, another resolution that was passed earlier this year in February, I believe, and then some issues around having public comment on resolutions and then also on some of our noticing. So what I did was actually kind of – a lot of these are tied together, because they're organization of the meetings and of the agenda and of our noticing. And when we change something relative to noticing that changes all of our meetings.

So what we did is actually put a little group together, Steve and Erik and I worked with Daniel Ivey-Soto, Senator Daniel Ivey-Soto, on getting some recommendations on how to maybe restructure those resolutions and restructure our meeting. He was really helpful.

He's on contract with the Clerk's Office and so he offered, as a parliamentarian and he offered to provide his advice on these things surrounding our meeting and how we take public comment, don't take public comment, how we arrange our schedule to most accommodate public comment. And so items B, C, and D, I was hopeful that Senator Ivey-Soto could be here to talk to you about them. They were not put on as action items. My intent was to merely introduce the ideas to you. They still would require action or at least the item B and D would require resolutions coming back to you, and I was hoping he could kind of explain the logic behind his suggestions relative to our agenda and relative to when taking public comment on resolutions or other items.

The basic gist of it is that we did come up with a draft. Item B is an introduction of a resolution that would amend the procedures for resolutions with a fiscal impact and those that require fiscal impact reports, and then also ensuring public input on resolutions. That was one that Commissioner Mayfield had sponsored last year and one Commissioner Chavez had sponsored this year. That resolution is a combination of both of those. I did run a draft by Commissioner Mayfield because I knew he wouldn't be here. He said he was supportive of that but I told him it was still going to come back for a vote to the Commission.

The second item – and the basic gist of that one is that we would take public comment when an item is up for action. So if the resolution comes on to an agenda for discussion or just introduction, unless, at the call of the chair, you wanted to take public comment that really we would take public comment on action items. I would say that that actually dovetails with item C and that's rearranging the agenda a little bit so that all our action items come at the beginning of the meeting, so that we move through our action items while those individuals who are here to make public comment are here.

And then item D came out of the concerns that were brought up in the indigent meeting when one of our noticing issues – we have a noticing requirement that requires three types of noticing, yet it's more strict than the statute. So this one comes in response to what Commissioner Anaya had suggested, us bringing back a resolution that might simplify that process. So I would still like to have Senator Ivey-Soto come and speak to you, particularly when Commissioner Mayfield is here as well, and talk about these, but I was hopeful that I could just introduce the concepts to you this evening and you would have an opportunity to give me some feedback that I might be able to incorporate into the actual draft to vote on.

CHAIR HOLIAN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, Katherine, I think any concept that can help us provide efficiencies and clean up things for staff and for the public I think are good. On those times when a resolution's being introduced where they can't speak directly on that resolution a person I would still let them have the latitude that they could speak under Matters of Public Concern. So if somebody just had to say something that they still would have that place under Matters of Public Concern on that item even though – because they wouldn't be allowed later. That would be my only additional comment.

But I think Senator Soto, I look forward to hearing his feedback and comments. He helps the Association on a lot of other issues so I think he'd be good to have here. So I think you're on the right track and I'd like to hear more later.

CHAIR HOLIAN: Commissioner Chavez.

COMMISSIONER CHAVEZ: Madam Chair, thank you. County Manager Katherine Miller, I want to thank you and let me see, your staff for working on these two resolutions and I apologize for not looking in hindsight for not looking and doing more research before I introduced my resolution. If I would have, in hindsight I would have amended Commissioner Mayfield's resolution to include the fiscal impact report that was missing at that time and I do notice in the packet that you have a couple of draft fiscal impact report, and so I see that the reports themselves are still being fine-tuned and that's a good thing because I think that they're more self-explanatory and they're more to the point on where the money's coming from, where it's being spent and why. And so that being in there, I'm supportive of the resolution that you have in the packet, merging the two, repealing the two and then introducing a new resolution to basically do the same thing but I think we'll be all on the same page at that point and I think the chair having discretion about additional public hearings I think is really appropriate. And I think you can gauge when we would need that public hearing or not.

So I think is going in the right direction and would look forward to this as an action item. Thank you, Madam Chair.

MS. MILLER: And Madam Chair, Commissioner Chavez, you'll be glad to know we stole some of the FIR ideas from the City of Santa Fe. We actually got a few of them from around the state because when we put it together we were kind of in a hurry and I said there's got to be some that we could glean some experience from, so Teresa in Finance grabbed some from around the state and Bernalillo County, City of Santa Fe, some that have been doing it a little bit longer and have separate finance committees, and using the states. And so I think this is actually even a – it is a little more clear and there's instructions with it, and so it has a lot of the same information but it reads better, and I'm hopeful that that will work as well.

COMMISSIONER CHAVEZ: And do you see your staff developing a fiscal impact report that works for you and all of your departments?

MS. MILLER: Madam Chair, Commissioner Chavez, this is a combination of what we found throughout. We took the one we were doing plus some from some other entities and pulled in things that have been comments made by this Board that you'd like to see as well as things that maybe we did not have in there that we think will be helpful to your decision making process. So it's not identical but it's a combination. What we liked about the way the City laid theirs out it was very easy to read, so we used their format.

COMMISSIONER CHAVEZ: Thank you, Madam Chair.

CHAIR HOLIAN: Thank you. And thank you, Katherine. Is there anything else you wanted to add?

MS. MILLER: Madam Chair, the only other one I would ask, and I'd ask Steve if he could make a comment on item D relative to the public notice for meetings. That one – what we've done in the past is we've kind of gone above and beyond the state's requirement, and we still want to do that. I think we need to have some language that says we're going to do this and whatever other ones we can get done in a timely fashion or

something, because the problem is when we say we will do this, this and this, if any one of those, and what it is is on our website, on the board, and in the newspaper is what our current resolution says, if the newspaper doesn't print it, even if we get it in there a couple days later it's too late per our resolution, and that's why we've had to cancel some of these meetings. Or if it got missed, because we have such a long window of also having to post stuff. So I wanted Steve to speak real quickly to the legal requirement, the state legal requirement and see if that would be okay. If we go to that but we still do all the things that we're doing. Steve, what's the actual legal requirement?

MR. ROSS: Madam Chair, there's no requirement that one publish notice in a newspaper, for example, of meetings, yet we currently do that for every meeting. The Attorney General's handbook says, and I agree with this, that if you have a regularly scheduled meeting as we do, you can validly publish notice once a year of all your meetings, and only do more if you desire to in the event that you have a special meeting or something along those lines.

You can see – Katherine's got in her memo – that we're spending \$44,000 to publish ads for all of our meetings every single year. The problems that we've experienced with this particular type of notice – don't forget we have three types of notice that we're currently required to do by our own resolution. One, publish in the newspaper, two, publish on the website, and three, post. And Katherine's right, if any one of those legs of the three-legged stool are missing we can't have a meeting. We can't validly have a meeting. Or if we do have a meeting any action taken in that meeting is voidable at any time, which means years and years and years in the future someone would just need to establish that one of those three legs of the stool was not done and action, including pretty significant action can be voided after the fact. So the stakes are really, really high with this. Most counties and municipalities do a fairly minimal set of notices, things that they know they can do meeting after meeting after meeting after meeting, so that you can legally have a meeting, and then do other things on an optional basis.

But whatever we put in the Open Meetings Resolution you have to do or you can't have a meeting and that's in part – the complexity of our notice provisions is in part why we've had numerous meetings canceled, because the task of doing all those things is difficult and there are things out of staff's control such as newspaper publication and stuff like that that can trip up even the best laid plans. What Katherine's got here is basically, under the four bullet points there is a proposal to roll back formal notice in the annual Public Meetings Act Resolution to the bare minimum so that some of the problems I described can be avoided. That is we don't continue to publish on the website, don't continue to do other forms of notice of meetings but at least you'd be able to have a meeting and the items on the meeting wouldn't be voidable at some point in the future.

CHAIR HOLIAN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I'm 110 percent behind that recommendation. I think it's actually doing less but ultimately doing more. We save money, we're advancing our technologies better, there's already mechanisms in place that work so I'm 110 percent behind it.

CHAIR HOLIAN: And I agree that we should modify – I think it's our Open Meetings Ordinance that we need to modify in order to do that but I think we should only do what we say we're going to do, what we're absolutely required to do, but then try to do the extras, but not guarantee that we'll do the extras. Any other comments from the Commissioners?

MS. MILLER: Okay. Thank you very much.

CHAIR HOLIAN: Thank you, Katherine.

MS. MILLER: And that's all I have.

XVI. MATTERS FROM THE COUNTY ATTORNEY

A. Executive Session

1. Discussion of Pending or Threatened Litigation

- i. *County of Santa Fe v. Roddy Leeder, Leeder Construction, Inc., R.L. Leeder Headquarters, LLC, et al., No. D-0101-CV-2009-01717***
- ii. Arbitration – *Denice Sanchez v. Santa Fe County***

CHAIR HOLIAN: Do we need an executive session, Steve?

MR. ROSS: Madam Chair, we need a brief executive session to discuss the two items that are listed there, the Leeder litigation and the Sanchez arbitration and hopefully to take action on both of those items following the executive session.

CHAIR HOLIAN: Is there a motion?

COMMISSIONER CHAVEZ: Madam Chair, I'll make a motion to go into executive session.

COMMISSIONER STEFANICS: Second.

CHAIR HOLIAN: Roll call please.

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (7) to discuss the matters delineated above passed upon unanimous roll call vote with Commissioners Anaya, Chavez, Stefanics and Holian all voting in the affirmative.

[The Commission met in closed session from 7:05 to 7:20.]

COMMISSIONER STEFANICS: Madam Chair, I move we come out of executive discussion where we discussed only those matters listed on the agenda.

COMMISSIONER CHAVEZ: Second.

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action.]

XVI. B. Consideration and Possible Approval of a Settlement Agreement in County of Santa Fe v. Roddy Leeder, Leeder Construction, Inc., R.L. Leeder Headquarters, LLC, et al., No. D-0101-CV-2009-01717

CHAIR HOLIAN: Commissioner Stefanics.

COMMISSIONER STEFANICS: Madam Chair, after discussion of the settlement agreement I would move approval of the settlement agreement in the *County of Santa Fe v. Roddy Leeder Construction*, with our County Attorney to have the authority to negotiate.

COMMISSIONER ANAYA: Second.

CHAIR HOLIAN: There's a motion and a second.

COMMISSIONER STEFANICS: Is would just say, is that adequate language, Steve.

MR. ROSS: Madam Chair, I'd just add that, to have the County Attorney negotiate an access agreement.

COMMISSIONER STEFANICS: Okay. So moved.

COMMISSIONER ANAYA: Second. I accept it.

CHAIR HOLIAN: The seconder accepts it.

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action.]

XVI. C. Authorization to File Petition to Enforce Settlement of a Post-Disciplinary Appeal Brought by Denise Sanchez

COMMISSIONER STEFANICS: Madam Chair, I move approval.

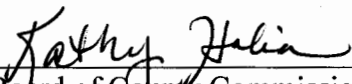
COMMISSIONER CHAVEZ: Second.

The motion passed by unanimous [4-0] voice vote. [Commissioner Mayfield was not present for this action.]

XVII. ADJOURNMENT

Having completed the agenda and with no further business to come before this body, Chair Holian declared this meeting adjourned at 7:22 p.m.

Approved by:



Board of County Commissioners
Kathy Holian, Chair

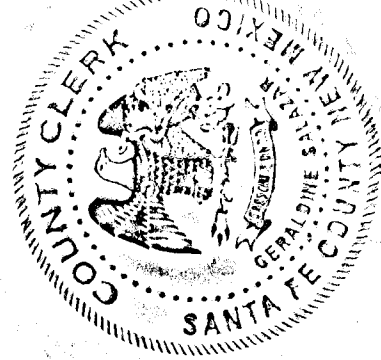
ATTEST TO:

Geraldine Salazar *by VT*
11-26-13

GERALDINE SALAZAR
SANTA FE COUNTY CLERK

Respectfully submitted:

K. Farrell
Karen Farrell, Wordswork
453 Cerrillos Road
Santa Fe, NM 87501



SFC CLERK RECORDED 11/27/2013