

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
April 14, 2015

Robert Anaya, Chair - District 3
Miguel Chavez, Vice Chair - District 2
Kathy Holian - District 4
Henry Roybal - District 1
Liz Stefanics - District 5

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I. OPENING BUSINESS
A. Call to Order

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:52 p.m. by Chair Robert Anaya in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

I. B. Roll Call

Roll was called by County Clerk Geraldine Salazar and indicated the presence of a quorum as follows:

Members Present:

Commissioner Robert Anaya, Chair
 Commissioner Miguel Chavez, Vice Chair
 Commissioner Kathy Holian [late arrival]
 Commissioner Henry Roybal
 Commissioner Liz Stefanics

Members Excused:

None

I. C. Pledge of Allegiance
D. State Pledge
E. Moment of Reflection

The Pledge of Allegiance was led by Brittney Lovato, the State Pledge by Tommy Garcia and the Moment of Reflection by Matthew Montoya of the Assessor's Office.

Commissioner Anaya acknowledged the presence of State Representative Matthew McQueen.

I. F. Approval of Agenda
1. Amendments
2. Tabled or Withdrawn Items

KATHERINE MILLER (County Manager): Mr. Chair, there's been one

amendment to the agenda. On page 4, under Matters from the County Attorney, executive session, item 3.a has been added to the agenda and other than that there was a request to have executive session after 5:00 when Commissioner Holian can be out of jury duty and be present for that. And I do not have any tabled cases at this time.

CHAIR ANAYA: Thank you, Ms. Miller.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I would move to approve the amended agenda.

CHAIR ANAYA: Second.

CHAIR ANAYA: There's a motion to approve the amended agenda. There's a second from Mr. Vice Chairman, Commissioner Chavez. Any further discussion? Seeing none.

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

I. G. Approval of Minutes

1. Approval of March 15, 2015 Emergency BCC Meeting Minutes

CHAIR ANAYA: What's the pleasure of the Board?

COMMISSIONER STEFANICS: Mr. Chair, I move that we approve the March 15, 2015 emergency BCC meeting minutes. Oh. I don't think I should do that. I'll withdraw that.

CHAIR ANAYA: You withdraw that motion. Commissioner Chavez

COMMISSIONER CHAVEZ: I'll make the motion, Mr. Chair.

CHAIR ANAYA: There's a motion to approve the minutes of March 15th. Is there a second?

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: Second from Commissioner Roybal. Any further discussion? Seeing none.

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

I. H. Honoring Our Veterans and Service Men and Women

CHAIR ANAYA: We now move on to our continued item to honor our veterans and servicemen and women, and I'm please to ask Mr. Adam Leigland if he would please come forward. And I'm going to read in a bio of our esteemed Director of Public Works, Mr. Adam Leigland.

Adam was born and raised in Great Falls, Montana, the oldest of nine siblings, one of whom is also a veteran and one of whom is currently stationed at Holloman Air Force Base in Alamogordo, New Mexico. His grandfather and father both served in the United States Navy but on his grandfather's advice he joined the Air Force instead. He

attended the University of Notre Dame on an ROTC scholarship and upon graduation with a degree in civil engineering he was commissioned a second lieutenant in the engineering field.

He attended the Air Force's combat engineering school at Wright-Patterson Air Force Base in Ohio. His first assignment was at Malmstrom Air Force Base in Montana which was ironically in his hometown, where he was in charge of the construction program. Since he was in his hometown his commander was sympathetic and released him early to his next assignment, Soto-Cano Air Force Base in Honduras, where he was a staff engineer on joint task force Bravo, a humanitarian assistance program. From there he moved to Howard Air Force Base in Panama where he was in charge of engineering support to counter drug operations in South America.

It was in Panama that he met his current wife, a New Mexico native, Air Force Academy graduate and fellow engineering officer. Though at first they were just friends his next assignment was in the United Kingdom where he was in charge of the facilities operations and maintenance division for the installations of Alconbury, Molesworth and Upwood. From there he moved to San Vito Air Station in Italy where he was the public works director. He had an unusual public works director job. The last six months of his tour was dedicated to closing the base down and returning it to the Italian government.

At the end of that tour he was honorably discharged. Adam is the recipient of the Air Force commendation medal with two oak leaf clusters, the Air Force achievement medal, the joint service achievement medal, and the NATO medal. Let's all give him a robust round of applause.

Adam, we're truly honored by your service and very much appreciate your service to our country in sounds like a lot of different places. So we very much appreciate that. So I would now go to Commissioners. We're going to turn the floor over to you and we'd like to present you with a certificate and get some pictures with you if we could. Commissioners.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Adam, thank you very much for your service and I'd like to thank all of our employees who have been in the military branches for their service. But I am expecting that you should be able to talk to us in multiple languages, based upon all those assignments. So when you do get to speak maybe you could share with us what languages you do speak, but thank you very much for your service.

CHAIR ANAYA: Thank you, Commissioner Stefanics. Commissioner Chavez.

COMMISSIONER CHAVEZ: Adam, I want to say thank you to you and your family and congratulations for all that you've accomplished and I can only say that the County is now benefiting from that because of your experience and what you're able to do. So I've enjoyed working with you in the time that I've been on Commission and so I can just hope that it will continue. But thank you for your service, for here in the County and your extended service.

CHAIR ANAYA: Thank you, Commissioner Chavez. Commissioner Roybal.

COMMISSIONER ROYBAL: Adam, I too want to say thank you for your service and for the service that you provide to the County. Every time I've called you to come to a meeting or asked questions you've always had the answers for me and I really appreciate everything you've done. Thank you.

CHAIR ANAYA: Thank you, Commissioners. I'd go to Ms. Miller.

MS. MILLER: Commissioners and Adam, you know I have a soft spot for you based upon our similar backgrounds so I think it's great reminiscing about places you've been stations, the places – although I wasn't in the military but as a military spouse and dependent, so I really admire anybody who puts their life into the hands of our US government 24/7, you're on. So thank you for your service to our country and especially to Santa Fe County.

CHAIR ANAYA: Thank you. Mr. Leigland.

ADAM LEIGLAND (Public Works Director): Well, Mr. Chair, Commissioners, first I want to say that when I was contacted for this I was really humbled by the request, not least of which because I did serve but compared to some of the other honorees I served during the nineties which was a pretty easy time to be in the service. It was between the Iraq wars so I have a lot of respect for those veterans who saw a lot tougher duty than I did.

I think the military was a very formative time for me and I think it really instilled in me this ethic of public service which I've continued. My entire career has been in the public sector and it was formed during that time. You all mentioned the term service and I think that that's something that I learned from that time. And another thing that I've learned – I have served all over the world and I've learned a couple of things during that time. One is the core of public works is pretty much the same. We all face the same challenges, not enough money to go around, a lot of demands and at the end of the day the roads are the same.

But also the people that are doing the job, they're dedicated all over the world. I've worked with and I've supervised Hondurans and Panamanians and English and Italians and they're all dedicated the way you see the dedication here in the County. So I think I can bring that sort of viewpoint.

The Manager mentioned her time – actually I think that we were stationed in the UK at the same time when you were at Mildenhall or Lakenheath I was at Molesworth. Those two bases were about 80 miles apart. We didn't run into each other but I think we were that at the same time.

Commissioner Stefanics asked which languages I speak. Spanish, when I was in Latin America and then Italian when I was in Italy. Unfortunately those two languages are so similar they get confused in my head sometimes. But again, Commissioner Anaya, I was really humbled and honored that you asked me to come up here. There's a lot of great – just in my department alone there are a lot of great – in fact in the Roads Department is Rick Varela who is also a veteran and he actually was stationed at Malmstrom too. I don't know if we were there at the same time or not. But the Air Force is a small world. And now my sister is stationed down at Holloman. She just got there so we haven't had a chance to see her yet, so that's exciting. So anyway, again, thank you for this honor I'm really pleased and hope that you will bring more County employee veterans up here as well.

CHAIR ANAYA: Absolutely, Mr. Leigland. We'll continue to bring them all forward. But once again, appreciate your service. I'd like at this time as we've consistently done, any other veterans with us today in chambers if you would please stand and be acknowledged at this time. Do we have any other veterans at this time? Thank you, sir, for your service. Round of applause. Let's present Mr. Leigland with a certificate and have a picture if we could. And I would invite you, sir, to please come forward and join us in this picture.

[Photographs were taken.]

II. CONSENT AGENDA

A. Final Orders

1. BCC CASE # PCEV 14-5420 Ernest Chavez and Robin Suellen Chavez (Personal Representative of the Estate of Jesse Chavez) Vacation of Plat. Ernest Chavez, Applicant, and Robin Suellen Chavez (Personal Representative of the Estate of Jesse Chavez), Applicant, (Sommer, Karnes & Assoc., LLP) Joseph Karnes, Agent for the Estate, Requested Approval to Vacate a Recorded Lot Line Adjustment Survey Plat which Reconfigured Two Existing Lots that Became Known as Tract 1-R Consisting of 25 Acres and Tract 2-R Consisting of 11.58 Acres, on a Total of 36.38 Acres. The Property is Located at 210 Entranosa Rd., within Section 28, Township 11 North, Range 7 East (Commission District 3) (Approved 5-0) Miguel "Mike" Romero, Case Manager
2. CDRC CASE # V 14-5340 Luis and Isela Rodriguez Variance. Luis and Isela Rodriguez, Applicants, Requested a Variance of Ordinance No. 2002-9 (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District), Section 6.4 (Zoning Density) to Allow Two Dwelling Units on 2.5 Acres. The Property is Located within the Traditional Historic Community of La Cienega at 92 Camino Montoya, within Section 20, Township 16 North, Range 8 East, (Commission District 3) (Approved 5-0) Mathew Martinez, Case Manager
3. CDRC CASE # V 14-5400 Melody Saucedo Variance. Melody Saucedo, Applicant, Requested a Variance of Ordinance No. 2002-9 (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District), Section 6.4 (Zoning Density) to Allow Two Dwelling Units on 3.26 Acres. The Property is Located within the Traditional Historic Community of La Cienega at 77 A Calle Debra, within Section 20, Township 16 North, Range 8 East (Commission District 3) (Approved 4-1) Mathew Martinez, Case Manager

4. **BCC CASE # MIS 06-5272 Tavelli Master Plan Extension.** Michael A. Tavelli, Applicant, Requested a 24-Month Time Extension of the Previously Approved Tavelli Mixed-Use Subdivision Master Plan. The Property is Located North of Agua Fria Street, East of Lopez Lane, within Section 31, Township 17 North, Range 9 East (Commission District 2) (Approved 5-0) Mathew Martinez, Case Manager
5. **CDRC CASE # V/Z 14-5210 Senior Campus at Caja del Rio.** Caja del Rio Holdings, LLC, Applicant, Jenkins/Gavin, Agents, Requested Master Plan Zoning Approval to Allow the Creation of a Large Scale Mixed Use District, to be Utilized as a Senior Care Facility, to be Developed in Four Phases on 28 + Acres. The Request Included a Variance of Article III, Section 6.4.2 (Density Review) and Article III, Section 10 (Lot Size Requirements) of the Land Development Code. The Property is Located at 28 Caja del Rio Road, within Section 2, Township 16 North, Range 8 East (Commission District 2) (Approved 5-0) Jose E. Larrañaga, Case Manager
6. **CDRC CASE # Z/PDP/FDP 14-5380 Santa Fe County Solar Energy Center Project.** Public Service Company of New Mexico, Applicant, Laurie Moye, Agent, Requested Master Plan Zoning, Preliminary and Final Development Plan Approval to Allow a 10 Megawatt Electric Solar Facility on a 100-Acre Site. The Property is Located South of the National Guard Site and Takes Access via the East I-25 Frontage Road, within Sections 3 & 4, Township 15 North, Range 8 East (Commission District 5) (Approved 5-0) Jose E. Larrañaga, Case Manager

CHAIR ANAYA: Adam agreed to do the capital fund presentation in Italian at the next meeting. We'll go on how, Commissioners, to our Consent Agenda. What's the pleasure of the Board?

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: I'll make a motion at this time to approve the Consent Agenda items A. 1 through 6.

COMMISSIONER STEFANICS: Second.

CHAIR ANAYA: There's a motion to approve the Consent Agenda in its entirety. There's a second, Commissioner Stefanics. Any further discussion? Seeing none.

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

III. ACTION ITEMS

B. Resolutions

1. **Resolution No. 2015-54, Award Resolution for the Santa Fe County, New Mexico General Obligation Refunding and Improvement Bonds, Series 2015** [*Exhibit 1: Material from RBC; Exhibit 2: Updated Resolution Text*]

CAROLE JARAMILLO (Finance Director): Mr. Chair, Commissioners, thank you. We're bringing before you a resolution to award the general obligation refunding and improvement bond Series 2015. These bonds were bid and sold this morning. I have Peter Franklin from Modrell Sperling who is our bond counsel to give you a rundown of the resolution that Mr. Shaffer is passing out and we have Eric Harrigan again to give a brief presentation.

CHAIR ANAYA: Thank you. Mr. Franklin.

PETER FRANKLIN (Bond Counsel): Thank you, Mr. Chair and Commissioners. Before you is a resolution. It's actually the updated version of the resolution that was in your packets. The updates are essentially just putting in the specific terms of the bonds that were sold this morning. I think Eric should describe the transaction itself and then I'll just walk you through what the very few updates are. Thank you.

ERIC HARRIGAN (Financial Advisor): Good evening, Chairman, members of the Commission. My name is Eric Harrigan with RBC Capital Markets in Albuquerque and we are the County's financial advisor. I do believe you have a short presentation that you may have in front of you and I'll walk you through that presentation here briefly. If I could turn your attention to page 2, the County ended up receiving or had a total of 11 bidders. This process that the County went through allows bidders the option to revise their bids in an effort to lower their bid and win the business, so to speak if you will. Now, while they can't see what the actual bid is that the other firms have put in they do see their ranking.

So the bids were opened up at 9:30 and bidding was closed at 10:00. However, there was a caveat that if the lowest bid was improved that bidding would extend two minutes to allow the other firms to try to lower their bids. At the end of the bidding period which was 10:00 it extended for 11 minutes and Citigroup ended up being the lowest bidder with a TIC of 2.16 percent. Now between 9:30 and 10:11, there was actually 62 different bids during that time period between those 11 bidders and Citigroup in fact, they revised their bid nine different times to end up winning the business.

So it was really a terrific result. We were extremely pleased. As we came into the sale we were anticipating and were trying to target a rate of about 2.25 percent. Again, the actual rate that was achieved was 2.165 percent. To kind of give you a little bit of historical context in 2013 when the County sold its first series of GO bonds authorized by voters it was the lowest rate that the County had achieved at that time, and that was 2.34 percent. So we were even able to better the sale from two years ago. Again, it was really terrific. We were extremely pleased with the sale results.

If I could turn your attention to page 3, as you will recall this financing includes

\$8 million of voter authorized debt in addition to refinancing three of the County's outstanding general obligation bonds – the Series 2005A, 2007A and 2007B. And when we were before the Commission on March 31st we were anticipating present value savings of about \$4 million. Due to the strong sale the County ended up saving \$5.128 million on a present value basis.

We look at this from a percent of the bond's refund and we try to target three percent as the minimum number to be considered economically beneficial. The County actually achieved 12.2 percent. Also, since these are advanced refundings we also looked to see the refunding efficiency. We target a minimum percentage of about 50 percent refunding efficiency. The County was able to achieve about 88 percent refunding efficiency. So again, just very pleased with the result. The average rate on the refunding bonds was 4.34 percent; the new rate on those bonds after the refunding is 2.2 percent, which generates that \$5.1 million in present value savings.

We were also able to have a nine-year call on the bonds so in the event that future interest rates – although it seems fairly unlikely – should they be at a point in some time where the County can refinance it the County would have the ability to call those bonds in nine years, actually on July 1, 2024.

We have some numbers on page 4 and 5. There's quite a bit of numbers here but we wanted to provide what the actual maturities and what the interest rates for each of the maturities within those bonds were. Since this is a refunding there was a slight restructuring that had to occur and so after the restructuring occurred, even though the initial bid was 2.16 percent, the actual TIC to the County will be 2.15 percent after the restructuring of the refunding.

We have also included the detailed refunding by each of the individual series of bonds that were refunded, the 2005A, the 2007A and 2007B. That's on page 5 and we've also included some information about the market. It's very difficult to time the market but the County did an excellent job of being in the market at the right time. The US Treasury Market which can be an indicator of how municipal bonds are pricing rallied significantly this morning right when the County was in the market. That really benefited the financing. And then afterwards the 10-year treasury actually started going back up, so it was a great time to be in the market; it was a really terrific result and we were very pleased with the results. And with that I would be happy to answer any questions that you might have or turn it over to Peter Franklin with the Modrell law firm.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Well, gentlemen, it seems like you have done a great service for the County in helping us to save money and that is excellent. We truly appreciate it. It's taxpayer dollars. We have a fiduciary interest to the public that we need to protect and you are helping us accomplish that mission. Thank you very much.

CHAIR ANAYA: I ditto those comments. Commissioner Chavez, anything? What's the pleasure of the Board?

COMMISSIONER STEFANICS: Mr. Chair, I would move Resolution No. 2015-54, the resolution for the Santa Fe County, New Mexico general obligation refunding and improvement bonds, Series 2015.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: There's a motion, there's a second. Any further discussion? Anything you want to add, Ms. Miller?

MS. MILLER: I'd just like to say, reiterate some of the things this morning. The County has good management, good policies in place, strong financial management and those are the things that help us get the Double-A+, almost Triple-A rating, which I really think makes our bonds very attractive in the bond market, and that's due to the policies set forth by the Board and the hard work of the staff. And so I just want to extend my appreciation to everybody who works daily to keep us in good position, and also to our consultants. Thank you.

CHAIR ANAYA: Ditto.

MR. HARRIGAN: I'll echo those. Your excellent staff makes my job much, much easier.

CHAIR ANAYA: Thank you so much. There's a motion on the floor, a second. Seeing no further discussion.

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

[Clerk Salazar provided the numbers for the approved resolutions and ordinances throughout the meeting.]

III. B. 2. Resolution No. 2015-55, a Resolution Requesting a Budget Increase to the GOB Series 2013 Fund (351) and the Capital GRT Fund (313) to Budget Approved Allocations for Various Capital Projects / \$10,926,534

MS. JARAMILLO: Mr. Chair, Commissioners, this resolution is being brought forward to place into the budget some of the capital projects that were approved by this Board on February 24, 2015. If you recall, you had the study session on February 10th where you developed capital project priorities and some financing plans were discussed, and this will put several of the projects into the budget. As the next couple of meetings occur we'll be adding more and more of the projects into the budget until they are all finally placed into the budget. And I stand for questions.

CHAIR ANAYA: Ms. Jaramillo and Ms. Miller, could you just recap, highlight some of those projects that we are putting in the budget right now? Either one of you works.

MS. JARAMILLO: Mr. Chair, Commissioners, some of the projects to be placed into the budget right now are improvements to Spruce Road, improvements to Race Track Subdivision roads, design and construction of master meters for the utility, improvements for phase 2 annexation roads, a match for our LGRF – I'm not sure what that acronym is.

CHAIR ANAYA: Local Government Road Fund.

MS. JARAMILLO: Thank you. Local Government Road Fund.

Acquisition of Hyde Park Estates water system, Chupadero Mutual Domestic Water System, Cañoncito Mutual Domestic Water System, El Camino Real Trail, design and construction of improvements to the Santa Fe old judicial complex and admin building, Santa Fe Rail Trail segment 4, Los Potreros, and the Stanley Cyclone Center.

CHAIR ANAYA: So the public and Commissioners and people listening in, these projects that cross every district throughout the county, I'd entertain a motion.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR ANAYA: Commissioner Chavez, Mr. Vice Chair.

COMMISSIONER CHAVEZ: Thank you. I'll move for approval on this resolution.

CHAIR ANAYA: Motion from Commissioner Chavez.

COMMISSIONER STEFANICS: Second.

CHAIR ANAYA: Second from Commissioner Stefanics. Any further discussion? Thanks to everyone for their work and efforts from the community to the staff to everyone else involved.

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

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: I'm wondering, Mr. Chair, if at this time we could amend the agenda slightly. I know that staff are waiting for their presentations but there are also members of the public that are here for the Old Spanish Trail Association. I know they've been here since before we started. Could we move that up, Mr. Chair? I know that's your item.

CHAIR ANAYA: Commissioner Chavez, I'm going to do this one, and I appreciate that but then we're going to go to Claudia after because Claudia's been waiting for quite some time. But we'll go ahead and go to that item.

V. A. 4. Presentation by Pat Kulhoff, President of the Salida del Sol Chapter, Old Spanish Trail Association

CHAIR ANAYA: And I think we have Karen Ryer here also. Pat?

PAT KULHOFF: That's correct. I'm Pat Kulhoff and I'm here with Karen Ryer. Karen will be passing out some information for you folks. I'm representing the Three Trails Organization. The Backcountry Horsemen, the Mule and Donkey Association, and the Salida del Sol Chapter of the Old Spanish Trail. We have an event coming up September 17th to 20th this year. The national organizations of the Camino Real, the Santa Fe Trail and the Old Spanish Trail will be holding their national conferences here for the first time ever all together on that weekend. And I'm part of the planning committee that's putting that conference together. We're quite excited about it.

We have four days of field trips on each of the trails for the conference attendees. We have five hotels in town that have room blocks set aside for those attendees. One of those room blocks at the Drury Hotel is completely full already and the room block at the

La Fonda Hotel which is one of our major sponsors as the historic hotel on the plaza is within a couple of rooms of being full. So we're very pleased. We have over 100 people already registered and we're in the early stages of registration for this conference.

We also have a very special event happening in connection with this conference. There is a group of Backcountry Horsemen from California who are doing a historic re-ride of the Old Spanish Trail. They're doing this in two segments. Last year they road from Los Angeles to Parowan, Utah in southeastern Utah. This year in August they will start their ride again and they will be coming into Santa Fe the week -- right now they think Wednesday of the week that our conference starts. So we're very busy trying to organize some kind of a welcoming event in the plaza area for that group of riders. They're not a large group of riders but they will be on horseback so it's kind of a unique and a special event. So we're very excited about that.

Do any of you have any questions about this conference or -- what our intentions are is to show how so many -- these three trails in particular, although they're often treated as individual trail units really were a united system of commerce and immigration and emigration here in northern New Mexico. So we're trying to show people and get people to understand how they were all connected, rather than being individual entities.

CHAIR ANAYA: Thank you so much, Pat. Commissioner Chavez then Commissioner Stefanics.

COMMISSIONER CHAVEZ: I just first want to thank you for your efforts in focusing on this one piece of our trail network. It is significant. A lot of it predates our US history here. We were held as a territory for 75 years, but we were not stagnant in that 75 years. But a lot of this history I did not learn in school. It's not part of US history just yet. I think we're slowly but surely moving in that direction. And so I wanted to just mention that, and then also bring our attention to a resolution that was introduced and supported here at the County Commission, 2015-39, a resolution reserving a portion of the future County complex for a fresco installation commemorating the 2015 Three Trails Conference. So I'm hoping that even though there's going to be a lot of activity from focusing on the three trails and the trail system, which is good, we'll have the symposium that will last maybe a week's timeframe, but my hope, and I'm hoping that my intent is shared with the rest of the Commission is that we be able to capture the symposium and have that demonstrated in a permanent fresco that will tell the story of the three trails to any and all of our future visitors and even residents in the area.

So I'm hoping that the organizations, like your organization, Santa Fe Trail and the Camino Real organization will be part of the development and execution of that fresco so that we can capture stories that are not only past but current stories of how the trail is retraced. I think that applies to the three trails.

MS. KULHOFF: Right. And there are a lot of current stories. It's amazing how many descendents of trail travelers are still in this area and spread out through the Southwest.

COMMISSIONER CHAVEZ: So anyway, I want to thank you, Commissioner Anaya, for bringing this to our attention. I think it's bringing everything full circle. It's keeping it at the forefront, especially now during the symposium itself, and I hope that I can participate in a couple of the field trips. It sounds like there's a lot going on but if not we want to capture that in a permanent fresco. Thank you.

MS. KULHOFF: In your packet today there's a registration form for the conference, so we hope to see some of you there for as much of the conference that you would be able to attend. And I'd like to thank you all very much for your time and your interest. Appreciate it.

CHAIR ANAYA: Thank you, so much. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. My questions are have you approached the City or the County's Lodgers' Tax Board for any contribution towards the conference? And secondly are you working at all with the public schools on this conference, the intent and some of the content?

MS. KULHOFF: We definitely are, yes. We've had appointments with the City Councilor and future appointments with City Council members set up, and our Saturday night program at the banquet for this conference is a youth program with students from Carlos Gilbert School that is being written, designed and the music and conference all organized by Dolores Pong, who is a retired schoolteacher from here in Santa Fe. So, yes, we're involving the community on every level that we possibly can.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR ANAYA: We'll go to Commissioner Roybal and then you, Commissioner Chavez, if we could. Commissioner Roybal.

COMMISSIONER ROYBAL: I too do want to say thank you for all your work. This is really important. The cultural and historical value, it's unmeasurable. So thank you so much for doing this work.

MS. KULHOFF: You're welcome. It's been fun.

CHAIR ANAYA: Thank you, Commissioner Roybal. Commissioner Chavez.

COMMISSIONER CHAVEZ: Just a minor footnote. Carlos Gilbert is very active in this program and the students actually had to audition for those parts.

MS. KULHOFF: Yes, they did.

COMMISSIONER CHAVEZ: And I know this because my granddaughter goes to Carlos Gilbert and she actually auditioned and got one of the parts.

MS. KULHOFF: Wonderful.

COMMISSIONER CHAVEZ: So I know I'll be attending that event.

MS. KULHOFF: You'll be there Saturday night. Great. Good. We'll look for you and appreciate it. Thank you.

CHAIR ANAYA: Thank you so much, Commissioners. I echo each and every sentiment of the Commission and truly thank you for coming and your efforts for the symposium and the conference. And I guess I would echo Commissioner Stefanics' sentiment. I would think the other Commissioners feel the same, but this gets you hooked up with a discussion with the Lodgers' Tax Board and it's set forward that the Commission – I think there's a consensus, we don't have it as an action item but there's a consensus that we'd like some consideration to maybe facilitate helping with the conference. I'm getting nods from the Commission. Thank you, Commissioner Stefanics.

MS. KULHOFF: My card is on the front of your packet for contact information and I would look forward very much to hearing from you as to how we go about starting, initiating that process.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: On that question, I think – is our economic development planner here? Dave Griscom? He could assist you in some of that information. Thank you very much.

CHAIR ANAYA: Thank you, Commissioner Stefanics and Ms. Ryer, thank you so much. You made comments previously and you came back as you said you would, and thank you for your work with this as well as with the youth in the community as well. Excellent. Okay, thank you, Commissioners. Thank you, Commissioner Chavez. We'll now go to Claudia and we'll do a presentation of the Santa Fe Basin Water Study. Thank you for your patience, Claudia.

MS. MILLER: Mr. Chair, are you going to do Matters of Public Concern?

CHAIR ANAYA: Yes, we can. We have somebody here I guess. That's why we're bringing it forward. So we'll go ahead and do Matters of Public Concern. Ma'am, the floor is yours for items that aren't on our agenda. Just state your name and address for the record and come forward. Thank you.

IV. MATTERS OF PUBLIC CONCERN

PATRICIA PERRIN: My name is Patricia Perrin, and I live at 10 Dean's Court in College Heights, Rancho Viejo. Honored Commissioners, a group of us in College Heights have been trying to get some information from the Land Use Administrator without success. I think it's just that we're really low priority and everybody's frantically busy. So we thought we would use this opportunity to just bring our questions to the County Manager and ask her assistance.

CHAIR ANAYA: Excellent. Do you have those questions drafted?

MS. PERRIN: I do have a copy for everyone if you wish. *[Exhibit 3]*

CHAIR ANAYA: That would be fine. You can provide those and we can enter those into the record.

MS. PERRIN: Okay. And if we could like get an answer in a month or something? Would that be enough time?

CHAIR ANAYA: I guess not having seen what they are – we will take them, enter them into the record and we won't give you a time right now but we'll evaluate them and then get some feedback on them from staff. So, Ms. Miller, if you could evaluate the questions and then provide us some idea of the timeline that would be appreciated.

MS. PERRIN: Okay, and will you advise me by phone?

CHAIR ANAYA: We can advise by phone and email. How's that?

MS. PERRIN: Okay. That's fine. Thank you very much. Appreciate it.

CHAIR ANAYA: Thank you very much. Yes. Just state your name and address for the record, sir and thank you for coming.

MATTHEW MURRAY: Mr. Chair, and Commissioners, Madam Manager, Matthew Murray. I live in El Rancho on the north side, Exception 90 to the San Ildefonso Pueblo Grant. And behind you it says protection of property, religion and language. Well, my property has not been protected. When we saluted the New Mexico flag we pledged cooperation amongst cultures and we need to preserve that and right now

the relations in El Rancho are quite strained.

More than a year ago, in December of 2013, the US federal government through the Bureau of Indian Affairs and its local office, Northern Pueblos Agency, gave you a notice to show cause, immediately assess trespass damages and why the County should not be evicted from the subject pueblo lands. This refers to the roads. A very well written letter was drafted by the Manager and the County Attorney and in response said a couple of things. The fact that hundreds of non-pueblo residents live on the roads in question and the import of the determination by the Bureau of Indian Affairs is to deprive those persons of access to their homes and businesses, title to which is derived from proceedings of the Pueblo Claims Board and the federal courts.

On the next page, a consequence was discussed. The Bureau's declaration is tantamount to a determination that many thousands of non-pueblo residents in the Pojoaque Valley no longer have legal access to their homes and businesses, rendering those homes and businesses worthless. And which was something that the Pueblo Lands Act was intended to avoid.

I have provided you by email and now a paper copy that can be entered into the public record [*Exhibit 4*] evidence that when I applied for refinancing I was denied based upon the title company's determination that they could not issue a clear enough title. What you see in title insurance as everybody knows is a dozen or two of all these exemptions, which is boilerplate; everybody accepts those. But exception 13 was based upon those notice to the County. And my bank cannot give the loan under the Mortgage Refinancing Act because the title company cannot, under the same federal law, issue a clear title. My land has become worthless.

And so Representative Ben Lujan has helped you by sending a letter to the Department of Interior. The response was essentially to dismiss all of your well thought out arguments to the contrary for this notice. They will not and have not retracted this letter. The Department of Interior basically upheld the letter and they urge you to negotiate with the San Ildefonso Pueblo as I know that Henry Roybal is now doing. And I have great respect for the tribal council. I live within the bounds of the pueblo. Governor Aguilar is an honorable man, and we all want a negotiated settlement. However, there's some things to consider. The Department of Interior is not offering any help. They're going to stand back and wait and see how it comes out.

In your argument and the argument of Ben Ray Lujan we talk about the 1989 negotiated settlement for the El Rancho Bridge and other roads. And the Bureau of Indian Affairs has essentially said, it doesn't count. Well, I think maybe it doesn't count because there might have been a fatal mistake made. The fundamental flaw was all of your other arguments cite congressional action and federal court judges. That agreement in 1989 did not go before a federal judge and we didn't get the Secretary of Interior to sign off on it, and now they're basically say, oh, it doesn't count.

So that puts all of us in great jeopardy. I support the negotiations and they need to go forward, but remember, San Ildefonso Pueblo has an agenda to protect their people, to protect their rights and of maximizing their income, and my electric bill is now the highest in the Jemez Electric Co-op because we're paying three times market value for the electric poles in El Rancho. And we expect, unfortunately, that the road negotiations may come out the same way. So the present situation is nobody can get title insurance. It

has already spread outside the boundaries of San Ildefonso Pueblo to the entire Pojoaque Valley. What are we going to do when we receive letters from the other pueblos? Even my loan officer, who lives in Jacona cannot get title insurance, and it's spreading.

So that means no refinancing. We can't sell our property. We can't get home improvement loans. I can't replace the roof on my house. Mechanical liens by contractors become ruthless, because they only come into effect if you can sell. Can't sell. No commercial bonding. At last night's Pojoaque Valley planning meeting to try to bring the Pojoaque Traditional Community Plan in line and integrate it with the County's zoning plan, one person is missing. Where is he? Well, he got a contract, but when he went to put his house up for the \$400,000 bond nobody will accept it anymore. His commercial insurance for his vehicles say they won't cover accidents on County Road 84 when he drives to his house. So he went to Texas to work. He's laid off workers. There's an economic impact that is propagating throughout the valley.

As you know, one of the leading causes of bankruptcy is people having to go into debt to pay medical bills. Eighteen months ago I had a cancer the size of my fist cut out of my chest, a thymoma, cost \$190,000. Most people in the valley don't have the insurance to cover that, so they put their homes up; not anymore. It has now reached the level where it can literally be life and death for some of our residents.

Divorce settlements – 50 percent of people get divorced. That's why I had to refinance 10 years ago. How does that happen when the properties have no value? If one spouse can't buy out the other spouse then what does that do to these legal situations? It's become a mess. And so my title insurance has been slandered just like your title to those roads has been slandered. It's an emergency.

If the assessment of my property is zero, and I regret to inform you that I have my assessment and I filled out a protest, protesting \$250,000 worth of my assessment. I don't want to do that. I've spent thousands of hours assisting the Pojoaque Valley School Board over the last 40 years and these drop in values could total wreck their bonding capacity. I voted for the bonds that you just sold today, but I'm compelled as hundreds and perhaps thousands of my neighbors will do, they're planning on protesting on several fronts. The electric rates, the water situation, which has gone on for 49 years, and now this: our properties are worthless.

And I submit to you that if the El Rancho Bridge washed out you would declare an emergency and appropriate emergency funds. Well, let's don't take the language from the Department of Interior as positioning language and rhetoric. Let's take them at their word, declare an emergency, appropriate funds to hire a law firm who specializes in this and get this into federal court, while at the same time supporting Mr. Roybal to continue negotiations in good faith with the County but when we settle we need to have a federal judge sign off on it, the Department of the Interior, and we need to engage our state and federal legislators because we may also need congressional legislation.

You have made a very good case for the County roads. There's a lot more documentation that can be provided by residents, but I submit to you that this has now risen to the level of an emergency. It has gone on for 18 months. We can't let it go on for 49 years. I'm going to the UNM Hospital for continual evaluation. If I die, my children can't pay the mortgage. It will go into foreclosure and then what's the bank going to do with it? They can't sell it.

As people enter financial crises this is going to snowball and it is growing exponentially. It's going to affect our ability to pay for the new fire station in Pojoaque, the new substation, the police protection – increased police protection that you've been providing. We need a water system. The County's involved in that. No title insurance in the Pojoaque Valley means nobody, nobody can get a loan for anything on their property. Their properties are worthless, just like you predicted when you responded to the Bureau of Indian Affairs and the Department of the Interior. If that letter was not withdrawn our properties would become worthless; they now have.

CHAIR ANAYA: Thank you so much for your feedback. Commissioner Roybal.

COMMISSIONER ROYBAL: I do appreciate you coming in today and as you know, I am working with the pueblos. At the moment we're waiting for them to complete a survey so they can show us which roads are in question that we need to address. But you brought up a lot of good points and I think Mr. Shaffer could probably answer the legal side better as far as the situation where we need a federal judge to sign off. Mr. Shaffer do you have input to that?

GREG SHAFFER (County Attorney): Mr. Chair, Commissioner Roybal, I think it depends upon the posture in which the settlement agreement was reached. If there was any action then court approval would be appropriate. If there was some other sort of negotiated resolution that were approved in accordance with applicable federal regulations I don't know that federal court involvement would be necessary. So I guess the short answer is it depends.

COMMISSIONER ROYBAL: And again, I did talk to Governor Mountain. He's actually the current Governor now at San Ildefonso and prior, about a month ago he told me the survey would be completed just after Easter. I talked to him on Monday and he said it wasn't completed yet but it should be completed soon. So I do want to stay in communication with all the residents and let them know, and as you probably know, I'm also a resident of El Rancho so it affects me as well. But I plan on working hard on trying to get this – trying to push this forward and try and get everything – the negotiations with the pueblos completed on that. Thank you.

CHAIR ANAYA: Thank you, Mr. Murray.

MR. MURRAY: Thank you, Commissioners, for your consideration.

CHAIR ANAYA: I would just add that this has been a continual item, as you stated yourself so eloquently in your remarks and it's something that we need to keep a pulse on and absolutely understand on and work to resolution. It's that simple. So thank you so much.

MR. MURRAY: Thank you, Commissioners.

CHAIR ANAYA: Representative McQueen.

MATTHEW MCQUEEN: Mr. Chair, Commissioners, my name is Matthew McQueen and I live in Galisteo. First, I'd just like to say I wish I wasn't following Mr. Murray's presentation. It sounds like an extremely difficult situation. I am, as you know, I am a state representative but to be clear, I'm not here in that capacity. I am also a resident of Santa Fe County and a practicing attorney in Santa Fe County. I am here in those capacities. What I would like to talk to you briefly about is the La Bajada Ranch property and the RFP process that is in process. On your agenda later tonight, in

executive session, there's a discussion of that process.

I'm not going to touch on any of the substance of that, because I don't know anything about any of the substance of that. What I would like to talk to you about is the process that can be followed going forward. As you all know, the County purchase this property for about \$7 million. I think it's 400 acres, maybe 450. The County then issued an RFP to generate ideas about what to do with this property. As you may not know, the RFP process only generated one timely response, and that's apparently the proposal you'll be evaluating later tonight.

There are three things I'd like you to keep in mind as you consider the proposal. The first is that the County is under no obligation to issue a contract pursuant to the RFP. So just because you got one proposal doesn't mean they automatically get a contract; it's still within your discretion. You have the opportunity to step back and consider other ideas or consider other processes to generate new ideas. And I know there are other ideas out there and I actually believe that still more ideas could be generated.

The second is I urge you not to accept a proposal simply for the sake of doing something with the property. The County has a substantial investment in this property and when I say the County, I mean the entire county, not just the immediate neighbors. And I know it's been controversial both as a controversial property before the County purchased it and it's been somewhat controversial since then. I urge you to not just do something for the sake of doing something but make sure you feel you're doing the right thing with this property for the benefit of the entire county.

And finally and most importantly I urge you to, before you take any [inaudible] action regarding this property to make sure that the proposal that has been submitted is made public and the public has an opportunity to review it and to comment on it. Again, to repeat myself, it's a substantial investment on the part of the County and I think it deserves a very public and open process. And I just ask that you keep those things in mind as you move forward. Thank you very much for your time.

CHAIR ANAYA: Thank you very much, Representative, for your input. Appreciate it. Is there any other public comment? Is there any other public comment? Seeing none, Matters of Public Concern is closed and we will now move to you, Claudia.

V. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

A. Presentations

1. Presentation on the Santa Fe Basin Water Study

CLAUDIA BORCHERT (Utilities Director): Good afternoon, Mr. Chair, members of the Commission. Before we get into the presentation I wanted to introduce the partners of the Santa Fe Basin study. Andrew Erdmann is here from the City of Santa Fe, and Dagmar Llewellyn from the Bureau of Reclamation, and I know that Andrew has a presentation before the City's Conservation Committee and will have to step out very soon but before he does I wanted to make sure to acknowledge him and in my presentation I'll talk more about how the partners work together and what we were able to do under this project.

At the end of the presentation, if you guys are interested, I could have Dagmar also talk a little bit about what kind of options are available under the Santa Fe Basin

program that the Bureau of Reclamation has that you may be able to use for future water planning. They have some resources available.

I wanted to start out by reading a passage from a book of a local author, William Debuys called *A Great Aridness: Climate Change in the Future of the American Southwest*. "Deep, crushing cycles of drought are part of the natural history of the Southwest and for all practical purposes they always have been. Building resilience against drought into the region's water systems and cultural practices will be a wise course irrespective of the cause or timing of the next emergency. Perhaps the dangers now arising from anthropogenic climate change will goad us into doing the things we should have been doing all along. This is especially urgent because the next mega-drought will pose unique challenges. You can probably bet your house, says Overbeck, that unless we do something substantial about these greenhouse gas emissions the mega-droughts of the future are going to be a lot hotter than the ones of the past, so their impacts are going to be a whole lot more dramatic."

So I just wanted to set the stage of why we entered into this Santa Fe Basin study, together with our partners, the City and the Bureau of Reclamation. So the presentation will have three parts. A little bit about the history of water use in the basin. I also want to note that in recognizing how busy you are I've tried to keep my presentation fairly short. I also just want to talk a little bit about the actual handouts you have in your packets. You have a copy of the slides. I did not include the basin study right now because it's not final yet; it's still in Washington's Reclamation Office under review. It's 88 pages if you start including all of the appendixes. This is just the appendix. So I also urge you guys to – I'd be happy to provide copies to you once it gets final, but if you'd rather have it electronically it is quite a bit of paper if you don't want a paper copy.

It will be put on the County's website once it is finalized. In the meantime it is available for you to look at on the T-drive of the County, the link of which is in your memo today.

So I want to cover three topics today. I want to talk a little bit about historic water use. I want to talk about the basin report itself. I want to talk about some planning options that we have for our future.

So here is a graph that shows the water use within the Santa Fe Basin from 1999 to 2014. There's a couple things of note. One is that in 2002 when really I think we started becoming more aware of drought at a utility level. You can see that the majority of the water that was produced in 2002 came from groundwater, being the two shades of brown. A little bit, about ten percent of the water supply in that year came from the Santa Fe River, and another thing of note is the red line which defined demand. The year before, demand had been over 12,500 acre-feet and it dropped by 2,000 acre-feet, and look at that compared to where the demand is today, around 10,000 acre-feet. So in a little bit over a decade there's been a reduction of 2,500 acre-feet of use over all.

And then let's also fast forward to the 2014 where you can see that as a result of putting the Buckman Direct Diversion online the 2014, which has also been a fairly dry year, has a complete opposite situation where almost 80 percent, more than 80 percent of the water supply came from surface waters and only less than 20 percent came from groundwaters. And in the world of water, the surface water is the renewable resource, so

being able to make that flip from 2002 to 2014 really shows how this region has adapted to using its water resources in a wise way, investing in small water supplies, such as the Buckman Direct Diversion.

Just wanted to elaborate a little bit more on some of the County's water supply sources. We have access to about 2,100 acre-feet of native water, and then we also have 375 acre-feet of San Juan/Chama water, and this map shows kind of where the water comes from, which is three tributaries to the San Juan River in the Colorado Basin, goes through the continental divide, ends up being in Heron Reservoir, then goes to El Vado, down through Abiqui and then is diverted at the BDD, which is just above Cochiti Reservoir. We have 319 acre-feet in storage and every year Reclamation allocations some of the water. I was at a meeting with Reclamation last week and this year's allocations are going to be about 50 percent of our 375, and as of April 1st we got 42 acre-feet, so this is looking up to be a very dry year in terms of the San Juan/Chama water.

Moving on to the Santa Fe Basin study, there were basically four parts to the Santa Fe Basin study. First we had a preliminary outreach, which involved a workshop.

COMMISSIONER STEFANICS: Excuse me. Mr. Shaffer, we lost a quorum. [Commissioner Chavez returned and the quorum is established.]

MS. BORCHERT: The basin study included four parts. It first involved an assessment of what kind of impacts climate change would have at a very high level and was kicked off by a workshop that was held in 2012. We had over 100 people come to a workshop which people could sign up for and people signed up within a few weeks of making announcements and we unfortunately had to turn people away because we had no more capacity.

Then the other three parts of the basin study is an evaluation of the water supply and demand for the city and county combined, an assessment of the surface water reliability, and then an evaluation about what to do with the water supply requirements in the 2050s.

First I want to just take one step back and explain why Santa Fe Basin study. The Bureau of Reclamation has a program under its WaterSMART Act that mandates, or if you want to avail yourself of the program you have to plan on a basin scale. So even though this is a basin study, which obviously does not cover the entire county, the kind of work they would have done here does have applicability not only in the Santa Fe Basin but throughout the county and actually I would say throughout New Mexico and the West.

So the focused area of the basis study is the Santa Fe Watershed. However, since we import water from two other sources of supply beyond the Santa Fe Basin, the geographic extent of the study is actually much greater. Santa Fe County's native water rights come from the Upper Rio Grande. So that was pulled into the study. But Santa Fe County and the City of Santa Fe have water from the San Juan/Chama project, which pulls in the whole Chama water basin as well as the tributaries to the Colorado that I mentioned earlier, which is the source of the Santa Fe Basin water.

I mentioned earlier that we had a workshop and Bill Debuys who is the author of this book spoke at the workshop and it was an opportunity for the public to really weigh in on what kinds of adaptation strategies with regard to water supply, ecosystems, food

security, transportation, quality of life – what should be considered as we move forward in planning for climate change impacts to our basin. That report is on line, both on the City and the County's website if anybody cares to look at that. It was a good starting place.

The next thing that the basin study did is look at historical water supplies. I think I'm going to skip this in the interests of time. And the impacts on climate change. Some of the key take-aways from the results of the climate change analysis, precipitation and temperature, was indeed that on the precipitation side, by 2050 – well, there's not a clear trend that there will be more or less precipitation by 2050 or really throughout the West in this century. However, using temperature is a completely different matter and there is an expected five degree temperature increase by the 2050s and beyond the continued rising temperature. That impact alone of the increased temperature means that our water supplies will be less and also that our snowpacks will be less. There will be more precipitation in the form of rain rather than snow, so the picture of the mean April 1st snow/water equivalent shows that maybe about a quarter, which is the areas that are in yellow of the snowpack would be expected to be there by April 1st compared to the red areas where we might see the snowpack in the last couple of decades. And also the increased heat in the entire system could mean greater monsoonal intensity, which means more violent storms throughout any season but especially the summer.

COMMISSIONER STEFANICS: Mr. Chair.

COMMISSIONER CHAVEZ: Yes, ma'am.

COMMISSIONER STEFANICS: Claudia, haven't we had an earlier snow melt this year than normal?

MS. BORCHERT: Mr. Chair, Commissioner, yes we have.

COMMISSIONER STEFANICS: So what does that mean for later summer water supply?

MS. BORCHERT: It would mean that the month of June, which is traditionally very dry – well, usually we think of there still being some precipitation through May, and then June becomes our dry month. It could mean that the stretching of that dry month occurs more into May and through July. What happens to the monsoon activity, whether they come or not, is not something that the global climate models do a very good job of modeling right now. And so the jury is still out on whether our monsoons will be affected by climate change.

COMMISSIONER STEFANICS: So, Mr. Chair, Claudia, you're saying that we could potentially have more months of drought this summer?

MS. BORCHERT: More months of drought? I think for example, well, especially our irrigators that rely on that streamflow, if the streamflow comes in April instead of in May then they will have earlier runoff to divert for their crops in time for May and June. It also means for example for the BDD, the peak runoff that we usually count on throughout the month of May might come earlier but the flows of June, which are traditionally lower, we see them earlier in the season, which could have impacts on our ability to divert the water.

COMMISSIONER STEFANICS: So, Mr. Chair, where I'm going with this is the impact will be greater on our farmers?

MS. BORCHERT: That will be one of the great impacts, yes.

COMMISSIONER STEFANICS: Okay. Thank you.

COMMISSIONER CHAVEZ: Claudia, following up on Commissioner Stefanics' remarks, and something you said earlier, it was my understanding, and correct me if I'm wrong, I was always under the impression or under the understanding that 75 percent of our surface water actually comes from snowpack. Am I too far off? Do you have a correlation between snowpack and surface water? That's run off.

MS. BORCHERT: Mr. Chair, Commissioner, I'm not sure if it's quite – for the state, I could maybe see 70 percent. I think that there's a substantial amount of precipitation that comes just in the forms of storms in the shorter months, April, May, October, and so 70 percent seems somewhat high to me as coming from snow melt. Maybe as a state. I don't actually know. I don't know if Dagmar knows the answer to that.

DAGMAR LLEWELLYN: I agree with you. I think that the component that comes from the rains within the basin is a little higher. But you're in the right ballpark.

COMMISSIONER CHAVEZ: Okay. So that's one challenge that we're facing as snowpack diminished then our surface water will not materialize.

MS. BORCHERT: It will not come in the same format that we're used to seeing it, which is as it warms up and as the snow melts then we have the spring runoff. The runoff will come earlier and then the storm events will add more pulses that are less regular based on when the storm system passes through. So there will be a change to the way in which our streams convey the water that is available. Plus warmer temperatures means that the soils will absorb more of the water from rain events and less will end up in the streams and available to us, whether agriculture or municipalities to use.

COMMISSIONER CHAVEZ: Right. Okay. Thank you. Go ahead and continue, Claudia.

MS. BORCHERT: So one of the large, one of the dramatic impacts that climate change is likely to have it's on our surface water flow, as I mentioned earlier, so I want to restate we're really just focusing on the 2050s and what we see is a 33 percent reduction in our surface water flows, both the Rio Grande and the Santa Fe River by the 2050s. So that's a third of our current water supply. That is quite a dramatic reduction. And when we look at the San Juan/Chama water it's not quite as dramatic; it's a 25 percent decline. That's largely due to the fact that the snowpack that exists, that is in the San Juans, that provide that water, is less impacted by climate change because of their latitude. And also because the San Juan/Chama project has something called the full yield, that actually kind of allows for mitigation against drought, that our streamflows don't have if they're not basically behind a reservoir and not allocated.

So what do we do with this information? That's really where the next steps of the report are. As I read the passage from Bill Debuys, what we have done and what we need to continue to do is develop adaptation strategies. So this slide shows some of the things that we already are doing that show how we can be resilient in the face of less water supply, drought, and even future impacts from climate change. We increase conservation – indoor, outdoor, line losses. We increase the use of our treated effluent, whether that's

for irrigation or whether that's in the future as a water supply. We use groundwater as necessary. We increase the ability to use our stormwater. It came up earlier in the budget study session, the need to think about stormwater and how to best use it. I think regionalizing and working cooperatively is another adaptation strategy, and also securing Rio Grande surface water rights, are some of the things we've been doing currently.

In this case what we did is we looked at – we used a tool that was already available which is a system simulation model called WaterMAPS and in this planning process it was expanded to include the county. Traditionally it had been a tool that the City used for long-range planning. Again, because we're trying to understand the impacts as a basin instead of as an individual utilities, we consider various adaptation strategies. We run them through this tool as a way to screen the impacts of the reliability of them, and then as an output from this tool, the WaterMAPS model, are the portfolios that will help us meet our future needs.

Maybe this will become clearer as we look at this table where we see that based on strictly the historic conditions, we would expect our demand in 2050 for the Santa Fe Watershed to be around 21,000 acre-feet. If we include climate change into kind of an average scenario that's called the central tendency, it's closer to 23,000. If it ends up being warmer and wetter, not actually drier, the demand is not quite as much as the central tendency but still significantly more than our current demand, and if it's worse than the average – hot and dry – our demand is up closer to 23,300 acre-feet. Then we compare that to our actual supply. And the reason demand increases of course is because as people – they compensate for it being hotter and drier, either increased use, especially outdoor irrigation. They water their trees and their plants more.

The supply, on the other hand, decreases, right? As we saw earlier. Our supply under average, historic conditions of 16,000 and change gets reduced in the central tendency to 15,500. If it was warmer and wetter, it doesn't get reduced that much but a little bit more, because it is still warmer, and if it was warmer and drier, 16,000 drops down to almost 14,000 acre-feet. So that's a significant reduction. And if you compare what the annual demand is to the expected supply then you get what's called the gap, the water supply gap. And you can see that even if we had no climate change impacts we would still need to be planning for a 5,000 acre-feet supply gap. You add in the various scenarios of climate change and that gap increases anywhere from 7,300, 6,300, 9,300 acre-feet. That means that whatever we do we have to do more of it to address that supply gap given what we think we understand about climate change.

So what do we do about that gap? And this is just taking one scenario, the central tendency, and red dashed line across the top is the 7,300 acre-feet gap that may exist in the future. And we fill it with various options to try to see if we can get there. When we were this analysis, for example we looked at could we conserve, and using just conservation to fill 7,300 acre-feet? And even though we have an outstanding conservation performance record here in the Santa Fe Basin we didn't feel like conservation could entirely fill the gap. So conservation alone could not do it. Neither could the use of our reclaimed water, because we only have so much reclaimed water. And neither can buying water rights. We believe the water right market at some point will be tapped out and we can't just buy water right downstream and upstream and divert it

through the BDD. What we can do is combine those building blocks and reach our 7,300 target with a combination.

So for example, portfolio 4 uses a lot of conservation, some reclaimed water, and also some direct re-use and in this case aquifer storage and recovery and it gets you to that point. So what the rest of the study did was look at those portfolios that achieved the goal of reaching 7,300 acre-feet and evaluate them against each other.

And as a result of doing that we understand what direction to pursue in the future with our water planning. And so the key findings of the basin study are that there still is uncertainty regarding the future of climate change. However, we can expect to have water supply shortfalls between 20 and 35 percent. We also don't believe that there's one single adaptation solution that we can look to to solve our future water supply gap problem, that we're going to have to look at different alternatives. We will need to consider conservation and also the use of our reclaimed wastewater is going to be key. Right now, the majority of that goes towards land application or irrigation and that will end. Something we really need to be looking at is to reuse that for water supply.

COMMISSIONER CHAVEZ: Claudia, before you go on to the next slide could you expand a little bit on the infiltration aquifer storage and recovery and direct aquifer storage and recovery, and I guess their liabilities involved with those areas? Or dependability in either of those areas?

MS. BORCHERT: So, Mr. Chair, you want me to address the reliability of aquifer storage and recovery and direct reuse?

COMMISSIONER CHAVEZ: Direct ASR, aquifer storage and recovery.

MS. BORCHERT: All right, Mr. Chair and Commissioner. So there are a couple of different kinds of adaptation strategies we looked at. Infiltration ASR would be an example of where you actually build a basin or use an existing channel, like the arroyos of the Santa Fe River, and put water into that and as it slows down it will automatically seep into the groundwater.

COMMISSIONER CHAVEZ: That's more natural –

MS. BORCHERT: That's a more natural infiltration from surface water. Direct aquifer storage is when you actually drill big wells and inject water into the aquifer via those large wells. And then those two options. The advantage of the natural system infiltrations are that they tend to self-clean. They modulate. They're used to having water flow through them. So they don't actually take as much maintenance. The disadvantage of them is that it's hard to track where that water is going and whether – and often along places where there's already arroyos or the Santa Fe River really would be the classic opportunity in our basin, there's also a lot of existing water users. And so both trying to identify the water that gets stored as a result of the aquifer storage process it's hard to protect. It's also hard – you have to do a lot of instrumentation and modeling to identify how much actually makes it and is recoverable.

There's also in that case the permitting process with both the Environment Department and NMED is still so brand new that they are substantial. And with respect to direct aquifer storage and recovery, I think one of the main disadvantages is that you have to treat the water to groundwater standards, which is basically potable standards before you inject it and that can often be very costly. Commissioner, did that answer your

questions?

COMMISSIONER CHAVEZ: Yes, it does. And so on the direct aquifer storage and recovery, you have to treat the water. Is there any metering of that water to know that you're going to pull out the same or more than what you put in?

MS. BORCHERT: Commissioner, yes, absolutely. You'd have to meter what you put in and you also have to understand the hydrogeology and understand, depending on where you pulling that water back out again, there will be some loss. Traditionally it's thought of as a ten percent loss. So you can only recovery 90 percent of what you put in traditionally, although that depends on the geologic nature of the host rock.

COMMISSIONER CHAVEZ: So that's a pretty safe, relatively safe method for storing and recovering water for the future?

MS. BORCHERT: It is. The caveat that is you have to make sure that you have a good place to do that. I believe the basin around the west part of town, near where the Public Works Building is and around Las Campanas, all those areas would be good areas where that kind of a project could go forward.

COMMISSIONER CHAVEZ: Could the Highway 14 corridor and around the State Pen also be an area?

MS. BORCHERT: Commissioner, the Santa Fe Group, which is our primary aquifer, is thinner there, substantially thinner, and we would have to really look at it but I'm not sure that that would be an optimal location.

COMMISSIONER CHAVEZ: Okay.

MS. BORCHERT: All right. So the last slide focuses on what do we do with this information. We've now spent a significant amount of time, three years, working on this study and it really lays the groundwork for the next work to be done. The Utility Management Plan helps understand what our future needs are, where to put appropriate groundwater supply wells, to be able to provide backup supply for the times when the surface water that we've grown accustomed to, water supply we can use when that is not available. That of course also means figuring out how to get the water rights necessary, so that's really the premier focus of the 40-year water supply plan. Conservation – how to achieve those large conservation goals that are necessary, and also looking to use our wastewater in ways that most make sense.

The City has received a \$132,000 grant with the Bureau of Reclamation that's Title 16 funding to look at the wastewater that produced at the City's wastewater treatment plant as well as the water that's produced at the County's Quill plant and also what may be the wastewater treatment facility, if the County's wastewater treatment facility expanded, and how all those resources could be used together to really provide both water supply and irrigation and streamflow needs for the entire basin on more of a broad look rather than just individually City and County looking at them separately.

In closing I just want to mention that I presented this study also to the Water Policy Advisory Committee and they had some comments that are there also in the memo. They wanted to make sure I passed along to you that they recognize the need and the value for these kinds of studies even though it should be understood that the uncertainty associated with what our future will be like is great. And they also wanted to

echo the support for the kinds of efforts that need to come out of this kind of study which is the programs or the efforts that I mentioned on the previous page around water supply planning, increased conservation and also the use of reuse and figuring out how that best fits into our water supply portfolio.

And now I don't know if you're interested in hearing a little bit from Dagmar Llewellyn who could you tell you a little but about the funding opportunities that exist. Because we have now gone through the Santa Fe Basin program and completed this study to verify our future resource and if you're interested she could tell you a little bit about that, or I could stand for questions. Whichever is your pleasure.

COMMISSIONER CHAVEZ: If it's okay with the other Commissioners, I'd like to spend some time on the financing portion and then we can probably save questions for after that.

MS. BORCHERT: Okay. Dagmar Llewellyn is with the Bureau of Reclamation. She was our partner in this.

MS. LLEWELLYN: Hello. I'm Dagmar Llewellyn. Mr. Chair, Commission, I'd like to take this opportunity to applaud the Santa Fe County and its partner, the City of Santa Fe for undertaking this study and being pro-active about the growing gap between water supply and demand. We're feeling that pretty intensely in New Mexico in general in the last several years and I think this is a great step forward.

This morning I met with other partners in the Middle Rio Grande about the possibility of a larger basin study that would encompass all of the different partners and try to integrate all of the solutions. The City of Santa Fe sent a support letter for that and I know that the group that is putting that proposal together would very much like a support letter from the County as well and possibly participation in the program. The decision that the group seemed to make this morning was that in this year's reclamation proposal process they would put forward a request for funding for developing a plan of study, because it would be a very large effort to get all of the players in the Middle Rio Grande together, hoping to get a larger project together, probably over a million dollar project, starting next year.

So that's a bit of background. Claudia also said that we'd talk a little bit about the other funding opportunities that might be available from Reclamation. The WaterSMART program tries to be a comprehensive program but focuses mostly on the study sides of things. There was written into the Secure Water Act in 2009 the option for entities, partners that have completed a basin study to move on to a feasibility study phase for the implementation of those basin study adaptations. Those feasibility studies could be for federal action or for action by the partners.

But I think you're all aware of the situation in Washington in these days. None of those have yet been funded. So that's something that is out there as a possibility but has not yet happened. But there are existing programs that for example, the City has taken advantage of. The City has received a grant for a feasibility study for reclaimed water use that's a large program, the Title 16 program. Albuquerque has so far received approximately \$20 million from the federal government through that program.

All of the WaterSMART programs are a 50-50 cost share so they've also expended quite a bit but that it an opportunity that's out there. Opportunities for other

adaptation strategies and infrastructure seem to change from year to year. There have been things like the Water 2025 program emphasized a lot of irrigation infrastructure. The Title 16 program emphasizes municipal infrastructure but I think that the best way to approach the potential funding in the future is to maintain communication so that we can coordinate and eventually the County can avail itself of additional programs as they become available.

COMMISSIONER CHAVEZ: Thank you. So on that we'll have to stay tuned to see where we can plug in as we move forward. Thank you.

MS. LLEWELLYN: But hopefully, you'll have involvement in the City of Santa Fe's reclaimed water use project as a partner in its water supply.

COMMISSIONER STEFANICS: Mr. Chair.

COMMISSIONER CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: My question is related to the area of the study because we had a water task force that actually was covering the Estancia Basin as well. Our County has multiple water issues. So it sounds like this one study though would only be in the central area that you're talking about?

MS. LLEWELLYN: You're talking about the proposed study?

COMMISSIONER STEFANICS: Yes.

MS. LLEWELLYN: It would be for the Middle Rio Grande and its tributaries.

COMMISSIONER STEFANICS: And so our area – our Edgewood area, for example, is in the Estancia Basin.

MS. LLEWELLYN: I think it wouldn't be unless it was specifically added. It could be. The programs are defined by the participants and there's no reason that it couldn't be included.

COMMISSIONER STEFANICS: Okay. So in terms of the study, we have some complications with the Aamodt decision as well.

MS. LLEWELLYN: That's true.

COMMISSIONER STEFANICS: So would it include that area?

MS. LLEWELLYN: Again, the study is defined by the participants, so it could, although there's an ongoing EIS in the Tesuque Pojoaque Basin that it could be a lot simpler to complete the project after that EIS is completed. So I suppose that's something that could be negotiated, could be worked out. But the partners have freedom to include whichever components of the water supply that they'd like, but with the requirement that the study be completed within three years of its initiation. And so for some of those thornier issues that might be difficult.

COMMISSIONER STEFANICS: Okay. So Mr. Chair, I think we will want our staff to advise us on our letter of support and the scope that we would want to be involved with. We have many issues going on so I think – I appreciate hearing about this but we're going to turn to Claudia and put her in the hot seat, probably. Thank you.

COMMISSIONER CHAVEZ: Commissioner Roybal, did you have any questions at this point? So Claudia, I think there might be a few questions or maybe directions to staff. Commissioner Stefanics, do you want to add –

COMMISSIONER STEFANICS: Well, I'm understanding that I'm hearing a request that we write a letter of support for this study. Claudia?

MS. BORCHERT: Mr. Chair, Commissioner, yes. I believe that we – I would recommend that we do write a letter of support. Just like for the Santa Fe Basin when we really looked at the entire Upper Rio Grande Basin, because that's where our native water comes from, and then spilled over into the Colorado Basin, because that's where our San Juan/Chama water comes from, I think by necessity, looking at the Middle Rio Grande will require all the watersheds that make up the Upper Rio Grande, which is basically defined as everything north of Otowi to be considered. And then it pulls in – the Santa Fe Basin would be below that but the Nambe-Pojoaque-Tesuque Basin would fall above that. And I think that we absolutely would want to be involved.

And also I heard Commissioner Holian earlier speak to the –

COMMISSIONER STEFANICS: Okay. Hang on. So Mr. Chair, Claudia, is this time-sensitive?

MS. BORCHERT: That I would have to ask Dagmar. When does our letter of support need to be –

MS. LLEWELLYN: It's time-sensitive for just the letter of support. Participation would be over the course of the next year.

MS. BORCHERT: Did you hear that? The answer was it is sensitive for the letter of support and participation occurs over next year.

COMMISSIONER STEFANICS: Letter of support is needed by when?

MS. BORCHERT: April 30th.

COMMISSIONER STEFANICS: So, Mr. Chair, I originally was going to ask whether or not we would want to just agree to a letter of support or whether we would want a resolution. So Mr. Shaffer, do you have any comment on this?

MR. SHAFFER: Mr. Chair, Commissioner Stefanics, I think that either would be appropriate. Staff could consider that. This isn't noticed as an action item on today's agenda so we can work internally and bring forth the next meeting, April 28th, which actually would be before the April 30th deadline, an action item on that issue. Again, I think either a letter of support or resolution would be appropriate as however the Board would like us to proceed.

COMMISSIONER STEFANICS: Thank you.

COMMISSIONER CHAVEZ: Do we want to specify now if it's a resolution or a letter of support? Which would be stronger? A resolution or letter of support? Or is it the same?

MS. LLEWELLYN: Mr. Chair, members of the Commission, thank you. I hadn't considered a resolution in this process but I think that would be very strong.

COMMISSIONER CHAVEZ: Okay. Then if there's a consensus we can direct staff to work on a resolution to bring back at the next County Commission meeting for our approval.

MS. LLEWELLYN: Thank you.

COMMISSIONER CHAVEZ: Good. Thank you. Any other questions of Claudia? Then we can conclude this portion and thank you for your presentation, Claudia

and for all the partners involved in this effort.

MS. BORCHERT: Thank you for your time.

COMMISSIONER CHAVEZ: So we want to do some housecleaning and there's a request to amend the agenda one more time. I think what we want to do is hear item V.A.3 and then go back in order. Is that what I'm understanding, Mr. Shaffer?

V. A. 3. **Presentation Recognizing the Students from the Early College Charter High School Master's Program and Leadership from the Trails Alliance and Fat Tire Society for their Contributions in Restoring and Beautifying Santa Fe County Public Lands**

CAROL BRANCH (Community Services Department): Thank you. Good afternoon, Mr. Chair, members of the Commission. We appreciate you taking time today to recognize our volunteers from the master's program, the Trails Alliance, and the Fat Tire Society. In our public lands program we schedule workdays just about every Friday at various trails and open spaces in the county. Santa Fe County is so fortunate to have trail experts who not only help me assess the work that is needed, they also lead our groups while mentoring our dedicated and hardworking students.

In addition to our regular projects this group has transformed the Little Tesuque Trail, changing it from a social trail into a sustainable and beautiful trail, and have also adopted it. When the semester is over, together we will have completed approximately 900 hours of volunteer work. We have a certificate and pin to present to the volunteers but before that I'll turn it over to the volunteers if you have any questions.

COMMISSIONER CHAVEZ: Well, if I could, why don't all the volunteers move up and take the first two rows. This is your day in the sun and we want to be sure that you're front and center as much as possible. And if any of you would want to share your experience with us I would invite you to do that. I know you all have volunteered. I know you've put a lot of hard work and sweat into your efforts and so if you would share that with us that'd be great.

ZACHARY RUBIN: Thank you, Commissioners. I have been on the trails project group for this past semester of high school. Every Friday we go out into trail territories to work on trails. There is a big educational aspect of this as well. I have learned a lot about making trail systems and how to preserve them so that future people who walk on the trails and ride their bikes and even sometimes walk horses will not be greatly affected by trail erosion and other causes.

COMMISSIONER CHAVEZ: Your name again, please?

MR. RUBIN: Zachary Rubin.

COMMISSIONER CHAVEZ: So, Zach, could you talk a little bit about the educational component and what subject matters would apply to the work that you're doing on the trails and open space?

MR. RUBIN: Well, one of the educational aspects is we learn a lot about erosion. What causes erosion and how we can stop that so when building a trail we learn about the right materials that you would use, such as on the Spur Trail and other trails

located around Santa Fe. We also learn a lot about the tools used. There is a tool called the McLeod that I previously had no idea about and I learned how to use that and how to be safe and properly use the tools that are provided.

COMMISSIONER CHAVEZ: Good, good. Thank you. Thank you, Zach. Anyone else want to share what you've learned in your experience? And how long have you been working on this project, Ms. Branch?

MS. BRANCH: The program began last year and we just did one semester. This year we did both semesters. So I also have my leaders, if you'd like to ask them any questions.

COMMISSIONER CHAVEZ: Definitely. Anyone that would want to come up and give us a little more insight into the project, the work that you accomplished and the benefits, not only to the trail users but to the individuals that have donated, volunteered their time.

PETER PRINCE: Thank you, Commissioners. My name's Peter Prince. I'm a trail leader trained through the Forest Service. So this is a multi-organizational effort. It's been a real pleasure to work with the kids because they learn rapidly. And so I think my biggest take-away on what they learned is how to use tools. A lot of times we are provided with volunteers, it could be the first time they've had to pick up a manual tool. How to use a saw, how to compact dirt, how do you hold a shovel, how do you even get a shovel to cut the earth? So those are the basics that we try to cover. And then there's how does soil and water interact? Because if you want to build a sustainable trail how water flows across the surface, how the velocity of water enables it to carry more soil. Those are things that we try to talk about on a daily basis whenever we're out there.

There's also safety issues, like how do you appropriately trim branches back. We don't want to have branches trimmed with stubs sticking out of the tree, snag a jacket, poke someone, catch a horseback rider. We want branches cut flush with the tree. So those are just techniques that we go over with the students all the time. The size of the features – if you're going to have horseback on trail, and the Little Tesuque has horseback, the features have to be larger to withstand the weight and the tread of the horses.

But I also wanted to say something that's working right here. We have good people, we have good leaders. Something happened correctly within the County where an individual like Carol is able to bring it together. I'm on the outside. I don't know what's going on there, but I know that she's a very pleasant person to work with. She works very hard to make sure the students, the leaders and the tools are at the right place at the right time. This wouldn't happen if she didn't do the work, and I just want to make sure that people are aware of that. Thank you.

COMMISSIONER CHAVEZ: Thank you. And I would only imagine how many career paths there might be for some of these young adults. Maybe you could name a couple.

MR. PRINCE: Well, soil conservation and land conservation is a very big area. Outdoor recreation is a very large area, so trail design, trail maintenance, working in positions like what Carol has within organizations that are land management agencies. All of those are areas that if you have hands-on knowledge of how to work with the soil,

how to observe where there's going to be problems before you run into a problem, that anticipation. Those are things that are picking up that can be carried over. All the land management agencies are confronted with that. That would be my suggestion. There's also private land, so Santa Fe Conservation Trust, when they bring land into a conservation easement there is an understanding that there is going to be maintenance and trying to better that land. That takes people who have knowledge, and starting at this young age can lead down that path.

COMMISSIONER CHAVEZ: Well, I was hoping that Commissioner Holian would be here for this part of the meeting. I know she would be very interested in the work that you're doing and the presentation because that's one thing that her and her husband are doing with property that they have on the Glorieta Mesa. So I'll yield the floor to the other Commissioners and I'm going to step away for just a minute to get the certificates of appreciation that we were trying to sign in the course of the morning and I don't know if they're signed just yet, and I know that Commissioner Holian was unable to sign hers. So we may want to keep those to get her signature on them and then you may have to get them to them at a later date. Commissioner Roybal.

COMMISSIONER ROYBAL: Hello, and thank you guys for all your dedication and work. I would really like to commend you guys on your leadership skills and you're all a really special group. I know with your volunteer work this will make you just that much more ready for your future because the work ethics that you've learned here are phenomenal. The other thing is to the leaders, I'd like to thank you for your time and dedication you've spent mentoring and guidance to these young adults. This will be a very important part of their life and you've helped to form their personalities and work ethics. And parents, I'd like to commend you on a great job raising these young individuals. So thank you guys. Appreciate it.

COMMISSIONER STEFANICS: I'd like to thank you all and I'm hoping that some of you will consider a career or some further education in parks and recreation, outdoor recreation. We need people who will be educated and move on into the Forest Service, into the Park Service, into the BLM and you have started with this activity and perhaps you're going to be interested in the next step. So thank you very much, and please think about that as a career.

COMMISSIONER CHAVEZ: So I'm not quite sure how we're going to do this but we have a certificate of achievement for each one of you. It's in your name and it reads, In recognition of services in restoration and beautification of public lands in Santa Fe County. Santa Fe County Community Services, Public Works, 2014 to 2015. And it's signed by the County Commissioners and the County Manager, minus Commissioner Holian's signature and we can work on that and get them to you once she's done that.

So we'll read off the names. I'll start and then we can go around. Noel Dominguez, if you would please come forward. Olivia Caulfield, Vincent Benavidez, Sofia Avery-Kapulski, Michael Melon, Karl P. Nelson, Jaden Herrera.

COMMISSIONER ROYBAL: Margaret Alexander, Jean Higgins, Dr. Bill Johnson, Alan Karp, Henry Lanman, Tina Lanman, Manny Maes, Peter Prince, Steve Washburn, David Wilson, Jody LeFevers, Dolores Avalos.

COMMISSIONER STEFANICS: I have Jonathon Talavera-Gonzalez, Isabel Fernandez, Juana Ruiz-Ramirez, Zachary Rubin, Brenda Serrano-Perez, Hassan Sharif-Petty, Jacob Varela, Mekiah White, and Jesus Zavala.

COMMISSIONER CHAVEZ: So before we do a round of applause and a group photo, stay where you are, the County Clerk would like to share some comments with you at this time.

GERALDINE SALAZAR (County Clerk): Mr. Chair, I would like to state that earlier this year, a friend of mine, Juan Estevan Arellano, before he passed away he wrote a book and the name of the book is *Enduring Acequias*. He left behind some incredible information about water and land. I highly recommend that you read it. He was a poet, a journalist and [inaudible] I encourage everyone with ancestral roots in northern New Mexico to read the book. It is a wonderful book with lots of ancient knowledge and experiences that he had with land and water.

COMMISSIONER CHAVEZ: Thank you, County Clerk. So now, big round of applause, and again, congratulations to all of your volunteer efforts and now we're going to do a group photo.

[Photographs were taken.]

[The Commission recessed from 4:53 to 5:20.]

V. A. 2. Presentation from COLTPAC on Santa Fe County Trails Days 2015

CHAIR ANAYA: Commissioners, we're back in session. We're going to go to the COLTPAC presentation.

DAVE DANNENBERG: Great. I'm always excited to talk about open space, trails and parks. My name's Dave Dannenberg and I'm one of the nine volunteers on COLTPAC. There are no other members here. We have our fearless liaison, Maria Lohmann. We do have some presentation material if we can get the screen down. I'll talk for just a minute before we do that. The topic of our presentation here is public outreach. Public outreach around open space, trails and parks. But actually a couple of topics I want to cover. The first is really the very short discussion on the motivation and the focus of COLTPAC. I'm not sure if you've heard a lot from COLTPAC recently but I'd like to give you just a real quick update on what the committee's doing and what our focus is, and also, potentially what you'll hear from us in the next couple of months.

I personally think that open lands, trails and parks are just great. They're great for a community. They're great for economic development, great for health and welfare of citizens. They're just fun things to have around. The benefits are just innumerable. If there's any one walk-away that I'd want you to have from this presentation from us is that trails, open space, parks, are extremely important to the citizens of Santa Fe County and COLTPAC and I believe the County staff and hopefully the BCC would like to see some more focus and attention to this subject in general.

So let me move to what COLTPAC is doing. I've been with COLTPAC for about

a year now and a good bit of that time was spent in understanding our role. COLTPAC had spent a bit of time doing land acquisition approvals after the bond issue of 2000 and when that money ran out COLTPAC changed gears a little bit. And what I'd like to say that COLTPAC is really doing now is they've gone back to the basics. They've gone back to the basics of what the resolution has asked COLTPAC to do, which is very simply taking care of lands and parks and trails. This is, if I can dig into this just a little bit, this is very basically – let's take a look at some of the model properties that are around in Santa Fe County. Arroyo Hondo open space, the Little Tesuque Trail that the volunteers from the master's program that were just recognized worked on is a beautiful property.

Taking care of parks and trails, we'd like to see that excellent quality that we see in a couple of those properties emulated and spread amongst all of the properties in Santa Fe County. Parks – Romero Park, we'd like to see Romero Park renovation go seamlessly, go smoothly. We'd like to see it happen on time, on budget, and we'd like to see similar things happen to other parks in the Santa Fe County. So taking care of parks and trails.

The second thing that COLTPAC feels is a priority is opening the lands for public use. For public use I think is critical here. There are a number of property acquisitions back in the 2000 to 2005 timeframe. I can point out one in particular, Thornton Ranch. Very large property, southern part of the county that we'd just love to see open. We'd like to see an aggressive plan to get Thornton Ranch open to the public in some form or fashion. And there are other candidate properties, some in the southern part of the county, some in other parts of the county, that we'd like to see open in a timely fashion.

And then what we're really here to talk about today, which is another focus for COLTPAC is getting the community involved. And I'll say before we jump into this that the community is interested and they'd like to be more involved. They're very interested in trails, parks, open space, but they want to be involved.

So community outreach for COLTPAC has some pretty obvious objectives. It's to increase awareness for our open space, trails and parks. Very importantly COLTPAC, the County staff, has a very great network of organizations within the county, state organizations, federal organizations, which we communicate with and we work with. The Trails Alliance, Botanical Gardens, New Mexico State Parks, National Park Service, Santa Fe Fat Tire Society, the City of Santa Fe equivalent to COLTPAC, which is POSAC and others. We'd like to form tighter bonds with those organizations because they're generally the folks that do the work out there.

Fueling volunteerism, you saw a good bit of that with the students at T & P. We think that public outreach agenda for COLTPAC is very much focused on getting people enthusiastic and fueling volunteerism. That's one of the things that made Little Tesuque Trail was volunteers and a number of the other properties. And then I think a stretch for this is the more we learn from working with the public and public outreach we can start with County staff developing metrics which really measure public satisfaction and probably more importantly, identify the gaps in the program. So this is the whole aspect of planning as we move forward. You really have to touch the public before you can understand how to plan.

And so what are we doing specifically, and I'm going to do the high level of this and then turn it over to Maria and she's going to talk about the details of this particular program. But about two or three months ago during one of the COLTPAC meetings we really brainstormed on what would be the most effective way to touch the public and accomplish some things that people enjoy? One of the things we said out of the chute was, well, we can enhance the website and Maria and her team have done a fantastic job in some high level tweaks to the website as well as what she is going to present, which is a story map which highlights details of a lot of the open space properties within Santa Fe County.

And then the other thing that we decided to do was the inaugural event of something that many counties do around their open spaces, which is get people out on to them., to use them. And this is Santa Fe County Trails Days. It's the inaugural event, 2015. The tagline for Trails Days is get up, get out, get moving. And it's all geared toward getting people on the trails. What Santa Fe County Trails Days is is a series of eight trail events on County open space land, April through June, and the interesting thing about this is that it's organized by a combination of COLTPAC, Santa Fe County staff, and also a number of partner organizations that are doing the bulk of the work. This includes the Botanical Gardens for the Placer Peak hike, Cerrillos Hills State Park, Santa Fe Cactus and Succulent Society plus a couple of individuals that are going to lead hikes.

And then the last piece to this whole thing is a really great PR plan that was developed with input from COLTPAC and the components of the PR plan I'm going to turn over to Maria and let her discuss these. But just to wrap up this piece from COLTPAC we think the trails, parks and open space are extremely important. We want to focus attention on this area for COLTPAC to do more work, for the County staff to do some work, for BCC to do some more work. And really move these things forward.

What we'd like to do in the next probably month or two months here as part of the budget cycle and this process has already been started with County staff is to highlight what COLTPAC feels are probably the top two or three or four items and really put those items on an agenda. These are projects that we'd like to see accelerated, we'd like to see them done on time, on budget. And what we'll have after a year's worth of work on these things is some real accomplishments that we can point at and I think this ties so closely into the community outreach piece, to show some successes that we can really tie to the open space program in Santa Fe County.

So this will roll out in the next month or so. Okay. I'm going turn this over to Maria and let her talk about the details of the PR of the Trails Days 2015. Thanks.

MARIA LOHMANN: Thanks, Dave. Mr. Chair, Commissioners, my name's Maria Lohmann, I'm the open space and trails planner, and the staff liaison to COLTPAC. As part of our outreach initiative we wanted to highlight some of the great open space properties in Santa Fe County. The first of our Trail Days 2015 kicked off this past Saturday, April 11th at the Rabbit Road trailhead. I'm going to show some pictures that we took. Steve Griego, our rail trail steward led the hike on the rail trail to the spur trail and back. He shared with us ways that we can build sustainable trails and the best design principles for sustainable trails, and used our trail as a great example. We had a diverse group of hikers. We had moms with strollers, people walking their dogs on

leashes, and even a couple of wizards.

Our next hike will be at the El Camino Real Park on May 2nd. We've partnered with the Cactus and Succulent Society of New Mexico to lead a hike at the Arroyo Hondo open space on May 9th or as the peak cactus blooming period allows. Arroyo Hondo has some incredible blooming cactus and our tour guide will point out all of the best blooms.

We've coordinated with the Santa Fe Botanical Gardens who manage the Ortiz Mountains Educational Preserve to lead a hike to Placer Peak on May 19th. This eight-mile hike is very strenuous and it's all uphill, but I've spoken with people in the last few days who can't wait to get out there.

The Arroyo Hondo Trail steward has generously agreed to lead a hike at the Arroyo Hondo open space to discuss the history of the property on May 30th. And our Trail Days events will culminate in a National Trails Day celebration on June 6th at Cerrillos Hills State Park. Peter Lipscomb will lead a hike focusing on local mining history.

As part of our outreach for these events COLTPAC has been working very closely with Kristine Mihelcic to put together a PR plan. She has done an amazing job creating our memorable tagline – get up, get out, get moving – and putting together a landing page on the County website, at santafecountynm/getmoving. Pretty easy to remember. Our events were mentioned on KOB-TV and we will have an advertisement in the summer edition of *Bienvenidos*. We're also working on getting some radio spots out, a few extra ads in the newspaper, and I put a flier up there with you guys that we'll be passing out and we hope to get lots of those out to spread the word.

Another tool we're about to launch to showcase our County open space properties is the story map. This project is a collaboration between County Planning and GIS. GIS purchased this software and they manage the Countywide licensing for this program and it's really, really exciting. This story map is an interactive, easy to use and understand tool, which lists all the County-owned open spaces and parks. The story map application appeals to younger users since it can be used on mobile devices, but it's also optimized for computer desktop users.

I'd like to very quickly demonstrate this tool and Matt's going to help me. This interface is organized with the geographic information on one side. You see the map and a short description and an image on the other side. Right here we have the introduction of the open space program with our vision and on the other side we have a geographical reference. It's a quick visual overview of all the properties. This map is color-coded in order to give quick reference to those properties that are open to the public, and those that are sensitive properties that being carefully managed. Those are in red and the open properties are in green.

The user can scroll through the properties using the arrows or by clicking on one of the color-coded flags on the map. For example, if I wanted to know more about El Camino Real Park I would click on flag #32. Notice the map zooms into El Camino Real Park. The user can scroll in and out of the map. And from here, if I wanted to learn about the Arroyo Hondo open space I can use the arrows to scroll to the thumbnail. And you can't see until Matt scrolls down on the description on the open space. There we go.

There's a yellow highlight there. If I wanted to get directions I could click on parking directions and it gives me directions to the trailheads. Or if we go back and I wanted to look at a map of the open space property I could click on map. And it's loading.

We can move on and go to the Ortiz Mountains. We have the same thing here, the Ortiz Mountains but instead the link goes to the Botanical Garden website. And finally, we can do the same thing with Cerrillos Hills State Park and it links to a brochure with a map of the park.

So this tool is a great way to bring information about our open space properties to the public and it will help with our outreach events as well. It will encourage people to go out and enjoy and also be able to do a little bit of research on their computers before they head out. And with that I'll stand for questions.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I just wanted to comment that the press has been very good about this. Kristine did a great job and work has gotten out everywhere already.

MS. LOHMANN: That's great.

COMMISSIONER STEFANICS: And thank you very much to the COLTPAC members. That's how I started my career with the County many, many years ago on the very first COLTPAC. Thank you.

COMMISSIONER ROYBAL: Thank you for all your work on that. I did have a question. I saw there was an open space in the Pojoaque area or District 1. Is there trails out there as well? In any of those areas?

MS. LOHMANN: There are quite a few open space in District 1. There aren't very many trails at this point. We're working on management plans for all of our properties which will hopefully include the design of trails.

COMMISSIONER ROYBAL: Okay. Thank you. Appreciate all your work.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, thank you, Mr. Chair. The Romero Park was mentioned earlier and I know COLTPAC has been working on that. We're expecting to do some work on Romero Park in the next couple of months, I believe and I would like to coordinate with COLTPAC and staff to do a simple ribbon cutting when we start that work so that we could highlight that a little bit more and I agree with what was said earlier about keeping these projects on time and on budget. And if we have the public behind us I think we can do that. So if you could help me with that I'd appreciate that.

MS. LOHMANN: Absolutely.

CHAIR ANAYA: Thank you, Commissioners. I very much appreciated the presentation earlier at our budget discussion. We actually had a little more dialogue on open space and I appreciate the COLTPAC committee and where the direction is at right now because our interest right now has been to do as you said, open those open space facilities and provide access to the public. So we've done that transition along with you and we've been putting resources into that and we're going to put additional resources so that you have some mechanisms to do the improvements and ultimately

open and provide that access. So we're very much appreciative of your works and staff's as well and like the brochure and the activities set forth and I think we're headed in the right direction. So thank you so much.

MS. LOHMANN: Thank you.

V. A. 5. Recognition of National Public Safety Telecommunicators Week, April 12-18, 2015, Honoring the Men and Women Who Serve their Communities as 911 Operators

CHAIR ANAYA: Mr. Martinez.

KEN MARTINEZ (RECC Director): Good afternoon, Mr. Chair, members of the Commission. I just wanted to thank you for the opportunity to come up and take a few minutes to recognize our local Santa Fe 911 telecommunicators for the hard work, dedication and continued service that they provide to the citizens of Santa Fe County. Every year the second full week of April is dedicated to honoring 911 telecommunicators across the country. This began in the mid-eighties in Contra Costa County, California where they began honoring the 911 – the work that 911 telecommunicators do and it caught on and through the mid-nineties it then became a congressional resolution to dedicate the second week in April to all 911 operators and telecommunicators throughout the country.

So we're going to be taking some time tomorrow to come in early. My operators, my telecommunicators have shift bid, the bid for their shifts and tomorrow's the day that we do that, so about 5:00 am we'll be going in there, a few of us, myself and I think Mr. Flores and Director Sedillo and Ignacio Dominguez from the Human Resources Department is actually an ex-911 telecommunicator. So he's going to come in. We're going to cook breakfast for them before their shift bid.

So just to show them that we do appreciate what they do in the public safety field, 911 telecommunicators are often overlooked because they are not going out to the scene or responding as firefighters and law enforcement officers do but really, they are the first first responders because they are there with what's going on even before the firefighters and the police officers get there. They're hearing what's happening and many times as these situations are occurring. So it's an important job, it's a difficult job. They endure harsh hours and shifts and nights and weekends and holidays where most of us take for granted that we don't have to be at work. They are there.

So it takes a special individual to do it. I'm extremely proud of all my employees. All the people that work with me and for me and I just would like to thank you for taking the opportunity and sharing that appreciation of my 911 telecommunicators with me. So thank you for that.

COMMISSIONER CHAVEZ: So I have a question, Mr. Chair.

CHAIR ANAYA: Thank you, Mr. Martinez. Commissioner Chavez.

COMMISSIONER CHAVEZ: So, Mr. Martinez, could you – I know you can't give us names of your staff but how many staff members do you have that are in the group that you just mentioned?

MR. MARTINEZ: RECC has a total of 48 FTEs. Of those, 40 are radio operators and call-takers. Right now I believe we have about five vacancies so about 35

people currently. We've got new trainees that are going in and so with my administrative staff we're up to about 43 or 44 right now.

COMMISSIONER CHAVEZ: Okay. Thank you, Mr. Chair and Mr. Martinez. Maybe at some point we could mention them individually in some formal way.

CHAIR ANAYA: I agree with that, Commissioner. I'd like to work with you collectively in figuring out a way to do that and stagger them, as I know their schedules are 24/7. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair and thank you for coming today. Please thank everyone for their courteousness and their attention to the customers on the phone. And I understand that you initiated some training with NAMI, the National Association for the Mentally Ill, to assist your operators in understanding some of the crisis calls and some of the situations that might come across. And I appreciate your initiative in doing that.

MR. MARTINEZ: That's true. Thank you, Commissioner.

CHAIR ANAYA: Thank you, Mr. Martinez and in addition to Commissioner Chavez' comments and the accolades from Commissioner Stefanics let's work together on acknowledging those individuals and a proclamation as well.

MR. MARTINEZ: Absolutely. I'll look into that. Thank you, Commissioner.

CHAIR ANAYA: Thank you very much. Commissioner Roybal.

COMMISSIONER ROYBAL: Mr. Martinez, we also wanted to thank you for your hard work and I think a lot of times you're right. You don't always get the recognition that you need because you guys are at the frontlines and you guys are the ones that provide the detailed information that these emergency responders need to get to the right location. So I definitely want – I agree with Commissioner Anaya and Commissioner Chavez that I would like for you guys to be acknowledged at another time. But please, let everybody know that they're doing a great job and we appreciate it. Thank you so much.

MR. MARTINEZ: I'll do that and I'll relay your appreciation tomorrow morning for sure.

COMMISSIONER ROYBAL: Thank you.

MR. MARTINEZ: Thank you, Commissioner, Mr. Chair.

CHAIR ANAYA: Thank you, Mr. Martinez. Thank you, Commissioner Roybal.

III. B. Matters from the Commission and Other Elected Officials

1. Elected Officials Issues and Comments

[Commissioner Holian joins the meeting]

CHAIR ANAYA: Are there any other items from elected officials?
Madam Clerk.

MS. SALAZAR: Thank you, Chair Anaya, Commissioners. Earlier today Clerk staff sent you an email regarding the upcoming NMAC election, so we as elected officials will select a member of the elected officials' body to represent us with NMAC,

New Mexico Association of Counties. The letter details the process for the election and then I will also hand you out a hard copy for your records.

CHAIR ANAYA: Thank you, Madam Clerk. Thank you for that update. Any other updates from the other elected officials? If not I'll go to Commissioners.

III. B. 2. Commissioner Issues and Comments

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair and first of all, I'd like to recognize from our Sheriff's Department, we have a retirement of Lt. Joe McLaughlin. We have promotions of Captain Gabe Gonzales, Lt. Michael Martinez, Lt. Diego Lucero, Sgt. Michael Delgado, Sgt. Fabian Trujillo. And I'd like to congratulate all of them.

The other issue is I put on your chairs or your desks a little card from the Santa Fe Community College, and you're probably wondering what it is. So if you turn it over, on the back it actually has the directions at the bottom. You stick it on the back of your iPhones or electronic devices and then the cloth side can be used to clean your screen. And we have hundreds of them for the taking so if any group wanted them we'll be happy to pass them out.

And I think that is all I have at this point. Thank you.

CHAIR ANAYA: Thank you, Commissioner Stefanics. Commissioner Roybal.

COMMISSIONER ROYBAL: Well, as of right now, I'm still getting, as far as constituent concerns I'm still getting a lot of calls on flooding issues in my district. I've gone out to several meetings and again, I'd like to thank Adam Leigland for attending these meetings and also he indicated that he has applied for a permit from the Corps of Engineers to do some work in the district so I appreciate that and of course I'll have my liaison follow up with them to make sure that we can get that done as soon as possible for the district.

I also have some calls. We have some issues with road easements that we talked about earlier today, so just to reiterate, that we have been in contact with the Governor of San Ildefonso Pueblo and previously he had indicated that he was going to have a survey, complete with road easements in that area around Easter. I did talk to him on Monday and it's not complete yet so we're still working with them on waiting to – right now we're waiting for that to be complete before we can move forward with those negotiations of the issues that they have with the easements.

I also met with some residents in Tesuque that were concerned with the closure of the landfill. I indicated to these residents that we haven't considered that yet but if that was ever considered that we will work closely with them and let them know if that is going to be something that we'll consider. And that's pretty much all I have for my district. Thank you.

CHAIR ANAYA: Thank you, Commissioner Roybal, and I just wanted to make a couple comments in addition to Commissioner Roybal's comments relative to the challenges he's facing with those easement issues. I think those are priority issues that we've been trying to work on but it seems that with every day that passes they get much

more complex but it's important that we stay in tune with those issues and assist the Commissioner in those difficult easement issues on tribal lands. Thank you, Commissioner. Commissioner Chavez

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I have nothing right now.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I really don't have much although now I have some suggestions as to how the new county courthouse could be improved.

CHAIR ANAYA: Did you find parking?

COMMISSIONER HOLIAN: Parking was not a problem.

CHAIR ANAYA: Thank you. Rachel, if you could come forward from Community Services? I just – if you could, I had some recent deadlines that we fulfilled associated with submittals on capital projects and I think there's two different facets that we've been working on relative to capital projects on senior centers across the county but I wanted to see if you could give us a snapshot on what occurred in recent days and what has been submitted and what's pending in an overview status. I know it's something that all of the Commissioners have interest in. I know Commissioner Stefanics in particular has brought it up as well relative to feedback and input, but all of us are very much in tune with the needs of the seniors. So give us an idea of what's happening in recent days and then what's to come relative to senior capital funding.

RACHEL O'CONNOR (Community Services Director): Mr. Chair, thank you. It's been a very busy time over the last probably two months with regard to senior service and capital requests and several of you have had an opportunity to discuss that with me. As you know, last Friday the capital request was due to the Aging and Long-Term Services Department. It was submitted through AAA. We did submit a request for \$246,000 I believe for six vehicles, replacement vehicles that include some of the vans that we've discussed about previously here at the BCC.

In addition to that, Commissioner Anaya and members of the Commission, we also – Greg Smith and some of his staff held meetings to discuss the needs of seniors with regard to capital requests at all the senior centers over the past probably two months time period to solicit their input in terms of small capital requests, fixed asset requests and requests that might be put into the budget that was submitted to the County. And as a result of that there are some small capital things that are included in the County budget, as well as similar requests for things like looms and other things that were put in the activities requests.

CHAIR ANAYA: So if could go back, we had a discussion several months back and I remember we talked about not only those replacement costs like on vehicles but we also talked about operational costs for new facilities that we have in our pipeline. We know we have a center on Highway 14 that we're working towards. What information can you provide the Commission relative to those operational costs and when those submittal requirements are for us to pursue operational funding? Which was part of the discussion leading up to the submittal you just made on April 10th or 11th I guess.

MS. O'CONNOR: Mr. Chair, it was submitted last Friday. Mr. Chair, the decision that was made regarding Highway 14 was that we could not move forward until

the property was purchased with a request to AAA for funding for Highway 14, until the actual land has been purchased. We also had discussions amongst ourselves about operational funds in Highway 14 and given that's the timeline that we're on we have not submitted for operational funding in this upcoming budget cycle.

CHAIR ANAYA: So the next window we're preparing for is, again, in the same time period? So it would be April of 2016? Is that the target?

MS. O'CONNOR: Mr. Chair, yes, it is.

CHAIR ANAYA: Okay. Mr. Flores, did you have anything you wanted to add?

MS. O'CONNOR: Mr. Chair, Lisa wanted to add something.

LISA GARCIA (Community Services): Commissioners, what we did is we worked with Public Works and we have a worksheet. It's a facility request, or it's an evaluation of the facilities. And so they're working on that and then they'll identify starting next year and then subsequent years after that where they feel like the needs will be. So every year when we submit an application to Aging and Long-Term Services we'll take into account anything that they feel like they could do can wait for a two-year period, since it takes us two years to receive the funding if we get approved for that funding.

CHAIR ANAYA: And that's one of the reasons I asked you to come up, because that's one of the things that Commissioner Stefanics had brought up relative to the request and the timeline. So are you basically saying we're not going to be in a position to get resources for Highway 14 for two to three years then?

MS. GARCIA: Right. Probably three years at the earliest, because what we requested now will not be available for two years. So next year at this time when we submit a request, if it's ready, if it's pretty much shovel-ready then we'll submit a request that will be two years out from next year. But it was recommended to us that we waited until we purchased it and it was more shovel-ready because then that will affect the scoring that Aging and Long-Term Services uses to determine if they're going to fund our request.

CHAIR ANAYA: Okay, so then my follow-up and it's for you or whoever wants to answer it is, of all the senior centers and the needs, the only thing you could identify was vans at this time? It seems like we would have other needs.

MS. GARCIA: Mr. Chair, Commissioners, at this point we met with everybody that had the potential of receiving funding through this request and the only thing we have ready to submit based on their criteria were the vehicles. We have the passenger vans plus we also have some meal delivery vehicles in that request. And then next year we'll meet again with all parties involved to see if they want us to submit on behalf of their departments.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Normally, I can be pretty patient about our moving ahead and how long it takes with government bureaucracy, but I do think that within a couple months we need to have a report back on the land purchase. We have discussed this for six months, a year. We came up with a decision on the piece of property a few months ago and so what's happening now is

we're really putting the needs of the taxpayers who are seniors and many home-bound people down Highway 14 on a delayed wait list, and that's not okay. So I hope that within a couple months we have a report back on a successful purchase of a piece of land and we then hear from County administration how we're going to move ahead on this project. Thank you very much, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner, and I echo those comments and I would add that as we have discussions on our budgetary process and operational costs that aside from whatever we request from Aging that we now put ourselves in a position of looking to my colleagues on this bench, all of them, to consider operational funding to help us phase into utilizing the facility once we get through those land acquisitions. So I guess I'm also saying that to say we would wait three years before we would functionally operate is probably a false assumption and that the assumption should be we get through the land acquisition and then we, in our budget discussions with the full Commission have the discussion on what will we do to phase in utilizing the facility well before a three-year window. Would you concur with that, Commissioner Stefanics?

COMMISSIONER STEFANICS: Yes. Thank you.

CHAIR ANAYA: Thank you very much. Appreciate it. I don't have anything else at this time, Commissioners. Before we go on to the next item, any other items from Commissioners? I do have one other one that I'm going to say on the record and staff has been working on it for quite some time. There's been some concerns raised on Goldmine Road relative to illegal activity and relative to easement issues, Mr. Barela. I know Mr. Flores and Mr. Barela have been working closely with Ms. Hatten. Is that the right pronunciation, Mr. Barela? And I just want to say publicly we're going to continue the dialogue that we've initiated with the residents of Goldmine Road.

Representative Egolf has been an active part of the discussions as well, but there's rather complex issues. We're working with the Sheriff's Department. We're working with the Public Works Department on mitigating these issues. But Mr. Flores, if you could come back forward again. I know we're going to have continuing dialogue but I want you to just provide a snapshot on the record of some of the items that we're working through that are complex that staff is engaged in. We have Public Works, Sheriff's Department – go ahead and provide a summary of some of the players.

TONY FLORES (Deputy County Manager): Mr. Chair, the issues surrounding the Goldmine Road discussions include the Sheriff's Department for some activities that have been alleged to be occurring in the area. The Growth Management Department with potential issues relative to the code and code issues and code violations, and then lastly the beginning of Goldmine Road as you access it off of Highway 14 and the narrowness of the road based upon the existing properties, the properties are built out to the property line. So there's been some discussions with Public Works on that first approximately 200 feet of Goldmine Road as it goes east from there.

So those are the three primary concerns that have been raised by residents from that area.

CHAIR ANAYA: So I'm going to say on the record, Mr. Flores, Mr. Barela, Mr. Wayne Dalton, Undersheriff Ron Madrid, Public Works Road Director Robert Martinez, are all active in the communications and Chris Barela. And so that we're not ignoring these concerns as with any other concerns. There's code issues,

there's legal issues, there's issues associated with law enforcement. So we're working through those and they're not unlike many other requests we get and there's many moving parts and it's my understanding they requested a community meeting. We're fine to work on a date with that and have some more discussion. But I appreciate the summary and do you have anything else you want to add?

MR. FLORES: Mr. Chair, just real – on the last point about the meeting, we have tentatively scheduled a meeting for next Wednesday, April 22nd. The time is still in discussion but it's either going to occur at 2:00 or 3:00. So we will be having those discussions with those residents next week.

CHAIR ANAYA: Thank you, Mr. Flores. And I think this is a good opportunity, not only with this issue but any issue for the public to understand that we do have issues. There's not easy fixes to issues. Many times I think that's the assumption, to be quite candid, but we've got many people at the County that we've engaged and we're working through a process to try and address the issues as fairly and appropriately as we can. So thank you very much.

I'll go back to Commissioner Roybal. He had an item he wanted to add.

COMMISSIONER ROYBAL: I just wanted to add with the flooding in my district that's going on I did also involve another entity that I thought was important to mention and that was the State Highway Department. I contacted Miguel Gabaldon in District 5. He's the District 5 State Road Engineer, and he indicated that he would be going out to some of these areas where it looks like there's some maintenance issues on some of the culverts that go under the roads that are actually there, for where the arroyos are at. There's a lot of these culverts that need some maintenance. So I just wanted to thank, recognize him for his quick response in helping us to mitigate this issue. Thanks.

CHAIR ANAYA: Thank you, Commissioner.

V. C. **Matters from the County Manager**
1. **Miscellaneous Updates**

CHAIR ANAYA: We're going to go County Manager updates. I don't know, Tony, if you're going to handle some of those, but I also wanted to state that there is an item listed here under executive session that deals with limited personnel matters. We're not going to have any discussion today in closed session. We're basically going through a review process that the Commissioners are filling out and collecting that information that's going to Bernadette. So I'd ask the Commissioners if you haven't had a chance to go through and provide that, if you would. She's going to compile that information and get back to us and then we can have a broader discussion at our next meeting. I do think there are some other items that are going to entail discussion that are on the agenda, one that we added in 3 and number 1 that we still need to have discussion and we'll get to that at that point. But we're still needing that. Right, Mr. Shaffer? Thank you. Mr. Flores or Ms. Miller.

MS. MILLER: Mr. Chair, a couple of things. On BCC start times. If you recall, a while back we had talked about doing a trial period of starting this meeting, the end of the month meeting at 2:00. We've noticed April's, so we did February, March and April as our trial period. I was wondering if the Board would like to make that a

permanent time change for the rest of the year so that we could redo our meeting notice resolution, or do you just want to do that continuing on a trial basis?

CHAIR ANAYA: What's the pleasure of the Board? I'm fine with it. I think it adjusted to some of the schedules of the Commissioners and I've been trying to keep the meetings as efficient as possible, but I'd defer to the Commissioners. What's the Commissioners' thoughts? Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, I like this new schedule. It works better for me.

CHAIR ANAYA: Other thoughts? Commissioner Roybal.

COMMISSIONER ROYBAL: I too like the schedule and it does work better for me as well.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I don't mind the schedule. What I do mind is we have cut quite a bit of conversations short. We haven't heard some reports and we've rolled them over from meeting to meeting. We rarely have an executive session to discuss what I would consider important information to be apprised of when we have liability issues so that is my concern is that we might be cutting short some dialogue that we should be having. But I am fine with the time; I'm just concerned about possibly not covering topics. Thank you.

CHAIR ANAYA: I hear you, Commissioner Stefanics, but I guess the consensus when we do roll things as a group discussion. The one thing that I would put to my fellow colleagues on the Board is that if we need to stay later at times that we will all do that. I know we rolled Claudia's presentation a couple times. I'm trying to think of any others but I think at the beginning of the meeting or during the meeting if there are specific items any Commissioner wants to take care of on that date that we make sure we leave those on and address those. So I don't want to rush through anything. I want to make sure we have the conversation, but I think one of the things that I've recognized is that the longer we stay the less the attention span becomes at times. But we've got to conduct our business. We'll just move with it but I'm very cognizant of what Commissioner Stefanics brought up and we'll work through those issues.

Also, Ms. Miller, if there's items, whether they're executive session items that need to be addressed or we need to address them sooner in the meeting that I'm amenable to doing that as well. I'm also amenable when necessary to have any special meetings that we might need to have if there's something imperative that won't fit within a schedule, even if it's a briefer time frame around a specific item. So, thank you Commissioners.

MS. MILLER: Okay, Mr. Chair, Board, then at the April 28th meeting we'll bring back a meeting resolution that will adjust the time for the rest of the year.

Then also I just wanted to let you know that the New Mexico Association of Counties, it's time for the election of board members so on Tuesday, April 7, NMAC provided correspondence on the requirement to hold elections and select Santa Fe County's representative from 2015 through 2017. And the other thing is that the County Clerk's Office is the one that conducts that election. I believe they actually sent emails this afternoon, so I would say check your emails for that day. We put that out to all the elected officials at the County.

Then I wanted to let you know also that how the meeting with the Town of Edgewood and First Choice Community Health Care and they are submitting a grant application for the development of the health commons that they're trying to build down in the municipal common area, or commons, and they're hoping to locate that on Section 16 in Edgewood. They have presented to our HPPC and we're trying to get them on the schedule to present to the Board of County Commissioners. Part of the application, they did request a non-financial letter of support for applying for the grant and utilizing the recommendation from the Health Policy and Planning Commission. So if it would be okay with the Board I'd like to be able to forward them the Town of Edgewood, a letter. Their deadline, I believe is April 19th, so they weren't able to get on to our agenda and discuss that but the letter of support would just be merely from the County that we support the project but it's not a financial commitment.

CHAIR ANAYA: So I want to speak as the Commissioner from that district. I actually asked them to go the Health Policy and Planning Committee. I told them as a Commissioner I'd be supportive of their desire to expand the campus there. The County was very much part of creating the campus there in the first place and engaging First Choice and even being part of the capital funding associated and ongoing indigent funding that went into servicing that facility. So I would ask my colleagues to support that.

MS. MILLER: Okay. And then another item of update is that on April 9th, Santa Fe County's HR hosted College Day, which was an event provided to the employees to allow them to learn about degree programs offered by UNM, NMSU, Santa Fe Community College and Highlands University, and each of those entities had representatives available to discuss the different degree programs with our county employees. And so that was one of our initiatives with County employees to try to encourage higher education and other training opportunities.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'd like to go back to the previous item. I'm totally in support of a letter of support for the Commons, but if we're going to do that I'd go ahead and suggest that we prepare the letter of support for the water study that we decided to put off till next meeting.

CHAIR ANAYA: Help me out, Commissioner.

COMMISSIONER STEFANICS: You were gone for the presentation. We were asked by Claudia and the BLM to provide a support letter. Mr. Shaffer indicated it was not noticed for an action item. We are now taking action on a different letter of support. If we're going to do that I'm suggesting we provide the letter of support for the water study.

COMMISSIONER CHAVEZ: Instead of a resolution.

COMMISSIONER STEFANICS: We said a letter of support or a resolution. I'm saying if we're going to be consistent let's do both letters of support and decide that.

CHAIR ANAYA: Let me back up a little bit. I don't have any qualms signing a letter as a Commissioner for District 3 supporting the health plan with Edgewood because it fits in with our health strategic plan and I'll leave it to you to go

back to the strategic plan that we adopted that supported the function of health services in that part of the county. So I would pull it as a Commission item as say that it's directly tied to the health plan that we adopted as a Commission and that within those parameters I'd be happy to sign a letter myself. Chris, work with Ms. Miller and let's accomplish that.

Now, relative to the action item on resolution, I think that's a lot more structured and stringent. Greg, since I was out of the room, why don't you help me understand what your framework was so I can understand that.

MR. SHAFFER: Mr. Chair, the earlier request as I understood it, with respect to continued work in the Santa Fe Water Basin, was for a show of support by the Board of County Commissioners as a body. So my advice was that since that had not been noticed as an action item on this agenda that the better course would be to bring what ultimately was a suggestion it should be a resolution back at the next Board meeting so that the Board could take action as a body. What I'm hearing from you, Mr. Chair, and at the risk of putting words in your mouth, is that you're willing to sign a letter as a Commissioner, indicating support for something and I think that's a little bit different than expressing the view of the Board as a body.

CHAIR ANAYA: Yes, and I actually think we actually as a body endorse supporting the First Choice project within our health plan and further health operations, but nonetheless and will ratify mine at the next meeting as a full Board if that's the desire of the Commission. Okay? Ms. Miller.

MS. MILLER: The other item for update –

CHAIR ANAYA: I wanted to say one other thing. I'm part of the higher education center team and proud to say that I work with New Mexico Highlands University. We had an excellent event with a close partnership with Santa Fe Community College, New Mexico State, Institute of American Indian Arts, and it's truly a collaborative effort that many, many people have worked on, but I'm proud to say that we're part of that team, as a Commissioner, as a citizen, as a person that's part of that higher education team at Highlands I'll do everything I can to enhance the resources we provide for our employees to access services for higher education and whatever else we can do to encourage people in the community to access those services as well. I appreciate you bringing that up so thank you.

MS. MILLER: Thank you. Also, on April 23rd Santa Fe County will be hosting a Bring Your Child to Work Day. It's a day that helps our children discover the link between what they do now in school and what they can become in the future. It also helps them understand what their parents do when they go to work every day. It's a lot of fun. Bern always puts me up to opening it up and the kids are pretty cute when you ask them what the County does and what we're responsible for and what their parents do. So they actually have a good time and they learn a lot about what their parents do and what goes on in the County. So if you can encourage any of the employees that have children that can come that day, April 23rd in the morning.

And then the last item for update was the NACo awards. Commissioner Stefanics had brought this up at the last meeting and I just wanted to follow up with what we have submitted in the way of programs for consideration for the NACo awards. Under Community Services Department we did the Imagination Library and treatment services

for pregnant women. Human Resources Division submitted the Manager's Commit to be Fit Challenge, and as a matter of fact NACo did a podcast recording last Friday with Bernadette Salazar, Commissioner Stefanics and myself, so we'll be on the NACo website talking about our fitness challenge last year and our wellness program Countywide.

And then also Public Safety Department submitted adult corrections reading program and the youth development library program. So I also think that Corrections is reviewing an application requirement for a re-entry program grant which is due May 15th so we hope to have – hope that our re-entry program would qualify for a grant. So we're working on that as well.

And those are all of the updates I had.

CHAIR ANAYA: Thank you, Ms. Miller. Are there any questions or comments of Ms. Miller? We'll do the legislative now, I guess. Mr. Flores.

V. C. 2. Legislative Update/Gubernatorial Action on Bills [Exhibit 5]

MR. FLORES: Thank you, Mr. Chair. I'll be brief. We have punted on this a little bit because of time over the last couple of meetings. We passed out a final document of the progress or – we'll just use it as progress that was made during this year's session. I would like to, before I go to this brief presentation, I do want to for myself and Katherine a big thanks to our legislative team, from Rudy Garcia, Hvtce Miller, Tessa Jo Mascareñas and Lisa Katonak. They are the backbones of the process when we go through a legislative process.

I do believe that although we were successful as a team in providing excellent testimony from my perspective on certain legislative bills as pre-emption or the hold-harmless, I do believe that as coming away from this session we are going through now some lessons learned and trying to approve a public process as we move into the interim committee session which starts later this summer. So we have been working on some lessons learned and if there's any feedback from the Commission on what may have need to improve on please advise me of that those may be.

Just real quickly before Hvtce goes into some of the action items, for perspective, there were 1,731 pieces of legislation introduced in this session. Of those 1,731 pieces of legislation the Governor signed into law 158 of them, including the budget, which there was a tremendous amount of vetoes within that legislation. Fifteen items were vetoed by the Governor and 18 were pocket vetoed. And that's a perspective of the total number of pieces of legislation, less than ten percent of them actually made it across her desk and were signed.

That sets up for next year. Since next year is a 30-day session there's going to be some germane questions that come up on the pieces or types of legislation that can be brought forth because it is a financial budget session. I'm curious to see what the interim committee process brings. We know for sure that hold-harmless is going to be a hot topic. During the testimony with Representative Harper's bill I called last year the year of the sole community provider re-do. I believe that this coming interim process in this coming year will be the hold-harmless re-do as there was a tremendous amount of legislation that tried to make it through the process.

And then the other one of course is pre-emption, and I don't need to go down that road again but the legislative team on the Senate side I think did a very good job in trying to provide a solid fundamental discussion or point against those pre-emption languages. So I'm going to turn it over to Hvtce real quick to give some brief, brief, brief highlights of the pieces of legislation that affected the County and then we'll stand for any questions.

CHAIR ANAYA: Mr. Miller.

HVTCE MILLER (Constituent Liaison): Good afternoon, Chairman, Commissioners. Within this report I've broken it into three sections, basically. On page 4 you're going to have all of the actions related to what this Commission itself has taken action on. Page 5 is legislation that's related to counties, more or less. That's page 5 and 6. And then the remaining pages is just a list of all the items that were passed through both houses and were slated for action from the Governor. In the first section there's everything signed by the Governor, everything vetoed in the next section, and everything pocket vetoed, which was just no action by the Governor on those particular items.

Going back to those items that the County took particular action on, there were six items there. Those items being Senate Bill 319 and House Bill 2, which actually contained two items, which were the fresh produce for school bills, and also funding for county-housed state prisoners, that's item B, House Bill 76. Two items not requiring authorization from the Governor were Senate Joint Memorial 4 and Senate Memorial 29.

Just to wrap things up, as Mr. Flores was saying it would be helpful to the staff if you have any recommendations on taking a look and reviewing any of these items, seeing if there was anything that wasn't passed or see if there was items that were passed that still need adjustments or anything else that we need to work on in the interim period. It's going to be starting up pretty soon. Again, end of May, beginning of June. So not a whole lot of time and we'll be back at it again. With that we'll take any questions. Thank you.

MR. FLORES: Mr. Chair, just real quick. If we turn to page 20 of the packet that Mr. Miller put together. I want to draw your attention to an item that was signed by the Governor. It's Senate Bill 300 that on the surface appears that it doesn't have any direct correlation to County operations. However, if you read the piece of legislation it dealt with alcoholic beverage sales at municipal golf courses and state museum. And what it does, it changed the law to go from a beer and wine license to actually having the ability to serve other types of alcoholic beverages at a golf course. Spirits. That was a change because of issues that happened in Bernalillo County, however, on the surface it doesn't look like it affects us. However, the municipal golf course for the City of Santa Fe is accessed via a County road.

So that is an issue that although on the surface it wasn't on the radar as a county issue to either oppose or be a proponent of, it will affect us if Marty Sanchez does change their liquor license to serve other types of alcoholic beverages, utilizing a County-maintained and functional road. So when I talk about lessons learned, that's one that rose to the top of my list when I went through the final document with Mr. Miller. We need to do as a team a better of vetting of those types of issues that may look like they have no tie but in reality there is a peripheral tie to the County. So with that, Mr. Chair, I'll stand for any questions.

CHAIR ANAYA: What's the pleasure of the Board? Are there any

questions or comments? Thank you, Mr. Flores.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I would like to thank the lobbying team. I know they were there many late nights, circling, sitting in committees, watching, testifying, and I thank them very much for that.

CHAIR ANAYA: Thank you, Commissioner Stefanics. Mr. Shaffer.

VI. MATTERS FROM COUNTY ATTORNEY

A. Executive Session

1. **Discussion of Competitive Sealed Proposals Solicited Pursuant to the Procurement Code, as Allowed by Section 10-15-1(H)(6) NMSA 1978, and Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as allowed by Section 10-15-1(H)(8) NMSA 1978**
 - a. **Proposal Submitted in Response to RFP # 2015-0031-PW, La Bajada Ranch Development 3. Threatened or Pending Litigation, as Allowed by Section 10-15-1(H)(7) NMSA 1978**
3. **Threatened or Pending Litigation, as Allowed by Section 10-15-1(H)(7) NMSA 1978**
 - a. ***The Board of County Commissioners for the County of Santa Fe v. Joe Anthony Montoya and Advantage Asphalt and Seal Coating, LLC*, NM District Court, First Judicial District, D-0101-CV-2014-00288**

MR. SHAFFER: Mr. Chair, I believe as I understood your comments earlier that we would not be needing item VI. A. 2 concerning limited personnel matters. I do think that a session would be appropriate on the other two specific items that are noted on the agenda.

CHAIR ANAYA: Is there a motion to go into executive session?

COMMISSIONER CHAVEZ: Mr. Chair, I'll make a motion to go into executive session and we will be discussing two items. Mr. Shaffer, would you note those for the record?

MR. SHAFFER: Mr. Chair, Commissioner, it would be item VI. A. 1. a, concerning an proposal submitted in response to RFP #2015-00031-PW, La Bajada Ranch development, and this would be as allowed by Section 10-15-1(H)(6) and 10-15-1(H)(8) NMSA 1978, as well as a discussion of threatened or pending litigation as allowed by Section 10-15-1(H)(7) NMSA 1978, and that relates to the matter of *Board of County Commissioners v. Joe Anthony Montoya and Advantage Asphalt and Seal Coating*, a matter pending in the New Mexico District Court in the First Judicial District.

COMMISSIONER CHAVEZ: Thank you, Mr. Shaffer.

CHAIR ANAYA: There's a motion. Is there a second?

COMMISSIONER STEFANICS: Second.

CHAIR ANAYA: Second by Commissioner Stefanics. Roll call.

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (6, 7, and 8) to discuss the matters delineated above passed by unanimous roll call vote as follows:

Commissioner Anaya	Aye
Commissioner Chavez	Aye
Commissioner Holian	Aye
Commissioner Roybal	Aye
Commissioner Stefanics	Aye

[The Commission met in closed session from 6:25 to 7:25.]

VI. B. Possible Direction Concerning RFP # 2015-0031-PW, La Bajada Ranch Development

CHAIR ANAYA: Okay, Commissioners, I'd entertain a motion to come out of executive session.

COMMISSIONER ROYBAL: Yes, I'd like to make a motion to come out of executive session.

CHAIR ANAYA: And Commissioner, would you reflect who is in the session?

COMMISSIONER ROYBAL: We had Commissioner Chavez, Commissioner Holian, Commissioner Anaya, Commissioner Roybal and Commissioner Stefanics, Katherine Miller, the County Manager and Greg Shaffer, County Attorney, and Rachel Brown, County Attorney, and Bill Taylor.

CHAIR ANAYA: Thank you, Commissioner, is there a second?

COMMISSIONER STEFANICS: Second.

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

CHAIR ANAYA: We're out of session. Is there a motion from the Commission? A motion relative to direction?

COMMISSIONER CHAVEZ: Okay, so for executive session, there was no action taken.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I move that we authorize the County Manager to negotiate on the highest ranked RFP proposal for La Bajada Ranch.

CHAIR ANAYA: Is there a second?

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Second from Commissioner Holian.

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

CHAIR ANAYA: We've concluded our regular order of business, just did item B concerning direction on RFP 2015-0031PW.

VII. PUBLIC HEARINGS

A. Land Use Cases

COMMISSIONER CHAVEZ: Sorry to interrupt. But before we go into the Public Hearing portion on our land use cases, Mr. Chair and members of the Commission, and public, regarding CDRC Case # 5, 14-5330, I'm recusing myself from participation in the case. The applicants are my daughter's in-laws, the Tercero Family. And while my daughter and her family will not benefit from the application to my knowledge I am recusing myself so as to avoid any potential conflict or appearance of impropriety.

CHAIR ANAYA: Thank you, Commissioner Chavez. So that's case #6.

COMMISSIONER CHAVEZ: Yes. That's right. Okay, Commissioner. Thank you. That's duly noted.

VII. A. 1. BCC CASE #MIS 15-5100 Aztec Spirits, LLC Rectifier License. Aztec Spirits, LLC, Applicant, Request Approval for a Rectifier License. The Property is Located at 36 Bisbee Court, Unit B, in the Turquoise Trail Business Park, within Section 24, Township 16 North, Range 8 East, (Commission District 5)

JOHN SALAZAR (Case Manager): Thank you, Mr. Chair. Aztec Spirits, LLC, applicant, requests approval for a Rectifier License. The property is located at 36 Bisbee Court, Unit B, in the Turquoise Trail Business Park, within Section 24, Township 16 North, Range 8 East, (Commission District 5)

In September of 2002 a master plan for the Thornburg property was approved by the Board of County Commissioners. This master plan approval included commercial zoning of Lot D-5. The master plan approval allowed for warehouse distribution for spirituous liquor, wine and beer wholesale and the manufacture of spirituous liquor, wine and beer. The Community College District Ordinance, Ordinance 2000-12, designates Lot 5-D as an employment center zone which allows for the wholesale distribution as a special use.

Staff recommendation: Staff recommends approval of a rectified license to be located at 36 Bisbee Court, Unit B, to allow a bottling and warehousing operation that will not include distilling. And I'll stand for questions, Mr. Chair.

CHAIR ANAYA: Are there any questions of staff? Seeing none, is the applicant present? Sir would you like to make any comments?

GEORGE SHERMAN: My name is George Schurman.

[Duly sworn, George Schurman testified as follows:]

MR. SCHURMAN: George Schurman, my address 12 Via Ventosa in El Prado, New Mexico.

CHAIR ANAYA: Thank you, Mr. Schurman. It's a legal proceeding so that's why we need to swear you in, so proceed.

MR. SCHURMAN: I don't do these very often.

CHAIR ANAYA: That's fine. That's fine.

MR. SCHURMAN: Yes, Aztec Spirits, as Mr. Salazar explained is a rectified, what they now call a processor and it is not an actual distillery. That's a much larger operation. We're located on Bisbee Court in the Turquoise Trail Business Park. It's a warehouse, part of a warehouse condo and basically, I buy in bulk. I sell in bulk in smaller batches to other craft distilleries and then I will be processing and bottling my own lines called the Aztec Brand. Initially it will be vodka and bourbon. Other than that it's a pretty straightforward operation. I'll be employing, I hope, workers for the warehouse itself and then also I'll be hiring out of state salespeople, independent salespeople and probably office personnel for the business. It's a pretty straightforward business as I explained before and it's a beautiful location for me because right next door is Water Boys and a big part of my business is basically cutting the distilled spirits down to the proper percentage of alcohol by volume and Water Boys is as good as it gets and they're right next door, so I can't beat the location. And it's got loading docks. Big tractor-trailers can pull up no problem. And it's a normal 9 to 5 operation.

CHAIR ANAYA: Thank you, Mr. Schurman. Are there any questions of the applicant? Seeing none, this is a public hearing. Is there anyone here that would like to speak in favor of or against this application? Is there anyone here that would like to speak in favor of or against this application? Seeing none, this public hearing is closed. What's the pleasure of the Board? Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I move for approval of BCC Case MIS 15-5100, Aztec Spirits, LLC, rectifier licenses. And there are no extra conditions except the distancing from schools and churches.

CHAIR ANAYA: There's a motion from Commissioner Stefanics. Is there a second?

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Second from Commissioner Chavez. Any further discussion? Seeing none.

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

- VII. A. 2. CDRC CASE # Z/P&DP/V 14-5470 Ernest Luna Water Tower. Ernest Luna, Applicant, Requests Master Plan Zoning, Preliminary and Final Development Plan Approval for a Water Storage Tank for the Greater Glorieta MDWCA in a Fenced 4,400 Square Foot Area and 17,802 Square Feet for an Access Driveway and Associated Water Lines within an Easement on a 10.82-Acre Tract. The Remainder of the Tract will Remain for Residential Use. This Request also Includes a Variance of Article III, Section 4.4.4.c Development and Design Standards of the Land Development Code, to Allow the Proposed Water Storage Tank to be Constructed at Sixty-Six (66) Feet in Height which Exceeds the Maximum Permitted Height of Thirty-Six (36) Feet. The Property is Located at 65 La Joya Road within the Traditional Community of Glorieta, within Section 2, Township 15 North, Range 11 East**

(Commission District 4)

JOHN SALAZAR (Case Manager): Thank you, Mr. Chair. The applicant lists several factors which lead to the necessity for this request. The first being that the proposed water tank is the second phase to an infrastructure improvement plan which will supply potable water for emergency needs, public health and safety for the residents of the East Glorieta Community. A hydrologic analysis was conducted which indicated that this minimum tank height is necessary to provide the minimum pressures for water consumers per NMED water main design standards. Installing a smaller water tank would result in lower water pressures which would be significantly below the state standards and which would require individual property owners to purchase a personal water pressure booster, which is not the intent for a newly designed water delivery system. Approximately 16 percent of the Glorieta community lives below the poverty level so water and sewer systems must be simplified to limit expenditures and allow for proper maintenance. Therefore booster stations, pump stations and other highly engineered mechanically operated systems need to be avoided to limit overhead costs to the customers.

The proposed tank will be secured with a locking access ladder, hatch, and six-foot chain link fence with razor wire to limit access and thereby prevent any contamination of the community's water supply. It will also employ a passive mixing system to ensure water quality and limit the amount of freezing. Additionally, the shell of the tank will be painted to blend in with the surrounding environment.

The application was submitted on November 14, 2014. It was reviewed for hydrologic zone, access and traffic, fire protection, water supply, liquid waste, solid waste, terrain management, signage and lighting, adjacent property, parking and landscaping, along with agency reviews from the Office of the State Engineer, the Environment Department and County Fire.

Staff recommendation: Staff has reviewed this application and has found the following facts presented for resolution of this request by the County Development Review Committee: excluding the proposed height of the tank, the placement of a water storage tank and distribution infrastructure on 10.82 acres, meets the development requirements of the Land Development Code; the regional water system provides domestic potable water demand plus fire protection volumes as required by Santa Fe County; the proposed elevation of the tank is desirable to provide the optimal elevations for providing the required pressure for the water system; strict compliance with the requirements of Article III, Section 4.4.4.c may result in inhibiting the achievement of the purposes of the Code; the requested height variance for the water tank, which will serve the Glorieta communities in Santa Fe County with safe, reliable drinking water, may perhaps be considered a minimal easing of the requirements of the code. Staff recommends approval for Master Plan Zoning, Preliminary and Final Development Plan.

Staff recommends approval of the variance with the following conditions. Mr. Chair, may I enter the conditions into the record?

CHAIR ANAYA: Yes, you may.

[The conditions are as follows:]

1. The Applicant shall obtain all required development permits.

2. The water storage tank shall be painted in an earth-toned color in order to camouflage the exterior of the tank.
3. The Applicant shall comply with all conditions set forth by the Santa Fe County Fire Prevention Division.

With that, Mr. Chair, Commissioners, I'll stand for questions.

CHAIR ANAYA: Are there any questions of staff? Seeing none, is the applicant present? I know they are. Sir, if you'd please come forward. If you'd be sworn in.

[Duly sworn, Ernest Luna testified as follows:]

ERNEST LUNA: Ernest Luna, 3405 Vereda Alta.

CHAIR ANAYA: Mr. Luna, is there anything you'd like to add?

MR. LUNA: No, not really. I'm just giving them permission to do this and give them an easement and everything. I don't have anything else to add. Maybe they might.

CHAIR ANAYA: Thank you, Mr. Luna. This is a public hearing. Is there anybody here that would like to speak in favor of or against this project? This is a public hearing. Please come forward.

[Duly sworn, Marian Markham testified as follows:]

MARIAN MARKHAM: My name is Marian Markham. Do you need my address as well? 26 Pine Haven Drive, Glorieta, New Mexico. I want to thank the Board for considering this. There are residents in the Glorieta East community that run out of water every day, beginning in the next few weeks here, as soon as people start watering their vegetable gardens. They are all anxiously awaiting a water tank that will provide water all year round. So thank you for considering it.

CHAIR ANAYA: Thank you, ma'am. Is there anyone here that would like to speak in favor or against this application? Seeing none, what's the pleasure of the Board? Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, thank you. First of all I would really like to commend the people of Glorieta. They've been really pro-active in improving their water delivery systems. In fact one of the first things that they did was to combine three water associations into one so that they could be more efficient and they could help each other out. I think that this, what they're proposing is an important next step to improving that water system and this is a case where a variance actually does promote the health, safety and welfare of a community. It's really necessary for the installation of fire hydrants and also for having sufficient pressure to serve all the homes on this particular system. So therefore I move for approval of CDRC Case Z/P&DP/V 14-5470, Ernest Luna Water Tower master plan, preliminary, final development plan and variance, with staff conditions.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: There is a motion and a second from Commissioner Chavez. Motion from Commissioner Holian, second from Commissioner Chavez. Is there any further discussion? I would just congratulate this group on what I think might happen here in a few moments on their work and their efforts. I've been there in their shoes and thanks to the County at the time and thanks to – Commissioner Stefanics was a Senator at the time and Representative King we were able to get a water tank in our community and

enhance our system. So if there's no other discussion or comments.

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

- VII. A. 3. **CDRC CASE # ZA/PDP/FDP 14-5440 Mariposa/Hillside.**
Mariposa Incorporated, Applicant, Tisha Sjostrand, Agent,
Request a Master Plan Amendment to an Existing Zoning
Approval and Preliminary and Final Development Plan to
Allow the Expansion of Commercial use of a Property on 5.99
Acres. The Property is Located at 86B Old Las Vegas
Highway, within Section 7, Township 16 North, Range 10 East
(Commission District 4)

JOHN LOVATO: Thank you, Mr. Chair. Mariposa Incorporated, Applicant, Tisha Sjostrand, Agent, request a Master Plan Amendment to an existing Zoning approval, and Preliminary and Final Development Plan for the expansion of allowable uses on a commercial property of 5.99 acres. The property is located at 86B Old Las Vegas Highway, within Section 7, Township 16 North, Range 10 East, Commission District 4.

On February 10, 2015, the CDRC met and acted on this case. The decision of the CDRC was to recommend approval of the request for a Master Plan Amendment and Preliminary and Final Development Plan approval for the expansion of allowable uses subject to staff conditions by a 6-0 vote. On November 30, 1999, the Extraterritorial Zoning Authority granted Master Plan Approval for retail sales, plant and garden accessories, greenhouse, and a caretaker's residence, with a variance of the required separation between commercial districts. On April 13, 2000, the Extraterritorial Zoning Commission recommended Development Plan approval for a 5,500 square foot retail plant store for indoor/outdoor plants, including a greenhouse, a 4,700 square foot retail garden accessory store and a 1,500 square foot caretaker residence.

Approved uses on the property included a garden and retail center operated by Woodridge, LLC conducting business as Tropic of Capricorn. Operations included home décor, retail plants, horticulture supplies, season decorations, art shows, an educational facility, and consignment items. A total of 7,200 square feet was constructed out of the total approved 11,700 square feet.

The Applicant now requests a Master Plan Amendment, Preliminary and Final Development Plan approval for the expansion of the allowable uses to include retail sales, a greenhouse, restaurant serving alcohol, indoor/outdoor art and farmers market, lecture, and an educational and neighborhood community use on 5.99 acres.

Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and finds the project is in compliance with County criteria for this type of request.

Staff recommendation: Staff recommendation and the decision of the CDRC was to recommended approval of the Applicant's request for Master Plan Amendment, Preliminary and Final Development Plan Approval with the following conditions. Mr. Chair, may I enter those conditions into the record?

CHAIR ANAYA: Yes, you may.

[The conditions are as follows:]

1. The Applicant shall comply with all review agency comments and conditions as per Article V, § 7.1.3.c.
2. Master Plan and Development Plan with appropriate signatures, shall be recorded with the County Clerk as per Article V, § 5.2.5.
3. The Applicant must connect to County/City water when it becomes available.
4. This development will be subject to Water Conservation Covenants. Water conservation Covenants shall be recorded with the Master Plan/Development Plan.
5. Existing signage must be brought into compliance with code requirements prior to recordation of the Master Plan/Development Plan.

Thank you, Mr. Chair, and I stand for any questions.

CHAIR ANAYA: Are there any questions of staff? Seeing none, is the applicant present? If you'd state your name, be sworn in and your address. Thank you.

[Duly sworn, Tisha Sjostrand testified as follows:]

TISHA SJOSTRAND: My name is Tisha Sjostrand. My address, 2126 Pam y Eutilia, Santa Fe, New Mexico 87507. Thank you. Mr. Chair, Commissioners, thank you so much for hearing this today. I'd like to tell you a little bit about what we're doing. We started out, three of us bought this space and wanted to create an art facility for local artists to have access the community here. We found that folks who live here who are artists don't have the access that a lot of other folks do.

When we opened we found that not only artists showed up but many other community members showed up. We opened space for a conference room. We have different non-profits who come in and meet. We have Beneficial Farms that uses it as kind of a home base for their CSA. We lost Steve; he was going to speak for us today. And so what we found is people want to be in the space. They like to eat there, they want to be there, they want to be part of it and not just buy things there. So that's what we're looking for, is to have that expansion to allow for those uses.

And I will ask that – the one thing that I've noticed, the big problem in the community is the sign and it's a small sign according to the road that we're on. It's a very large sign according to the County. It was the original – the sign that is there, it's part of the recommendation that the sign be looked at and it was originally approved when we bought the building. I have had the state – we're 100 yards from Old Las Vegas Highway and that land is owned by the state. And so our sign is a few feet from our property line, but that property line is still 100 feet from the road. So what I've done is I have invited – I had the state come in. I have a stop sign ahead put up. I asked him to come and let us know what we could do for landscaping. We pulled out all the trees and landscaping, clean it up a lot. I've asked for a blue sign on the highway. They have not responded to many emails that I've sent for a blue sign for a safety. But what I'm asking for is if there is any way to look at the sign issue, because I know that from the community members, they walk in all the time upset about our sign. It's not big enough. They can't see it. It's a safety concern. So that's the only little thing I have, and tomorrow I'm going to have to ask for a variance if it doesn't get worked out here.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair, members of the County Commission and public. I don't know if this constitutes a conflict of interest or not but I am one of the artists that has participated in this business model where they do support local artists and craftsmen. It's fee-based. You pay a percentage for your commission. I've done demonstrations there, which is also part of the business plan. And so based on that, if I need to recuse myself I will but I wanted to disclose the nature of the perceived conflict of interest. And so I'll note that for the record and look for direction from our County Attorney if I could. And I apologize for not mentioning this earlier but this is the opportunity that I have now to bring it to our attention.

MR. SHAFFER: Mr. Chair, Commissioner Chavez, I would just I guess note the following by way of general advice. Ultimately, under the Santa Fe County Code of Conduct it's for individual members and the Board of County Commissioners to police perceived conflicts of interest and ultimately, if there is an issue that's not resolved at that level it could result in potential complaints being filed with the Ethics Board. Having said all of that I think having disclosed it on the record a case can be made that better to recuse yourself and avoid the potential appearance of impropriety even if the recusal is not strictly speaking necessary under the Code of Conduct. I hope that that is helpful to you.

COMMISSIONER CHAVEZ: I appreciate that and I think it gives me that comfort zone and I don't want to work against a business model like this because I know it does benefit local artists and craftsman. They're trying to focus on hand-made items. It's very affordable. It's a co-op model. I think it's a good model and I hope they're successful. And so having said that I will then recuse myself at this point and not participate any further in the discussion.

CHAIR ANAYA: So Commissioner Chavez, I respect that and that's your prerogative and your choice. I would say though that we just approved a case previously that dealt with spirits and we've had other land use cases where we utilize or pay a fee to utilize those services. So frankly, I don't think there is any conflict from my perspective. I respect what you did but I think there are establishments, eating establishments and otherwise that we've made approvals on that we frequent to pay for a service or pay for food and don't see what you did any different than that. But I just say that on the record because I know we do our ordinance in the spirit of being above board and transparent but sometimes I think we get a little bit too paranoid and for lack of a better word, but I respect what you said but I just wanted to say that on the record.

COMMISSIONER CHAVEZ: I appreciate that, Mr. Chair, and I guess I just wanted to err on the side of caution and not having anything come back on us later.

CHAIR ANAYA: Thanks, Commissioner Chavez. Is there any other questions of the applicant? Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you for your presentation. I just wanted to ask you, in the packet you mentioned that you might have a farmers market. How would that work? Or are you referring to the CSA?

MS. SJOSTRAND: It's the CSA. Jose suggested when I did this to really cover everything we're doing. And so it's not – it's allowing the CSA to really have a full-time space. So there wouldn't be a variety of farmers or anything like that. They are one – they work with many but they are one. And so it's just working with them.

COMMISSIONER HOLIAN: And how does one sign up for the CSA?

MS. SJOSTRAND: So, you can get online. It's an online grocery, kind of, and you [inaudible] It's online Beneficial Farms and it's 25 – you put so much in the account and then they give you \$25 worth of local food that's in season and then you can get online and order cheeses and meats that are local as well, and then that comes special.

COMMISSIONER HOLIAN: Do you choose what you want every week in season?

MS. SJOSTRAND: That's the problem, is that you only get what they have. What they do give you a choice of is being able to switch out, so if there's kale this week and you want chard, you switch that with somebody and they grab that, so there's a basket, but not a lot because we're back to New Mexico and not having a lot of choices, as far as what's growing in season.

COMMISSIONER HOLIAN: Okay. The other question I wanted to ask is with regard to the sign issue. Have you seen the staff conditions in here, or the staff recommendations in the packet?

MS. SJOSTRAND: I have.

COMMISSIONER HOLIAN: How would you recommend that condition #5 be changed? That's about the – it says existing signage must be brought into compliance with code requirements. What is your recommendation about their recommendations?

MS. SJOSTRAND: My recommendation is that we move the sign and keep it the same size only move it closer to my road. The size – and I'm not even sure that that will work, honestly. My thought is that if we could just leave the sign and I can – the state will not let us put a sign up, so we can mow down the state's land and put a parking lot up but I can't put a sign. But we can do some type of a water feature, which is what I was thinking. Because I think at the end of the day, regardless of our sign, we're fighting the landscape and the landscape is just bigger than the sign. So we could get a monster sign and it may not really solve the problem. My fear is having to pull down the only real sign we have. So my solution is let's leave it. Let me figure out some other way to do it.

COMMISSIONER HOLIAN: So solution is right now is to leave that condition off and then you can work with Land Use in trying to work out a better way.

MS. SJOSTRAND: Yes, that's kind of how I feel. It's a safety issue, frankly. If we can. And if I have to tear it down I'll tear it down.

COMMISSIONER HOLIAN: Okay.

CHAIR ANAYA: Are there any other questions of the applicant? Seeing none, this is a public hearing. Is there anybody here that would like to speak in favor or against this application? Is there anyone here that would like to speak in favor or against this application. Seeing none, the public hearing is closed. What's the pleasure of the Board?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I think that the expansion that you've proposed is a really positive step forward for both your business and for the community. It really is a community center now.

MS. SJOSTRAND: It is a center. It's a modern day center. I say that a lot. I wish I could get County funding.

COMMISSIONER HOLIAN: So in any event, I would like to move for approval of CDRC Case Z/DP 14-5440, Mariposa Hillside master plan amendment as well as preliminary and final development plan, with staff recommendations except for the removal of #5.

CHAIR ANAYA: There's a motion.

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: There's a motion. There's a second from Commissioner Roybal. Any discussion? Seeing none.

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

CHAIR ANAYA: Thank you.

MS. SJOSTRAND: Thank you so much and I'd like to say I really appreciate staff. They've been very helpful through this. Incredibly helpful.

VICKI LUCERO (Building & Development Services): Mr. Chair.

CHAIR ANAYA: Ms. Lucero.

MS. LUCERO: If I could interject, the applicant for case number 7, V/ZA/S 10-5352, Rio Santa Fe Business Park, the applicant has requested that this case be tabled.

CHAIR ANAYA: That's case 7, V/ZA 10-5352?

MS. LUCERO: That's correct, Mr. Chair.

CHAIR ANAYA: Is there a motion to table?

COMMISSIONER HOLIAN: So moved.

COMMISSIONER STEFANICS: Second.

CHAIR ANAYA: Motion to table, Commissioner Holian, second.

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

- VII. A. 4. **CDRC CASE # V 14-5500 Virginia Gould & Lauri Hakola Variance. Virginia Gould and Lauri Hakola, Applicants, Request a Variance of Article III, § 10 (Lot Size Requirements) of the Land Development Code, to Allow a Land Division of 20 Acres into Two Lots. The Property is Located at 106 Old Cañoncito Road, within Section 12, Township 15 North, Range 10 East, (Commission District 4)**

MR. LOVATO: Yes, Mr. Chair. Virginia Gould and James Lauri Hakola, Applicants, request a variance of Santa Fe County Ordinance 1996-10, the Land Development Code, Article III, § 10, Lot Size Requirements, to allow a Land Division of 20 acres into two lots; one lot consisting of 13.379 acres and one consisting of 6.621 acres. The property is located at 106 Old Cañoncito Road, Within Section 12, Township

15 North, Range 10 East, Commission District 4.

On February 19, 2015 the CDRC met and acted on this case. The decision of the CDRC was to recommend approval of the request by a 5-1 vote. The subject lot was created in 1978, and is recognized as a Legal Lot of Record. In 2003, Virginia Gould and James Lauri Hakola purchased the property. There is currently a residence, a studio and a storage shed located on the property.

The Applicants state that when they initially purchased the property it was the intent of the National Park Service to purchase a portion of the 20-acre parcel. The National Park Service had already designated a portion of the 20 acres as the Pecos National Historic Park. The National Park Service now has the financial availability to purchase 6.62 acres from the Applicants. The Applicants state they wish to sell 6.62 acres to the National Park Service by dividing the property. Neither lot created by the proposed land division would meet minimum lot size requirements as set forth in Article III, § 10, Lot size requirements of the Code.

Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and finds the project is not in compliance with County criteria for this type of request.

Staff recommendation: denial of a variance of Article III, §10, Lot Size Requirements, of the Land Development Code. The decision of the CDRC was to recommend approval with the following conditions. Mr. Chair, may I enter those conditions into the record?

CHAIR ANAYA: Yes, you may.

[The conditions are as follows:]

1. Water use shall be restricted to 0.25 acre-feet per year per lot. A water meter shall be installed for each lot. Annual water meter readings shall be submitted to the Land Use Administrator by January 1st of each year. Water restrictions shall be recorded in the County Clerk's Office at the time of Development Permit (As per Article III, § 10.2.2 and Ordinance No. 2002-13).
2. A Plat of Survey meeting all Code requirements shall be submitted to the Building and Development Services Department for review and approval (As per Article III, § 2.4.2).
3. Deeds transferring the parcel to the National Park Service shall be recorded at the time the plat is recorded.
4. The placement of additional dwelling units on the 13.38-acre tract or on the 6.62-acre tract and further division of either tract is prohibited. (As per Article III, § 10).
5. The Applicant shall comply with all Fire Prevention Division requirements at time of Plat Approval (As per 1997 Fire Code and NFPA Life Safety Code).

Thank you, Mr. Chair, and I stand for any questions.

CHAIR ANAYA: Is there any questions of the staff? Seeing none, is the applicant present? If you'd come forward, sir, and be sworn in.

[Duly sworn, Paul Armijo testified as follows:]

PAUL ARMIJO: Paul Armijo, land surveyor, 33 Vereda Corta, Santa Fe.

CHAIR ANAYA: Is there anything you'd like to add, Mr. Armijo?

MR. ARMIJO: Yes, sir, Mr. Chair, Commissioners. Unfortunately Ms.

Gould had to leave. She was here earlier. We do agree with the staff conditions. We do ask that you approve this variance. It would enhance the neighborhood by enlarging the park, because the park is accessed elsewhere the impact to the road into the neighborhood would be minimal if at all. And I'm available for any other questions.

CHAIR ANAYA: Are there any questions of the applicant?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Do you know what the Park Service intends to do with the 6.6-acre lot that it would take possession of if this were approved?

MR. ARMIJO: In our discussions with the Park Service they say they do not plan any development on that acreage. In fact they value it for its archeological artifacts, so they don't plan on doing anything to it.

COMMISSIONER HOLIAN: Thank you.

CHAIR ANAYA: Thank you, Commissioner Holian. Any other questions of the applicant? Seeing none, this is a public hearing. Is there anyone present that would like to speak in favor of or against this application? Is there anyone present that would like to speak in favor of or against this application. Seeing none, the public hearing is closed. What's the pleasure of the Board?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I think that approving this lot split would not really change the character of the area at all, nor would it increase water use in any way. So therefore I move to approve CDRC Case V 14-5500, Virginia Gould and James Lauri Hakola Variance, with the conditions that were recommended by the CDRC.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: There's a motion to approve with staff conditions. A second by Commissioner Chavez. Is there any further discussion? Seeing none.

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

- VII. A. 5. **CDRC CASE # V/MP 14-5490 Saleh Master Plan. Senemar, LLC, Applicant, Design Enginuity, Agent, Request Master Plan Approval in Conformance with the Community College District Ordinance to Allow a Phased Mixed-Use Development on a 64 Acre + Site. The Applicant also Requests a Variance of Ordinance No. 2000-12, Section 6.E.3.c to Allow a No-Outlet Roadway to Exceed 300 Feet and a Variance of Ordinance No. 2000-12, Section 6.7 Road Design Standards. The Site will take Access off of Richards Avenue. The Property is Located on the South Side of I-25 and East of Richards Avenue, within Section 16, Township 16 North, Range 9 East (Commission District 5)**
[Exhibit 6: Bruce Krasnow Letter]

JOSE LARRAÑAGA (Case Manager): Thank you, Mr. Chair. Senemar, LLC, applicant, Design Enginuity, agent, request master plan approval in conformance with the Community College District Ordinance to allow a phased mixed-use development on a 64 acre + site. The applicant also requests a variance of Ordinance No. 2000-12, Section 6.E.3.c to allow a no-outlet roadway to exceed 300 feet and a variance of Ordinance No. 2000-12, Section 6.7 Road Design Standards. The site will take access off of Richards Avenue. The property is located on the south side of I-25 and east of Richards Avenue, within Section 16, Township 16 North, Range 9 East, Commission District 5.

On February 19, 2015, the County Development Review Committee (CDRC) met and acted on this case. The decision of the CDRC was to: 1) Recommend approval, by a unanimous 6-0 voice vote of the Applicant's request for a Master Plan in conformance with the Code and the CCDO to allow a Phased Mixed Use Development on a 64 acre ± site. 2) Recommend approval of a variance of Ordinance No. 2000-12, § 6.E.3.c and § 6.7. 3) Recommend that the approvals be subject to staff conditions with a modification of staff condition number 5 so that it included the following language: "and may seek to recover infrastructure costs from other beneficiaries of shared system infrastructure."

The Applicant is requesting Master Plan approval in conformance with Santa Fe County Ordinance 1996-10, the Santa Fe County Land Development Code as amended by Santa Fe County Ordinance 2000-12, the Community College District Ordinance. The CCDO was adopted December 11, 2000. Within the CCDO, the Land Use Zoning Map zones 31.2 acres of the subject property as Employment Center, 22.3 acres as Village Fringe and 10.5 acres as Open Space within the 64-acre site.

The Applicant has pursuant to CCDO Section 4(B)(2)(b)(i), defined the boundaries of the landscape types and thereby determined the configuration of the various zones on the Master Plan, taking into consideration the flatlands, hillsides, piñon/junipers, grasslands and arroyos of the CCDO Land Use Map and Land Systems Map. The end result is an increase in Employment Center acreage of .9 acres, an increase in open space of 21.6 acres, an elimination of Village Fringe, and the addition of 7.4 acres of Neighborhood Center zoning. The proposed Master Plan includes 7.4 acres of Neighborhood Center, 21.4 acres of Employment Center and 32.1 acres of open space. The remaining 3.1 acres will be a road right-of-way.

The Applicant is proposing two Phases for the development of this site. The use list for Phase 1, consisting of 24.16 acres, includes the following: 13.55 acres of open space which includes passive space, parks, plaza, trails, roads, drainage facilities, wastewater treatment facilities, stables, riding academies and cemeteries; Neighborhood Center consisting of 7.39 acres, which includes cemeteries/funeral homes and churches/religious institutions; Employment Center, consisting of 1.82 acres which includes air-conditioned storage facility with allowable caretaker unit and RV and boat storage facility.

The use list for Phase 2, consisting of 35.68 acres, includes the following: 16.13 acres of open space which includes passive space, parks, plaza, playground trails, roads, drainage facilities, wastewater treatment facilities, stables, riding academies and cemeteries; Neighborhood Center, which includes cemeteries/funeral homes, churches/religious institutions, bank/financial services, veterinary clinic, retail sales of

less than 5,000 square feet and assisted living/nursing facility; Employment Center, consisting of 18.97 acres which includes apartments, condos or townhomes, shopping center, Hotel and office/retail.

The Applicant states that due to the existing traffic congestion along Richards Avenue and the Oshara neighborhood, Phase 1 development will be limited to low traffic uses. Phase 2 will not be developed until completion of the Northeast Connector.

The Applicant requests a variance of Ordinance No. 2000-12, Section 6.E.3.C to allow a no-outlet roadway to exceed 300 feet and a variance of Ordinance No. 2000-12, Section 6.7, Design Standards of a Living Priority Road. More specifically, the Applicant proposes to build a temporary east extension of Dinosaur Trail Road onto the Saleh property for Phase 1. This road will be a dead-end basecourse road, 960 feet in length. The Applicant states that at full build-out the road would be classified as a Living Priority Road.

The Applicant States: "We request two variances: one to allow a road up to 960 feet in length and to allow this road not to be constructed to the CCDO standards. Instead we propose to construct a 24-foot wide basecourse temporary road. The reason for this request is that the County intends to close off the existing Dinosaur Trail roadway and relocate it 900 feet north when they construct the Northeast Connector. The Saleh project access will then be relocated to the new NE Connector and the existing Dinosaur Trail extension roadway will be removed. Currently the County estimates that the NE Connector will be constructed in 2017. Thus at most this temporary road will be in service for two years. Paving of the temporary road would be a waste of resources and not compatible with the goals of the County's Sustainable Growth Management Plan. All permanent roads within the project will be paved. This temporary road will end in a hammerhead turnaround with 100-foot arms. The proposed design meets the County Fire Marshal requirements for a dead end road."

Building and Development Services staff have reviewed this project for compliance with pertinent code and CCDO requirements and have found that the facts presented support this request. The application has established the extent and scope of the project including the uses for the project; the specific information to determine the relationship between the landscape types, the zones and the project and the relationship of its phases and multiple components with adjacent environment and its overall needs for service and infrastructure; conformance to the Santa Fe County Growth Management Plan, as amended by the Community College District Plan.

The viability of the proposed phases of the project to function as completed developments; conformance to the CCDO with regard to roads with the exception of the length and design of the access, and trails, community facilities design and construction standards and open space standards.

The master plan conforms to the eligible uses allowed under a neighborhood center and employment center. The application satisfies the submittal requirements set forth in Ordinance 2000-12, Section 4.B.2 and the code.

The review comments from state agencies and the County staff have established findings that the application is in compliance with the state requirements, the majority of the CCDO requirements and Article V, Section 5, Master Plan Procedures of the code. This application is not in compliance with Section 6.E.3.c and Section 6.7 of the CCDO.

Building and Development Services Staff have reviewed the applicant's request for a variance of Ordinance No. 2000-12, Section 6.E.3.c and Section 6.7 for compliance with pertinent code ordinance requirements and has found that the facts presented to not support the request. Roadway circulation with the Community College District shall provide a network of roads that will integrate automobile traffic, pedestrians and other modes of transportation in a safe and controlled manner. Within each development roadway circulation shall be interconnected as shown on the circulation map. The developer shall be required to construct a portion of the roadway necessary to maintain connectivity throughout the CCD. All road construction shall conform and comply with AASHTO standards, ITE guidelines and New Mexico State Highway and Transportation Department specifications and all applicable national codes.

Staff recommendation: Staff recommends denial of the Applicant's request for a variance of CCDO, § 6.E.3.c, to allow a no-outlet road to exceed 300 feet in length and § 6.7, to allow non-compliances of design standards required of a Living Priority Road. The decision of the CDRC was to recommend approval of the variances of the CCDO § 6.E.3.c and § 6.7, and approval of the request for Master Plan, to allow a phased mixed-use development on a 64 acre \pm site, subject to the following conditions with a modification of staff condition number five so that it included the following language: "and may seek to recover infrastructure costs from other beneficiaries of shared system infrastructure." Mr. Chair, may I enter the conditions into the record?

CHAIR ANAYA: Yes.

[The conditions are as follows:]

1. The Applicants shall comply with all review agency comments and conditions, as per Article V, § 7.1.3.c. Conditions shall be noted on the recorded Master Plan.
2. In order for Phase 1 of the Development to use the three acre-feet available under the assigned First Amended Initial Customer Contract for Commitment of Water Service (dated November 10, 1994 "Water Contract"), the Developer shall fulfill the terms and conditions of the water contract prior to Preliminary Development Plan.
3. Saleh shall provide water rights for any portion of the project's total water budget that exceeds the commitment in the Water Contract. The project will be required to annually report total development water usage to SFCU and provide SFCU with additional water rights if the 5-year rolling average usage exceeds the approved estimated budget; in accordance to Resolution No. 2006-57 "adopting a Santa Fe County Water Resource Department Line Extension and Water Service Policy" or any subsequent water development policy, Saleh's water requirements (e.g. New Water Delivery) will need to be approved by the Board of County Commissioners. Per Resolution 2006-57, Section IX.C, such approval may require justification for a water budget that exceeds 35 acre-feet/year; Saleh shall enter into a water service agreement with SFCU, which will define Saleh's and SFCU's commitments and obligations and specify requirements, like connection locations, hydraulic analyses, water infrastructure design approval process, cost allocation, metering requirements, construction standards, inspections, easement dedications, and acceptance prior to Preliminary Development Plan.
4. Saleh shall obtain a letter from the City of Santa Fe Water Division (City) that identifies what, if any, additional water utility infrastructure is needed in order to

supply the proposed total 84.312 acre-feet/year demand through the City system prior to Preliminary Development Plan.

5. Saleh shall construct and dedicate all water infrastructure identified by the City's water utility hydraulic modeling and may seek to recover infrastructure costs from other beneficiaries of shared system infrastructure.
6. The design of left turn and right turn deceleration lanes on Richards Avenue shall be submitted with the Preliminary Development Plan application, as per Article V, § 7.2.
7. The railroad grade shall be designated as a trail and retain the appearance of a rail road grade. The railroad grade shall be maintained and remain within an open space easement.
8. Saleh shall seek to have the wastewater connected to the City or other wastewater treatment facility. Saleh shall connect to a community waste water system for Phase 2 and shall abandon and remove the Phase 1 septic system. Any on-site wastewater facility shall be permitted by and come under the regulation of the New Mexico Environmental Department or the Water Quality Control Commission Regulations, as appropriate.
9. The Applicant shall submit a financial guarantee, in sufficient amount to assure completion of all required improvements prior to Final Development Plan recordation, as per Article V, § 9.9.
10. Master Plan with appropriate signatures shall be recorded with the County Clerk, as per Article V, § 5.2.5.
11. Approval of a master plan shall be considered valid for a period of five years from the date of approval by the Board (Article V, § 5.2.7).

Mr. Chair, I stand for any questions.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Thank you, Jose.

If you look at page NBF-10 and 11, could you talk about the language that was inserted about Saleh shall construct and dedicate all water infrastructure identified by the City's water utility hydraulic modeling and may seek to recover infrastructure costs from other beneficiaries of shared system infrastructure. Who are the other beneficiaries?

MR. LARRAÑAGA: Mr. Chair, Commissioner Stefanics, I believe that refers to any improvements that Saleh would make to connect to this water and if somebody else would want to connect to the water lines or the infrastructure that they've constructed would have to pay back some of the cost of that infrastructure.

COMMISSIONER STEFANICS: So, Mr. Chair, Jose, is Saleh – am I saying the right name? Are they prepared to pay another entity to enter into the other entity's structure?

MR. LARRAÑAGA: To clarify, is that to pay the City infrastructure?

COMMISSIONER STEFANICS: For example, there's some reference here that they might hook up to Oshara or Ranchlands wastewater. Are they willing to pay into those entities to do that hookup?

MR. LARRAÑAGA: Mr. Chair, Commissioner Stefanics, I haven't discussed that but yes, they would have to pay to hook up or get into some kind of an agreement or contract with either Ranchlands or Oshara to hook up to their wastewater

treatment.

COMMISSIONER STEFANICS: Okay, so Mr. Chair and Jose, let's discuss the road situation. Where exactly is the piece of land? Is it adjacent to Oshara?

MR. LARRAÑAGA: Mr. Chair, Commissioner Stefanics, it's just north of Oshara. It's right on the intersection of Richards and Dinosaur.

COMMISSIONER STEFANICS: Is it on the Dinosaur side or on the Oshara side?

MR. LARRAÑAGA: It's on the Oshara side.

COMMISSIONER STEFANICS: Perhaps we'll hear something from Oshara later this evening, but I'd like to know what kind of outreach occurred with Oshara on this.

MR. LARRAÑAGA: Mr. Chair, Commissioner Stefanics, the agent for the applicant has had community meetings out there. There has been positive – there's a couple letters in your packet and there was just one passed out by Mr. Bruce Krasnow in support of this project. *[Exhibit 6]* I have not received any negative response on this project and they have noticed per code requirements for this.

COMMISSIONER STEFANICS: So Mr. Chair, Commissioners, it was either last meeting or the meeting before, Ms. Detwiler was here asking for us to complete 600 feet of road on Rabbit Road to hook up to Richards Avenue. Could you explain how that request interacts with this plan?

MR. LARRAÑAGA: Mr. Chair, Commissioner Stefanics, I'm not familiar with where that road is or where the extension of that road would go to.

COMMISSIONER STEFANICS: Well, the reason I'm bringing up this question is because this is a complicated case. This is the whole transportation flow, and I saw Mr. Baca here and he left, but – no, he left. Johnny Baca left. Our staff. The whole thing about the northeast connector and the southeast connector, we don't have anything resolved. Then we have Ms. Detwiler coming in to talk about the extension of Rabbit Road. Now we're talking about a development that's right there in that corner that could either be obstructing the Rabbit Road or putting through the Rabbit Road, or waiting for the northeast connector. I think there's a lot of unanswered questions about the traffic flow. Could you clarify for me? We have a lot of big projects that have big question marks on them. We don't know when they're going to happen. We don't know how they're going to be funded.

And it's not that I think this project is not good. I think the issue here is really about traffic and to say we should put in another development without some kind of clear traffic plan and when it's going to happen and how it interfaces with the southeast and the northeast, and Rabbit Road, we need to know all of that.

MR. LARRAÑAGA: Mr. Chair, Commissioner Stefanics, for phase 1 it was reviewed by Public Works and it was determined that the traffic would be substantial for phase 1 build-out but they would have to do some improvements at that intersection.

COMMISSIONER STEFANICS: Well, see, that's what I'm concerned about, because the northeast connector is really going to be a DOT project, state project, versus – and we're just like helping them with acquisition of right-of-way, and so are we approving something that might be interfering with some plans that are already on the table.

CHAIR ANAYA: Commissioner Stefanics, NBF – I hear what you’re saying, and I guess my general question is the same notice requirements that all projects go through, this project went through. And NMDOT has a recommendation of approval on this document in front of us. So I don’t contest what you’re saying, but we had a notification process. DOT is part of it. They’re in the packet. So I guess from my perspective, short of a moratorium, we have to afford any applicant the same opportunity and seek input from the entities listed as well as the public. So I just say that as a point, that they’re on here and they have approval.

COMMISSIONER STEFANICS: So, Mr. Chair, Public Works has approval with conditions. What are the conditions? And I’m assuming those are the County roads.

CHAIR ANAYA: Interchange.

COMMISSIONER STEFANICS: And maybe, Mr. Chair, Jose, you could answer this other question; maybe this will be easier. When is phase 1 supposed to be done?

MR. LARRAÑAGA: Mr. Chair, Commissioner Stefanics, there’s not really a deadline for phasing. This is master plan, so each – they’ll probably have to come in through the planning process and they still come in for the development process, final development plan for each use in the project. So the master plan gives them the uses under the CCDO and then they’d have to come in for development plan. So until they get somebody that wants to use it for one of the uses listed under phase 1, then –

COMMISSIONER STEFANICS: So, Mr. Chair, I’ll wait to hear from the applicant and other people.

MS. LUCERO: Mr. Chair, Commissioner Stefanics, if I could just clarify. Phase 1, they’re proposing a temporary access directly off of Richards Avenue. The phase 1, development, the uses within phase 1 are low traffic type uses, and the applicant has agreed to wait to build out phase 2 until the northeast connector is actually constructed. And phase 2 is where the more extensive traffic users will occur.

COMMISSIONER STEFANICS: Well, Mr. Chair, I’m willing to hear the rest but my inkling is to say we really need Public Works here, the people who are working on the northeast and the southeast connector to get the full picture but please go on with the hearing. Thank you.

CHAIR ANAYA: Are there any questions of Mr. Larrañaga? Seeing none, the applicant is present. If the applicant would be sworn.

[Duly sworn, Oralynn Guerrerortiz testified as follows:]

ORALYNN GUERRERORTIZ: I’m Oralynn Guerrerortiz. My office is at 1421 Luisa Street here in Santa Fe, and I’m happy tonight to be presenting the proposed Saleh master plan. With me tonight is Esmail Haidari and his wife. They’ve been the owners of this property since 2005. Would you like me to make my presentation and then answer your questions or just jump to your questions, ma’am, Mr. Chair and Commissioners?

CHAIR ANAYA: Whatever you prefer.

MS. GUERRERORTIZ: I’ll start, I think with presenting the project. I think that would be wise and then we’ll go from there. Do you all get to see what we’re seeing on the screen?

COMMISSIONER STEFANICS: Yes.

MS. GUERRERORTIZ: Okay. This is a picture of the property. It is a 64-acre vacant parcel that's located at the southeast intersection of I-25 and Richards Avenue. So in general, the northern portion of the property has some steeper slopes. There is an arroyo going through the middle, transects the property east to west. On the eastern boundary there is an old railroad grade that actually is as high as 14 feet higher than the surrounding property. There is some traffic noise that affects the northern third of the property and along Richards Avenue we've got two County water lines, there's no sewer there, gas, electricity, PNM.

The history of this with Mr. Haidari and this proposed Saleh project is he purchased it in 2005. We began working then on plans for developing the property. At the time, Oshara was being worked out and we integrated this project with Oshara's plans at that time. The roads for Oshara were going to pass through this development and everything was going to be interconnected. When the economy started turning we put the project on hold. Then more recently, about 2013, we started looking at it again and we were then focused on the County's plans for roads. The northeast connector will go through the Saleh property. There have been multiple plans on where those roads went through, and the Saleh master plan actually had multiple plans associated with every version that the County presented. So we kind of were working in the background trying to integrate what the County was considering.

The County actually has now come to a plan where they intend to develop the northeast connector along the northern boundary of Saleh. It will be a continuation of Rabbit Road. Their current plan has removal of the existing Dinosaur Trail-Richards Avenue and moving it 900 feet north to a roundabout. That is a current plan. That's where they've come to us showing us plans – preliminary plans, mind you – asking for permission, which we have granted, to go ahead and do survey work, bugs and bunny studies, archeology studies and so on, on this land. We've been in constant communication with the County for about a year and a half on their plans for the roadway and we fully want to work with the County on trying to develop the northeast connector because it's so important for this portion of our community.

And really, we have been focused on traffic concerns. Our project, as I hope you'll recognize tonight, has been not only been taking into consideration the neighborhood concerns for how the project actually looks and what gets developed and the use list, but very focused on how traffic will be impacted.

These are just some pretty pictures of the property. There's a lot of grassland, juniper dominate, some piñon. It has amazing views across the land. The Community College District zoning map is here and I'm going to blow up a little portion of that Community College plan right in here, and that's this next one. The Saleh property was actually shown on this Community College plan. You can kind of see this little gray line in this location, and that's the 64-acre Saleh property. The purple is employment center. It's a pretty high intensity use of development in the Community College District. The yellow, which is underneath all the green striping. The green striping is related to whether it's grassland or different types of vegetation. The yellow was village fringe. So originally, the County thought that this would be mostly employment center with some village fringe areas.

As part of the CCDO process we had to go ahead and refine this work and this is the proposed Saleh master plan. It is primarily a commercial project, which would include a mix of offices, retail, a hotel, multi-family housing, assisted living facilities, and a visually integrated project. I'm going to show a color version of this because it's easier to understand and recognize. The green is open space. More than 32 acres, more than 50 percent of the project would be open space. That open space includes the railroad grade, which we propose a district trail along, a 100-foot swath related to the arroyo. The arroyo today is maybe 20 feet wide, but we're doing a 100-foot swath through there. The setbacks from the freeway and from Richards Avenue are a minimum 200 feet, some places 600 feet, 700 feet even.

All the slopes that are steep are within the open space. All the land that is intended to be developed is mostly under 10 percent grades. A lot of it is five percent grade. What do we request to put here? Two roads. One would be an extension of Willowback Road which would ultimately connect to Oshara Village. The Oshara Village master plan – Oshara Village proper, what has actually been developed, is actually another thousand feet south of this property. Or maybe it's 600 feet. I'm sorry. I think I misspoke. But in between is a master plan which I think is going to have to be altered, because that master plan that was prepared for Oshara did not imagine that Dinosaur Trail was going to move 900 feet and the Oshara plan did not imagine the northeast connector. So the existing Oshara master plan will have to evolve just like the Saleh project has had to evolve in response to traffic changes in our community. But the intention is that the Willowback Road, this north-south road in our property would connect and line up with the existing Willowback Road in Oshara Village.

Saleh Avenue would be a primary east-west connecting road and both of these roads would connect to the northeast connector. Early discussions with the County staff suggest that these would be roundabouts. All connections to the new northeast connector would be roundabouts, including the one that's proposed at Richards Avenue. Right now, northeast connector's not in place, and we do want to move forward. We have been working more than 18 months with the existing traffic plans but we do think that we could move forward with some low traffic uses in phase 1.

Our phase line cuts through the property. Basically the third western portion of the property would be developed in phase 1 and we would like to extend off of existing Dinosaur Trail a basecourse road. Very unusual, but it may only be in service for at most two years. Maybe three years, and it would only serve very low intensity projects – church, a funeral home, a cemetery, maybe a riding stable, so it really won't have much traffic. And the intention is when the northeast connector is built this road would disappear.

There is a commitment in our report that says if Dinosaur Trail is not moved at it's a final decision that it will not move, then we will build this road to County standards, which would mean full pavement, curb and gutter, sidewalks on both sides. At this point it's the County staff belief that Dinosaur Trail is moving and so we don't want to use those resources for something that's not going to last very long. So we are asking for a variance to allow this temporary road in the meantime.

I'm going to show you the use list and I'll start with phase 1. These two brown parcels and this brown parcel here. This lower brown parcel is actually the lowest part of

our property. That site would be a storage facility. Up to three stories, an air-conditioned storage facility, a single building with a common entrance to all units and a caretaker unit. It would also have RV and boat storage surrounding – I'm sorry. RV and boat storage permitted and the thing would be surrounded by a screening fence with landscaping.

RV and boat storage was not something I came up with. That's something that the neighborhoods came up with. And you'll see, and I won't mention every time that happened but we had a lot of discussions with the neighborhoods and they explained to us what they thought their community needed and wanted, and they also told us what their community did not want, and you will not see anything in this list that at least with many people we met with that they didn't want, and that's not an easy thing to do, frankly.

Also in the open space we would like to have cemeteries, trails, drainage facilities, and riding stables. And then in the neighborhood center which was in the northwest corner, that would be allowed to have cemeteries, funeral homes, and churches and religious institutions. All of these are very low intensity uses for traffic. These are the only things that would be permitted before the northeast connector got constructed. When the northeast connector gets constructed then we've got to do some detailed traffic studies because things are going to change between now and then, and there may need to be some additional improvements. But it's our intention to do full-blown studies at the time, and then we've got a laundry list of uses and we hope that we can clarify exactly what we would be developing. But on this list what would be permitted, theoretically under phase 2 would be everything I listed previously in phase 1 but we'd also expand and allow a series of retail shopping facilities, assisted living up to 100 beds, a hotel room with up to 100 beds, 95 multi-family apartments or townhomes or condos – very likely apartments. Anyway, this is the laundry list of things that could possibly exist in phase 2.

The roadways. Let me make sure I wanted to say about that. The roadways, the main roads, the permanent roads, would all be asphalt with parking at least on one side, in some cases on two. They'd have curb and gutter, sidewalk on both sides of the road, only the temporary access road would be basecourse.

The open space. Again, more than 50 percent. There'd be two district trails, one on the east side, one on the west side. Connecting them would be a six-foot-wide village trail, paved along a good portion of it. There would be trees. There would be two parks. One would be more like a plaza and more in the center of the project, and that would actually have a basketball court. I haven't developed a basketball court yet so I want to put a basketball court here. And then the other park would be more passive with trails and benches.

If you even looked at the details of our water plan there are a lot of street trees in that water plan and the intention is street trees every 40 feet along the main roadways and then along the main paved trail. There would be one project sign at the main intersection of the two roads.

Covenants were a key issue with our neighbors and it came down to, in the end, really three issues which I've blown up here. All buildings are proposed to be in a pueblo revival style, that every lot could have two stories but some could have three stories, and the ones that could have three stories, there's actually on the plan that I had previously

shown an elevation showing the top of parapet. Those elevations were set based on the fact that if you were in College Hills, as you look towards the north, today the horizon line is the freeway, and so all of our structures would be below the freeway so that their horizon would not change. That was the intention and that was what we agreed to. And then outdoor storage would all be screened and that was one of the conditions that they also wanted.

So now I'd like to try to address some questions, Chair and Commissioners, that were raised earlier. My understanding, because I got hit with the same condition on an earlier project by Homewise of why the requirement for doing a city modeling and then paying for any costs associated with that and why we asked for it to be shared is there's always a potential that something like a water storage tank or some offsite improvement is going to be necessary that wouldn't just serve the Saleh property. It would presumably serve a greater area. Whether that would be a pump station or a water tank or some other need, I think that in most cases those things, those large infrastructure pieces usually help other projects, not just our own, and we'd like to be able to try to recoup the costs associated with something like that.

Yes, we did do a lot of outreach with Oshara and other communities in the area. We had an ENN meeting even though we're not required to at the Community College. We had private meetings in homes with as many as 12, 15 people trying to flesh out different issues on this project. I have evaluated the Oshara wastewater facilities. My professional opinion is those facilities were designed for phase 1 of Oshara and they do not have additional capacity at this time beyond what phase 1 needs and its ultimate build-out. So a connection to the Oshara wastewater treatment plant could be possible and we certainly would be more than willing to do that and help pay for expansions and pay for costs and work out a reasonable deal with them if that's possible. And so I've left it on the table. I had always hoped that the County would consider ownership of the Oshara wastewater facility. Then it's a public facility and then I'm negotiating with a public entity, and it's a different playing field. But we're still trying to negotiate in the context of what they have. But I know that it would require an expansion of their facility. And so it's certainly something that we are considering and will pursue, and if we can manage that agreement then we will choose to do that, because it would be better to have fewer wastewater treatment plants in our community than more, frankly.

On traffic in general, I think our use list was specifically taken for phase 1 to focus on very low traffic uses and we've made commitments that phase 2 will not occur until the northeast connector is in place. We've also made commitments to work with the County to help them get what they need for their northeast connector. I don't know what that is yet, exactly but we were considered one of the people, one of the two entities they need to purchase land from presumably, and we're at the table and we're willing and able to negotiate that and work those deals out.

Public Work conditions with regards to traffic are in addition to the commitments that we have made, so our commitments specifically in our proposal presented tonight is that we will not develop phase 2 of this project until the northeast connector is done. Then we'll do full-blown traffic analyses to see if additional improvements are necessary prior to the development of our projects. Thank you, and I'll stand for any questions. We agree to all conditions.

CHAIR ANAYA: Are there any questions of the applicant? Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. How long ago were the meetings with the communities? Fourteen or 13 or 12?

MS. GUERRERORTIZ: Gee. Most of them occurred in the fall of 2014, because we were working, we were really fine-tuning things. We came to them very early on, probably July 2014 and what we're talking about is we met with a lot of the HOA board of directors and then there was a formal meeting in November at the Community College.

COMMISSIONER STEFANICS: Thank you.

CHAIR ANAYA: Any other questions of the applicant? This is a public hearing. Is there anybody here to speak in favor or against this project? This is a public hearing. Is there anybody here to speak in favor or against this project? This public hearing is closed. What's the pleasure of the Board?

CHAIR ANAYA: I'll make a motion to approve with staff conditions.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Is there any further discussion? Seeing none.

The motion passed by majority [4-1] voice vote with Commissioner Stefanics casting the nay vote.

- VII. A. 6. **CDRC CASE # V 14-5330 Francisco and Arlene Tercero.**
Francisco and Arlene Tercero, Applicants, and the Amarante Romero Trust (Arlene Tercero, Trustee), Applicant, Request a Variance of Ordinance No. 2007-2 (Village of Agua Fria Zoning District), Section 10.6 (Density and Dimensional Standards) to Allow a Small Lot Family Transfer of 1.53 Acres (Frank and Arlene Tercero Parcel) into Two Lots, each Consisting of 0.75 Acres More or Less, and Approval of an Additional Small Lot Family Transfer on the Adjacent 2.549 Acre Lot (Amarante and Emma Romero Parcel) to Create Two Lots, each Consisting of 1.25 Acres More or Less. The Applicants also Request a Variance of Article V, Section 8.2.1c (Local Roads) and Article III, Section 2.4.2b 3(A)(1) (Roads and Access) of the Land Development Code to Serve the 4 Proposed Lots and One Existing Lot, For a Total of Five Lots. The Road that Services the Properties (Calle de Quiquido) does not meet the Specifications of Local Lane, Place or Cul-de-Sac Roads Being That the Road is too Narrow and does not Have Adequate Drainage Control Necessary to Insure Adequate Access for Emergency Vehicles. The Properties are Located at 1443 and 1645 Calle de Quiquido, within Section 32, Township 17N, Range 9 East (Commission District 2)

MIKE ROMERO (Case Manager): Good evening, Commissioners.

Francisco and Arlene Tercero, Applicants, and the Amarante Romero Trust, Arlene Tercero, Trustee, Applicant, request a variance of Ordinance No. 2007-2, Village of Agua Fria Zoning District, Section 10.6 (Density and Dimensional Standards) to allow a small lot family transfer of 1.53 acres, Frank and Arlene Tercero parcel, into two lots, each consisting of 0.75 acres more or less, and approval of an additional small lot family transfer on the adjacent 2.549-acre lot, Amarante and Emma Romero parcel, to create two lots, each consisting of 1.25 acres more or less. The Applicant also requests a variance of Article V, Section 8.2.1c, Local Roads, and Article III, Section 2.4.2b 3 (a)(1), Roads and Access, of the Land Development Code to serve the for proposed lots and one existing lot, for a total of five lots. The road that services the properties, Calle de Quiquido, does not meet the specifications of local lane, place or cul-de-sac roads being that the road is too narrow and does not have adequate drainage control necessary to insure adequate access for emergency vehicles. The properties are located at 1443 and 1645 Calle De Quiquido, within Section 32, Township 17 N, Range 9 East, Commission District 2.

On March 19, 2015, the CDRC met and acted on this case. The decision of the CDRC was to recommend approval, with staff conditions of the Applicant's request by a unanimous 6-0 vote. The subject lot was created in 1985, via Division of Land, and is recognized as a legal lot of record. Currently there is a residence on the property which was permitted by Santa Fe County, Permit# 99-1369, that the Applicant's son and his family reside in.

The Applicants request a variance of Ordinance No. 2007-2, Village of Agua Fria Zoning District, Section 10.6, Density and Dimensional Standards, to allow a Family Transfer of 1.53 acres into two lots; both lots consisting of 0.75 acres +/- . The Applicants state a variance is needed in order to leave their children with a piece of property of their own. The minimum lot size in this area is 2.5 acres with 0.25 acre-foot water restrictions as per Ordinance No. 2007-2 Village of Agua Fria Zoning District, Section 10.6, Density and Dimensional Standards.

On November 20, 2014 this request went before the CDRC to allow a Family Transfer to divide 1.53 acres into two lots. At that time the Applicants stated that they were not in agreement with County Road Standards, and the CDRC tabled the request to allow the Applicants to work with staff to address their issues or request appropriate variances.

Since that time the Applicants have modified their request and in addition to the variance to allow the Family Transfer the Applicants are now also requesting approval of an additional Small Lot Family Transfer on the adjacent 2.549-acre lot, the Amarante and Emma Romero Parcel, to create two lots, each consisting of 1.25 acres more or less. The Applicant applied for the Small Lot Family Transfer parcel which met density requirements and the Applicant agreed to the required 38-foot wide easement. The Application could have been approved administratively. However, since the Applicants stated they were opposed to the required 38-foot easement, they are also requesting a variance of Article V, Section 8.2.1c, Local Roads, and Article III, Section 2.4.2b 3 (a)(1), Roads and Access, to allow an easement less than 38-feet wide. The property is accessed from Calle de Quiquido; the portion of Calle de Quiquido that will service the proposed lots, 5 lots in total, is approximately 1400 feet in length and ranges from 10-18 feet in width and is a dirt driving surface with a fifteen foot access and utility easement.

The Applicants request that a maximum 24-foot easement and an 18-foot all-weather driving surface be approved for the entire length of Calle de Quiquido, beginning at West Alameda to the end of Calle de Quiquido. The Applicants state that the required 38-foot access and utility easement is excessive and may cause problems in the future for the Applicants' water wells which would be within the required 38-foot access and utility easement.

Staff recommendation: Denial of a variance of Ordinance No. 2007-2, Village of Agua Fria Zoning District, Section 10.6, Density and Dimensional Standards, Article V, Section 8.2.1c, Local Roads, and Article III, Section 2.4.2b 3 (a)(1), Roads and Access. If the decision of the BCC is to approve the Applicant's request, staff recommends imposition of the following conditions. May I enter these into the record?

CHAIR ANAYA: You may.

[The conditions are as follows:]

1. Water use shall be restricted to 0.25 acre feet per year per lot. A water meter shall be installed for each lot. Annual water meter readings shall be submitted to the Land Use Administrator by January 1st of each year. Water restrictions shall be recorded in the County Clerk's Office (As per Article III, § 10.2.2).
2. A Plat of Survey meeting all County Code requirements shall be submitted to the Building and Development Services Department for review and approval (As per Article III, § 2.4.2).
3. Further division of either tract is prohibited; unless all lots are served by community water and sewer. This shall be noted on the plat (As per Article III, Section 10).
4. A Development Permit will be required for all grading and clearing of roadways (As per Article II, Section 2). The Applicant shall construct all necessary road improvements prior to plat recordation or submit a financial guarantee (As per Article II, Section 5.5)
5. The Applicant shall comply with all Fire Prevention Division requirements at time of Plat review (As per 1997 Fire Code and 1997 Life Safety Code).

I stand for any questions.

CHAIR ANAYA: Are there any questions of staff? Seeing none, is the applicant present? Mr. Sommer, is there anything you'd like to add?

KARL SOMMER: I'll be very, very, very brief. Mr. Chair, Commissioners, I'm here on behalf of the trust and the applicant. The trustees is Ms. Arlene Tercero. She's Frank Tercero's wife and she is the daughter of Amarante Romero who is, I'm sure you all remember him. He was an icon in the Village of Agua Fria, a very stalwart member of the community. Ms. Tercero is his trustee for his beneficiaries including one of his grandchildren and his two daughters.

The variance to the roadway – I'll just be very brief. This is one of those *lineas* that is developed, that was old, one of the family *lineas*, and what happened was it got divided in 85 and the roadway that was built is built up against the eastern border, and it crosses and arroyo over a bridge that Mr. Romero built. That bridge is 15 feet wide. So the roadway is up against the side and it's 15 feet wide, and then it comes to that arroyo and then it goes down to the end of the property.

Then what happened was wells were built and infrastructure was built inside what

will be a 38-foot easement that the County would require, which would mean that if somebody got on inkling they could try to require someone to move the well because it's an access easement. We're trying to avoid that problem. That's the purpose of the variance. I went out there with Tim Gilmore and with Buster Patty. Mr. Tercero has improved the roadway to the 18-foot width with basecourse. Mr. Patty and Mr. Gilmore were out there with me. They said this roadway is fine if you build this the same way all the way through. We agreed to do that and Mr. Patty was here at the last meeting of the CDRC and he confirmed that he was fine with the design that we had. We committed that if he changed his mind and wanted it 20 feet or wanted it modified we would do what Mr. Patty said, the whole purpose behind this being emergency access to this property and what would be created here.

That's all I'll say about that particular variance. I think it's needed to avoid a hardship that was created at a time when the code did not have these requirements.

The last thing I'd like to say is as you can see in your packets, this variance with respect to the division has the support of the community. Mr. William Mee, who is the – I don't know his exact title but I think he's the president of the Agua Fria Association and he signed a letter in support of this. That doesn't happen often and it doesn't happen lightly. I think that this variance is in keeping with what the Board's policy has been in cases such as this. I'd stand for any questions that the Board might have on this case.

CHAIR ANAYA: Thank you, Mr. Sommer. Is there any questions of the applicant? Seeing none, this is a public hearing. Is there anyone present that would like to speak in favor or against this application? Is there anyone here that would like to speak in favor or against this application? Seeing none, this public hearing is closed. What's the pleasure of the Board? I'd move for approval with staff conditions.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: There's a motion to approve with staff conditions and a second. Is there any further discussion? Seeing none.

The motion passed by unanimous [3-1] voice vote. [Commissioner Stefanics cast the vote in opposition and Commissioner Chavez recused himself.]

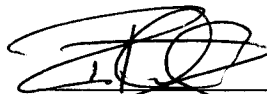
VII. A. 7. CDRC CASE # V/ZA/S 10-5352 Rio Santa Fe Business Park.
TABLED [See Page 58]

VIII. CONCLUDING BUSINESS

- A. Announcements**
- B. Adjournment**

Having completed the agenda and with no further business to come before this body and upon motion by Commissioner Stefanics and second by Commissioner Holian, Chair Anaya declared this meeting adjourned at 8:50 p.m.

Approved by:



Board of County Commissioners
Robert A. Anaya, Chair

ATTEST TO:



GERALDINE SALAZAR
SANTA FE COUNTY CLERK

5-12-2015

Respectfully submitted:



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




COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

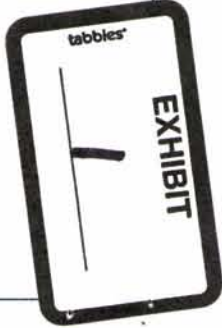
BCC MINUTES
PAGES: 165

Hereby Certify That This Instrument Was Filed for
Record On The 13TH Day Of May, 2015 at 01:20:39 PM
and Was Duly Recorded as Instrument # 1764375
in The Records Of Santa Fe County

Witness My Hand And Seal Of Office

Deputy  County Clerk, Santa Fe, NM

S F C C C L E R K R E C O R D S 1 8 3 2 2 0 1 5



Santa Fe County, New Mexico

April 8, 2015

\$47,220,000

GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS
SERIES 2015



RBC Capital Markets

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Bid Recap

Rank	Bidder	Firm	TIC	Time	Gross Interest	Premium to City	Total Interest	Bid No.	Cumulative Improvement
1st	CITI-MP	Citigroup	2.165705%	12:11:13 PM	\$14,341,564.58	-\$5,718,835.95	\$8,622,728.63	9	0.024493%
2nd	FTNF-VP	FTN Financial	2.168519%	12:13:12 PM	\$12,452,863.19	-\$3,967,554.48	\$8,485,308.71	18	0.155082%
3rd	WILL-PG	William Blair	2.182399%	12:05:37 PM	\$13,124,006.94	-\$4,556,378.90	\$8,567,628.04	6	0.038114%
4th	PIPE-SC	Piper Jaffray	2.191494%	12:05:02 PM	\$12,520,227.78	-\$3,951,425.81	\$8,568,801.97	6	0.022131%
5th	WELL-AP	Wells Fargo	2.226365%	12:00:11 PM	\$12,709,088.89	-\$4,012,015.00	\$8,697,073.89	8	0.209582%
6th	FIDE-DN	Fidelity	2.239136%	11:59:46 AM	\$12,698,720.14	-\$3,957,038.58	\$8,741,681.56	4	0.197964%
7th	HUTC-JV	Hutchinson	2.244671%	11:59:51 AM	\$13,994,550.00	-\$5,097,671.00	\$8,896,879.00	2	0.064348%
8th	FIRS-JH	FirstSouthwes	2.263354%	11:59:07 AM	\$13,964,029.86	-\$4,979,842.91	\$8,984,186.95	1	-
9th	MUNI-SM	JP Morgan	2.276847%	11:59:23 AM	\$16,341,517.36	-\$7,062,786.48	\$9,278,730.88	2	0.012334%
10th	GUGG-SM	Guggenheim	2.300843%	11:59:09 AM	\$17,234,433.68	-\$7,756,178.79	\$9,478,254.89	5	0.057529%
11th	ROBE-CG	Robert Baird	2.318500%	11:59:09 AM	\$15,876,834.03	-\$6,461,029.77	\$9,415,804.26	1	-
Total:								62	

Source: Grant Street Auction

Summary of the General Obligation & Refunding Bonds, Series 2015

Par Amount:	\$47,220,000
New Money:	\$ 8,000,000
Refunding:	\$39,220,000
<ul style="list-style-type: none">• Refunding Produces \$5.128 Million* In Present Value Savings (12.20%) (3% present value savings is the common threshold requirement)• Average Rate of Refunded bonds is 4.34%• Average Rate of Refunding bonds is 2.20%• Average Annual Savings: \$440,000	
Security:	Ad Valorem Property Tax Revenue
Sale Date:	April 14, 2015
Closing Date:	May 26, 2015
Optional Call:	July 1, 2024 @ 100%

2015 Summary

Sources of Funds					
	Refund 2005A Bonds	Refund 2007A Bonds	Refund 2007B Bonds	New Money	Total
Par Amount	8,015,000.00	17,865,000.00	13,340,000.00	8,000,000.00	47,220,000.00
Premium	1,424,021.75	1,956,832.40	1,893,664.35	897,861.40	6,172,379.90
	9,439,021.75	19,821,832.40	15,233,664.35	8,897,861.40	53,392,379.90
Uses of Funds					
	Refund 2005A Bonds	Refund 2007A Bonds	Refund 2007B Bonds	New Money	Total
Escrow Portfolio	9,389,442.56	19,707,731.01	15,149,695.27	-	44,246,868.84
Cost of Issuance	33,947.48	75,667.09	56,501.48	33,883.95	200,000.00
Underwriter's Discount	15,174.00	33,822.02	25,255.29	15,145.60	89,396.91
Additional Proceeds	457.71	4,612.28	2,212.31	8,848,831.85	8,856,114.15
	9,439,021.75	19,821,832.40	15,233,664.35	8,897,861.40	53,392,379.90

Bond Statistics	
Dated Date	5/26/2015
Last Maturity	7/1/2030
Arbitrage Yield	2.048%
True Interest Cost (TIC)	2.152%
All-In TIC	2.205%
Average Coupon	3.862%
Average Life (years)	8.26
Duration of Issue (years)	7.15
Total Interest	15,063,069
Total Debt Service	62,283,069
Maximum Annual Debt Service	11,706,950
Average Annual Debt Service	4,125,465

Serial	Maturity Date	Amount	Interest	Debt Service	Rate	Yield	Price	Yield to Maturity	Call Date	Call Price
	7/1/2016	\$ 695,000	\$ 2,154,094.10	\$ 2,849,094.10	5.000%	0.300%	105.144			
	7/1/2017	1,875,000	1,928,475.00	3,803,475.00	5.000%	0.650%	109.045			
	7/1/2018	2,345,000	1,834,725.00	4,179,725.00	5.000%	0.900%	112.494			
	7/1/2019	2,625,000	1,717,475.00	4,342,475.00	5.000%	1.150%	115.364			
	7/1/2020	3,015,000	1,586,225.00	4,601,225.00	5.000%	1.330%	118.027			
	7/1/2021	3,570,000	1,435,475.00	5,005,475.00	5.000%	1.500%	120.319			
	7/1/2022	4,260,000	1,256,975.00	5,516,975.00	5.000%	1.710%	121.898			
	7/1/2023	4,225,000	1,043,975.00	5,268,975.00	5.000%	1.870%	123.415			
	7/1/2024	5,035,000	832,725.00	5,867,725.00	5.000%	2.000%	124.837			
	7/1/2025	4,510,000	580,975.00	5,090,975.00	2.750%	2.300%	103.673 C	2.339%	7/1/2024	100
	7/1/2026	11,250,000	456,950.00	11,706,950.00	3.000%	2.400%	104.876 C	2.494%	7/1/2024	100
	7/1/2027	1,880,000	119,450.00	1,999,450.00	3.000%	2.600%	103.220 C	2.686%	7/1/2024	100
	7/1/2028	935,000	63,050.00	998,050.00	3.000%	2.800%	101.594 C	2.853%	7/1/2024	100
	7/1/2029	500,000	35,000.00	535,000.00	3.500%	3.000%	103.952 C	3.168%	7/1/2024	100
Term Bond	7/1/2030	500,000	17,500.00	517,500.00	3.500%	3.000%	103.952 C	3.168%	7/1/2024	100
		\$ 47,220,000	\$ 15,063,069.10	\$ 62,283,069.10						

Savings Analysis of Refunding Bonds

Dated Date	Series 2005A			Series 2007A		Series 2007B		Total
	5/26/2015	5/26/2015	5/26/2015	5/26/2015	5/26/2015	5/26/2015	5/26/2015	
Arbitrage Yield	2.048%	2.048%	2.048%	2.048%	2.048%	2.048%	2.048%	
Escrow Yield	0.317%	0.317%	0.317%	0.317%	0.317%	0.317%	0.317%	
Value of Negative Arbitrage	\$ 15,245	\$ 357,254	\$ 274,961	\$ 274,961	\$ 647,461			
Bond Par Amount	\$ 8,015,000	\$ 17,865,000	\$ 13,340,000	\$ 39,220,000				
True Interest Cost	1.712%	2.244%	2.069%	2.099%				
Net Interest Cost	1.902%	2.369%	2.226%	2.250%				
All-In TIC	1.779%	2.294%	2.123%	2.153%				
Average Coupon	4.832%	3.561%	3.974%	3.894%				
Average Life	6.00	9.04	8.01	8.07				
Par amount of refunded bonds	\$ 9,200,000	\$ 18,550,000	\$ 14,300,000	\$ 42,050,000				
Average coupon of refunded bonds	4.240%	4.452%	4.222%	4.340%				
Average life of refunded bonds	5.89	8.92	7.92	7.92				
PV of prior debt	\$ 10,453,573	\$ 22,464,543	\$ 16,780,545	\$ 49,698,661				
Net PV Savings	\$ 1,196,796	\$ 2,378,922	\$ 1,551,771	\$ 5,127,489				
Percentage savings of refunded bonds	13.01%	12.82%	10.85%	12.19%				
Refunding Efficiency	98.7%	86.9%	84.9%	88.8%				

Date	Prior Debt Service	Refunding Debt Service	Nominal Savings	Present Value
7/1/2015	\$ 900,594	\$ -	\$ 900,594	\$ 898,812
7/1/2016	2,551,188	2,394,143	157,045	152,786
7/1/2017	4,021,188	3,384,975	636,213	610,395
7/1/2018	3,931,188	3,491,225	439,963	413,830
7/1/2019	3,841,188	3,397,725	443,463	408,745
7/1/2020	4,251,188	3,813,975	437,213	394,909
7/1/2021	4,633,250	4,194,475	438,775	388,356
7/1/2022	5,149,188	4,709,725	439,463	381,189
7/1/2023	4,983,250	4,541,725	441,525	375,325
7/1/2024	5,614,000	5,167,975	446,025	371,557
7/1/2025	4,609,063	4,168,725	440,338	359,515
7/1/2026	11,639,125	11,306,700	332,425	265,910
7/1/2027	1,094,625	968,200	126,425	98,877
	\$ 57,219,031	\$ 51,539,568	\$ 5,679,464	\$ 5,120,207

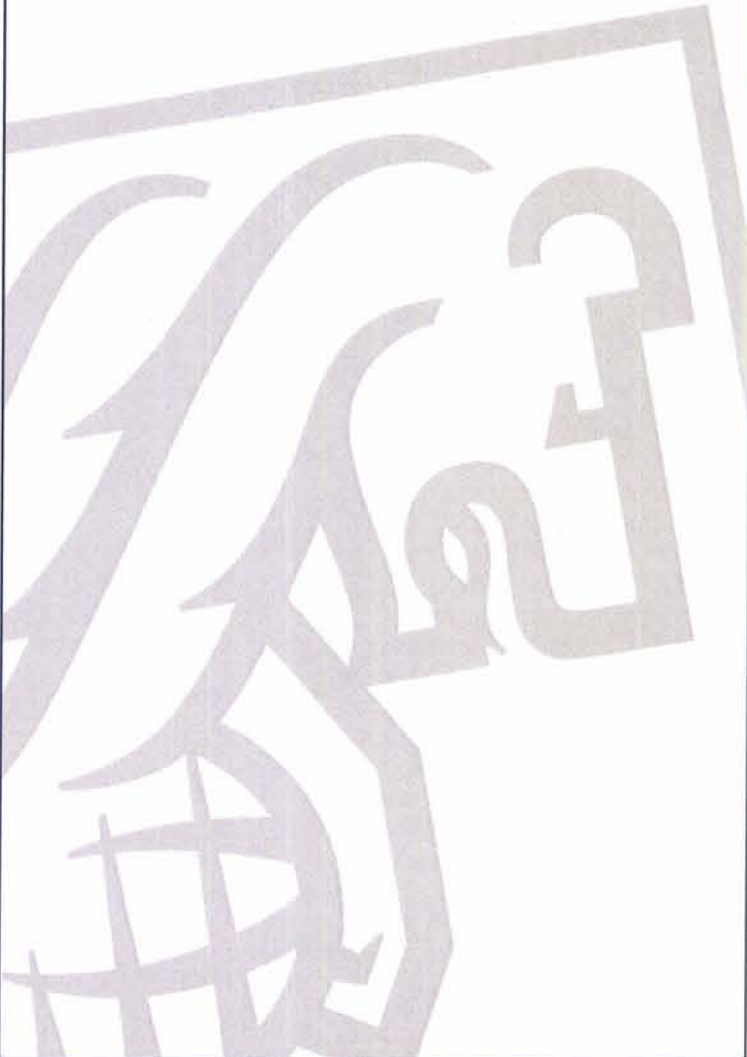
PV of savings from cash flow	\$ 5,120,206.96
Plus: Refunding funds on hand	7,282.30
Net PV Savings	\$ 5,127,489.26

Summary of Bonds Refunded

Series	Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Series 2005A	SERIAL	7/1/2016	4.000%	\$ 750,000	8/1/2015	100
Series 2005A	SERIAL	7/1/2017	4.000%	750,000	8/1/2015	100
Series 2005A	SERIAL	7/1/2018	4.000%	750,000	8/1/2015	100
Series 2005A	SERIAL	7/1/2019	4.000%	750,000	8/1/2015	100
Series 2005A	SERIAL	7/1/2020	4.100%	750,000	8/1/2015	100
Series 2005A	SERIAL	7/1/2021	4.250%	1,250,000	8/1/2015	100
Series 2005A	SERIAL	7/1/2022	4.250%	1,250,000	8/1/2015	100
Series 2005A	SERIAL	7/1/2023	4.250%	1,250,000	8/1/2015	100
Series 2005A	SERIAL	7/1/2024	4.375%	1,250,000	8/1/2015	100
Series 2005A	SERIAL	7/1/2025	4.375%	450,000	8/1/2015	100
				\$ 9,200,000		
Series 2007A	SERIAL	7/1/2017	4.000%	750,000	7/1/2016	100
Series 2007A	SERIAL	7/1/2018	4.000%	750,000	7/1/2016	100
Series 2007A	SERIAL	7/1/2019	4.000%	750,000	7/1/2016	100
Series 2007A	SERIAL	7/1/2020	4.125%	750,000	7/1/2016	100
Series 2007A	SERIAL	7/1/2021	4.125%	750,000	7/1/2016	100
Series 2007A	SERIAL	7/1/2022	4.375%	1,400,000	7/1/2016	100
Series 2007A	SERIAL	7/1/2023	4.500%	1,400,000	7/1/2016	100
Series 2007A	SERIAL	7/1/2024	4.500%	1,450,000	7/1/2016	100
Series 2007A	SERIAL	7/1/2025	4.500%	1,450,000	7/1/2016	100
Series 2007A	SERIAL	7/1/2026	4.500%	9,100,000	7/1/2016	100
				\$ 18,550,000		
Series 2007B	SERIAL	7/1/2017	4.000%	750,000	7/1/2016	100
Series 2007B	SERIAL	7/1/2018	4.000%	750,000	7/1/2016	100
Series 2007B	SERIAL	7/1/2019	4.000%	750,000	7/1/2016	100
Series 2007B	SERIAL	7/1/2020	4.500%	1,250,000	7/1/2016	100
Series 2007B	SERIAL	7/1/2021	4.000%	1,250,000	7/1/2016	100
Series 2007B	SERIAL	7/1/2022	4.125%	1,250,000	7/1/2016	100
Series 2007B	SERIAL	7/1/2023	4.250%	1,250,000	7/1/2016	100
Series 2007B	SERIAL	7/1/2024	4.250%	2,000,000	7/1/2016	100
Series 2007B	SERIAL	7/1/2025	4.250%	2,000,000	7/1/2016	100
Series 2007B	SERIAL	7/1/2026	4.250%	2,000,000	7/1/2016	100
Series 2007B	SERIAL	7/1/2027	4.250%	1,050,000	7/1/2016	100
				\$ 14,300,000		

Weekly Municipal Market
Update

April 13, 2015



RBC Capital Markets

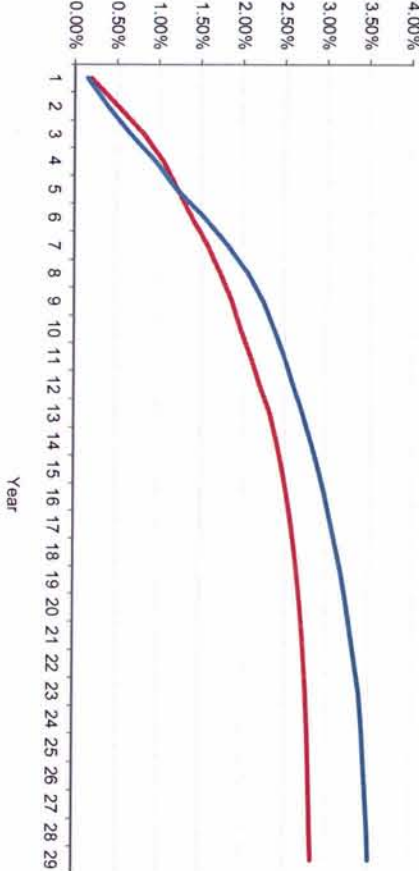
Long-Term Market

Market Overview

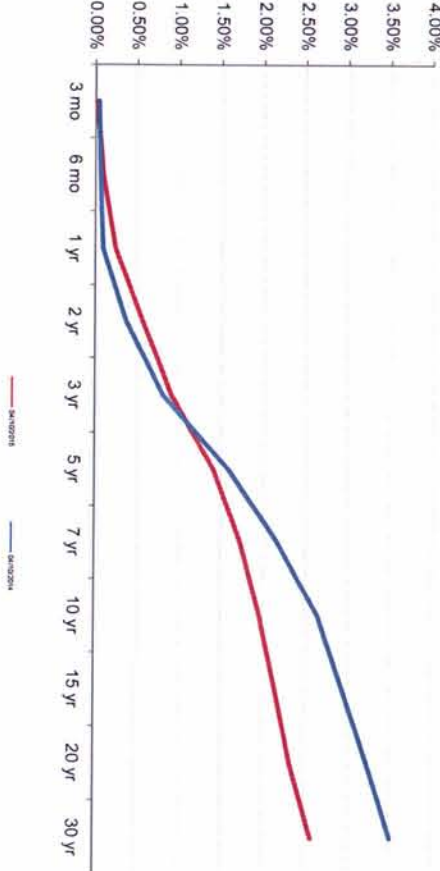
Last week we wondered what the impact would be of the weak jobs number that was reported on Good Friday when markets were closed. It turned out that equity markets in U.S. applauded the weak number last week, as the S&P 500 Index gained approximately 2% and closed above 2,100 again. The apparent reason for the strength in equities in the face of a weak jobs number was the possibility that signs of a weaker economy could delay the liftoff of the Federal Reserve's timing of when to begin raising its short-term target rates. Also during the week there were speeches made by certain Fed officials that were dovish in tone. Finally, the minutes from the Fed meeting released last week (see above) indicated a fair amount of disagreement on when to begin to raise rates. Treasury bonds gave back some of their recent gains during the week. Readers will recall, the Treasury market was open for a shortened day of trading following the jobs report on Good Friday and rallied sharply. Last week yields increased, with the 10-yr yield up 10bps (although still below 2%) and the 30-yr yield increasing by 9bps.

Municipal bond yields increased last week along with Treasury yields, although the muni market outperformed Treasuries by increasing less. Munis were due for a bit of relative outperformance last week, if for no other reason than the muni market was closed on Good Friday, and thus did participate in the Treasury rally that day following the weak jobs report. Muni yields on the Municipal Market Data (MMD) AAA GO curve increased by between 3bps and 4bps for maturities of 10-yrs and longer. Chicago Mayor Rahm Emanuel was reelected last week following a hard fought campaign. Mr. Emanuel is considered by many as being more likely than his opponent to tackle the tough fiscal issues that face the city. Both the city of Chicago and the Chicago Board of Education have suffered numerous credit rating downgrades over the last few years, and both face large challenges, particularly with huge unfunded pensions. Municipal bond market mutual funds suffered a small amount of outflows last week, although the outflows were all concentrated in the ultra short category. According to data from Lipper, overall funds saw outflows of \$33mm, down from outflows of \$301mm in the preceding week. Outflows from ultra short funds were nearly \$400mm, with positive inflows into other types of funds. Outflows from ultra short funds were likely due to selling to pay tax bills upcoming this week.

Municipal GO "AAA" MMD Yield Curve Changes



U.S. Treasury Yield Curve Changes



Source: Bloomberg and Thomson Municipal Market Data

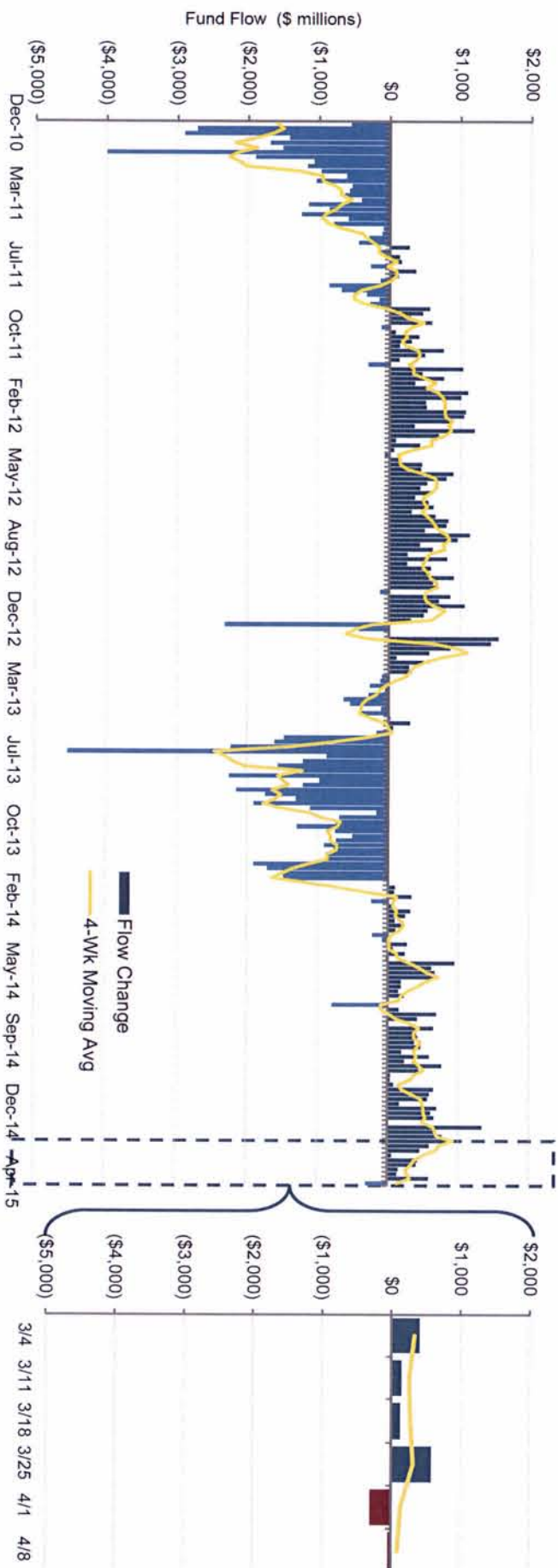
Municipal Market Fund Flows

Until Fund Flows stabilize, trading in the municipal market will remain volatile

According to data from Lipper, for the week ended April 8, 2015, weekly municipal bond funds reported \$33 million in outflows, up from previous week's \$301 million of outflows

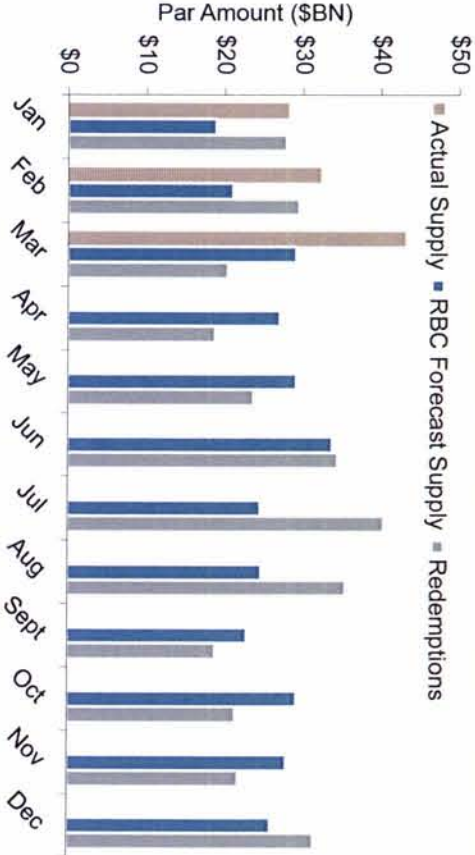
- Long-term muni bond funds saw inflows, gaining \$227 million in the latest week, after experiencing outflows of \$50 million in the previous week
- Four week moving average is currently \$95 million, down from last week's number of \$142 million

Lipper Municipal Fund Flows

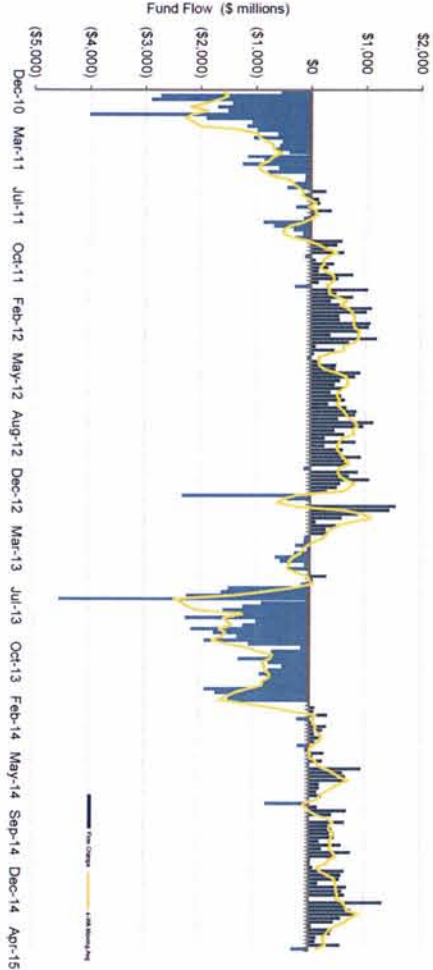


Tax-Exempt Market Dynamics

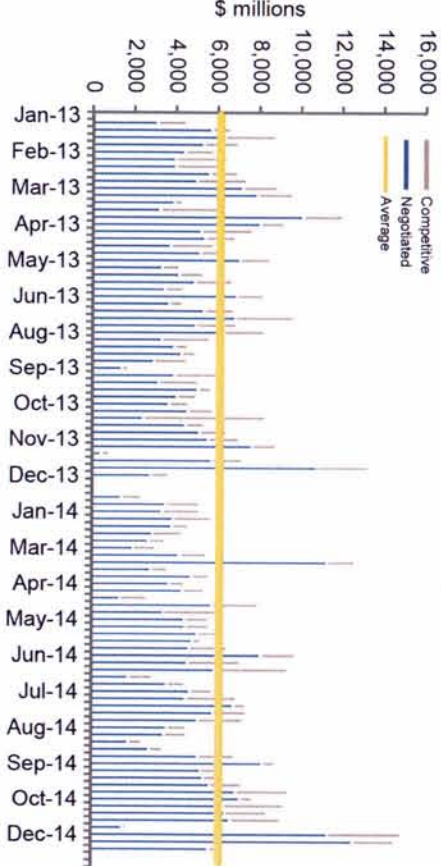
Muni Bonds: 2015 Issuance versus Redemptions



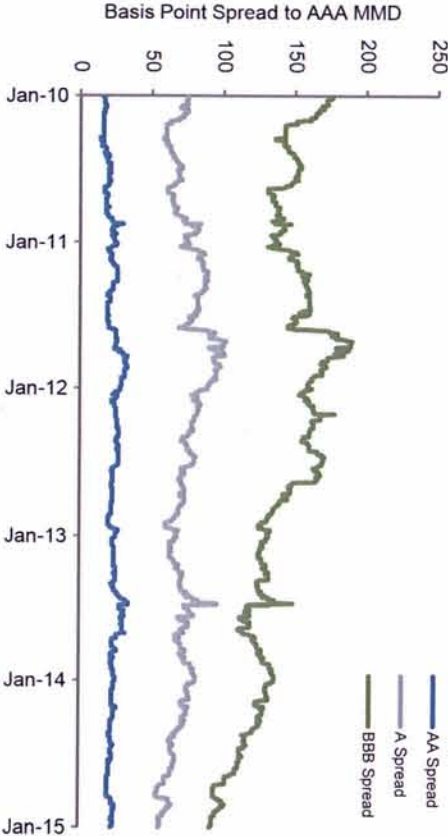
Lipper Municipal Fund Flows



2013 – 2015 Municipal Weekly Volume



Credit Spreads Remain Tight for Highly Rated Issuers

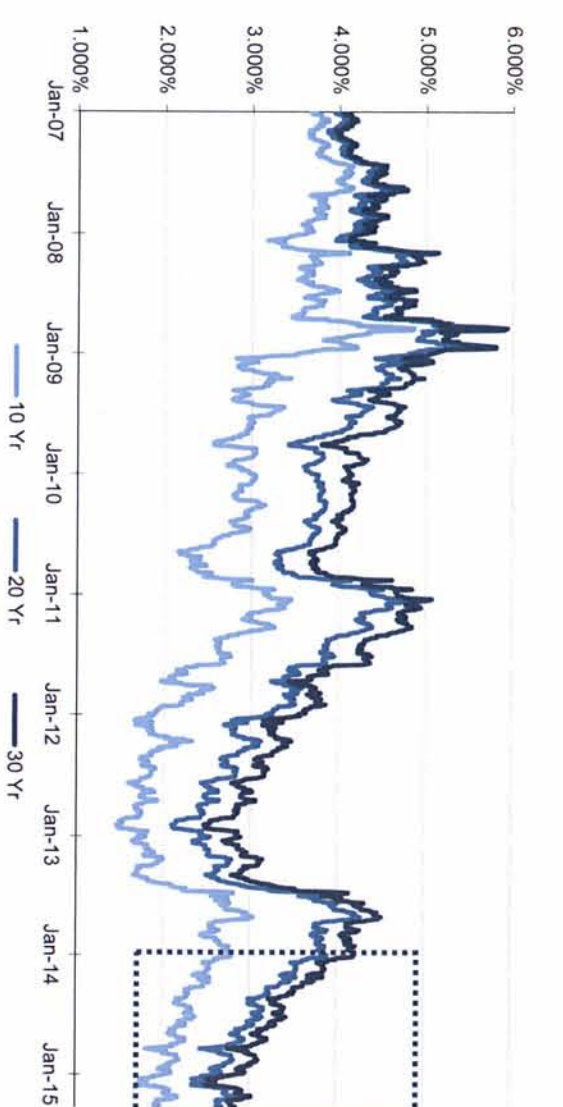


Source: Bloomberg, Lipper and Thomson Municipal Market Data

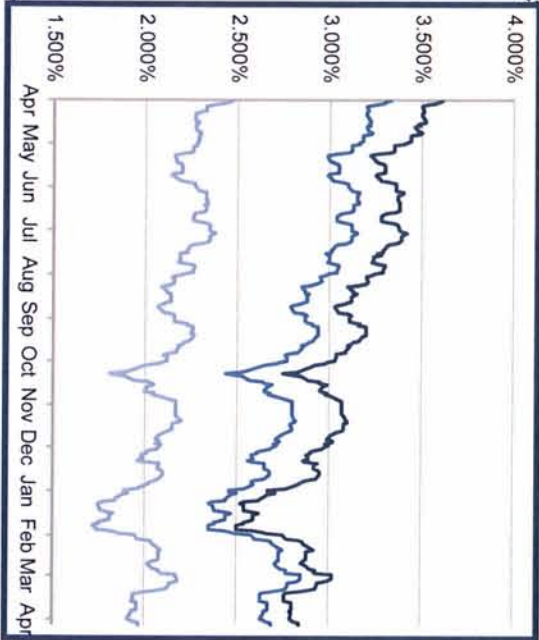
Current Municipal Market Conditions: "AAA" MMD

After closing at 2.80% the previous week, the 30-year "AAA" MMD increased by 4 bps from April 2 – April 10 to a current rate of 2.84%

"AAA" MMD January 1, 2007 to Present



Shift in "AAA" MMD Since April 2014



January 1, 2007 to Present

	10 Year	20 Year	30 Year
Maximum	4.860%	5.740%	5.940%
Minimum	1.470%	2.100%	2.470%
Current	1.970%	2.690%	2.840%

Shift in 30-year "AAA" MMD

	2008	2009	2010	2011	2012	2013	2014
	0.790%	-0.900%	0.520%	-1.130%	-0.740%	1.330%	-1.340%

April 3, 2014 to Present

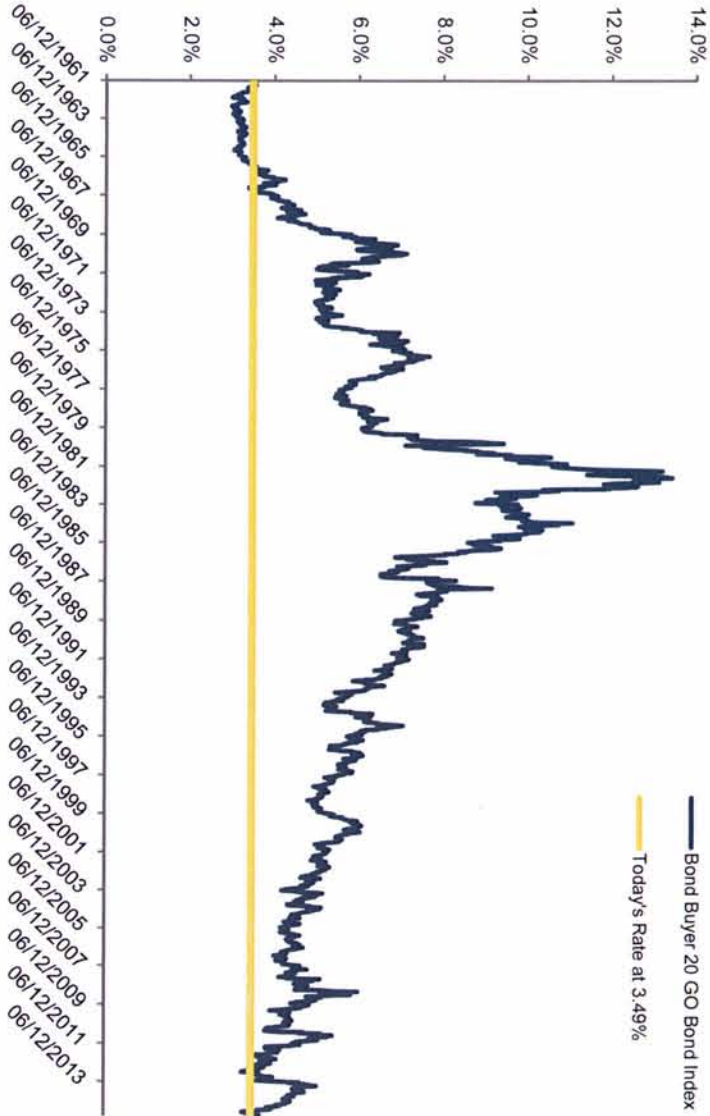
	10 Year	20 Year	30 Year
Maximum	2.470%	3.330%	3.610%
Minimum	1.720%	2.350%	2.500%
Average	2.123%	2.840%	3.077%

Source: TM3, Thomson Reuters
10, 20, and 30 year "AAA" MMD shown to represent different average lives of municipal transactions
Rates as of April 10, 2015

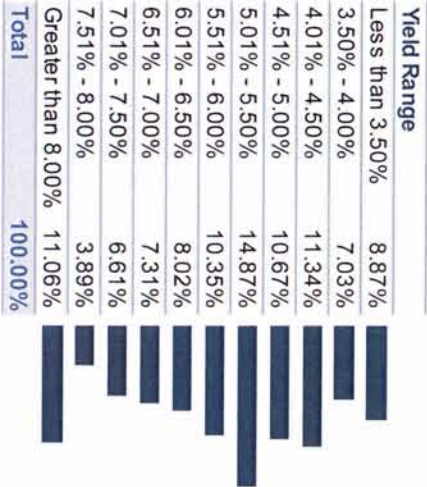
Bond Buyer 20 General Obligation Bond Index

54 Year Historical Perspective

Bond Buyer 20 GO Index since January 1961



% of Time in Each Range Since 1961



Source: Bloomberg as of April 9, 2015
Weekly yields and indexes released by the Bond Buyer. Updated every Thursday at approximately 6:00pm EST. 20 Bond General Obligation Yield with 20 year maturity, rated AA2 by Moody's Arithmetic Average of 20 bonds' yield to maturity.

Today's 3.49% level is lower than 91.35% of historical rates since January 1961



S F C C L E R K R E C O R D 0 5 / 1 3 / 2 0 1 5

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

RESOLUTION NO. 2015 –

AWARD RESOLUTION
FOR
THE SANTA FE COUNTY, NEW MEXICO
GENERAL OBLIGATION
REFUNDING AND IMPROVEMENT BONDS, SERIES 2015

WHEREAS, at a general obligation bond election duly called and held for Santa Fe County, State of New Mexico, (the "County") on November 6, 2012, the electors of the County authorized the Board of County Commissioners of Santa Fe County (the "Board") to contract bonded indebtedness on behalf of the County and upon the credit thereof by issuing general obligation bonds of the County to secure funds for the following purposes in the following amounts:

<u>Purpose</u>	<u>Amount Authorized at Election</u>	<u>Amount Previously Issued</u>	<u>Amount to be Issued</u>
acquire, construct, design, and equip roads within the County	\$19,000,000	\$10,400,000	\$3,400,000
acquire real property and necessary water rights for, and construct, design, equip, rehabilitate, and improve water and wastewater projects within the County	\$10,000,000	\$5,600,000	\$2,600,000
acquire, design, construct, improve, equip, and restore open space, trails, and parks within the County	\$6,000,000	\$3,000,000	\$2,000,000
TOTALS:	<u>\$35,000,000</u>	<u>\$19,000,000</u>	<u>\$8,000,000</u>

WHEREAS, the Board has determined, and does hereby determine, that it is necessary and in the best interest of the County and the inhabitants thereof that:

(A) the \$8,000,000 portion of the general obligation bonds authorized at the election (the "Series 2015 Improvement Bonds") be issued at this time for the purposes and in the amounts set forth above, including the payment of costs of issuance related to the Series 2015 Improvement Bonds, the purchase price for which Series 2015 Improvement Bonds includes net premium of \$882,715.80; and

(B) general obligation refunding bonds be issued in an aggregate principal amount of \$39,220,000.00, together with net premium of \$5,200,267.19 (the "Series 2015 Refunding Bonds" and, together with the Series 2015 Improvement Bonds, the "Bonds") for the following purposes (such purposes being referred to in this Resolution as the "2015 Refunding Project"):

(i) refunding, refinancing, paying and redeeming, on July 1, 2015 the County's General Obligation Bonds, Series 2005A outstanding in the amount of \$9,950,000;

(ii) advance refunding, refinancing, paying and redeeming, on July 1, 2016, the County's General Obligation Bonds, Series 2007A outstanding in the amount of \$18,550,000; and

(iii) advance refunding, refinancing, paying and redeeming, on July 1, 2016 the County's General Obligation Bonds, Series 2007B outstanding in the amount of \$14,300,000; and

(iv) payment of costs of issuance of the Series 2015 Refunding Bonds;

and

WHEREAS, the Board has received and publicly opened sealed bids for the purchase of the Bonds and the Board has accepted the bid and awarded the Bonds to Citi, the best bidder for the Bonds; and

WHEREAS, the Board has determined and does hereby determine that the Bonds shall be issued at this time under the authority of the New Mexico Constitution and applicable law as hereinafter set forth, and desires to fix the form and details of the Bonds and to provide for the levy of taxes for the payment of the principal of and interest on the Bonds; and

WHEREAS, the net effective interest rate on the Bonds is not more than ten percent (10%); and

WHEREAS, no action or suit has been commenced by any person or corporation contesting the validity of any of the proceedings directed toward the issuance and sale of the Bonds heretofore taken by the Board and the officers of the County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY, NEW MEXICO AS FOLLOWS:

Section 1. All actions heretofore taken by the Board and the officers and employees of the County directed toward the issuance and sale of the Bonds to secure funds for the purposes stated above be, and the same hereby are, ratified, approved and confirmed, including revisions to certain principal amounts and maturities, the date of the sale and optional redemption features of the Bonds, as set forth in the Notice of Bond Sale published on behalf of the Board on April 5, 2015 and the Bonds in the amount of \$47,220,000 are awarded to Citi (the "Purchaser"). The form of Preliminary Official Statement relating to the Bonds as presented in connection with this Resolution is hereby approved, and the preparation, distribution and use of the Preliminary Official Statement are hereby ratified.

Section 2. The Board hereby finds that issuance of the Series 2015 Refunding Bonds will result in net present value savings of \$5,127,484.72, or 12.19%. The Board hereby calls for optional redemption of the County's General Obligation Bonds, Series 2005A outstanding in the amount of \$9,950,000 on July 1, 2015, the County's General Obligation Bonds, Series 2007A outstanding in the amount of \$18,550,000 on July 1, 2016, and the County's General Obligation Bonds, Series 2007B outstanding in the amount of \$14,300,000 on July 1, 2016.

Section 3.

A. In order to provide funds for the purposes stated above, the Board, on behalf of the County and upon the full faith and credit thereof, shall issue the Bonds maturing and bearing interest as follows:

Year Maturing (July 1)	Principal Amount Maturing	Interest Rate
2016	\$ 695,000	5.000%
2017	1,875,000	5.000%
2018	2,345,000	5.000%
2019	2,625,000	5.000%
2020	3,015,000	5.000%
2021	3,570,000	5.000%
2022	4,260,000	5.000%
2023	4,225,000	5.000%
2024	5,035,000	5.000%
2025	4,510,000	2.750%
2026	11,250,000	3.000%

2027	1,880,000	3.000%
2028	935,000	3.000%
2030*	1,000,000	3.500%

*Term Bond subject to mandatory sinking fund redemption.

B. The Bonds shall be dated the date of their delivery (herein the "Series Date"), will be issued in one series and shall consist of bonds numbered consecutively from R-1 upward, issuable in the denomination of \$5,000 each or integral multiples thereof (provided that no individual bond will be issued for more than one maturity); shall bear interest from the Series Date to maturity at the rates per annum set forth above for the Bonds, payable to the registered owner thereof, or registered assigns, on January 1, 2016, and semiannually thereafter on January 1 and July 1 in each year in which the Bonds are outstanding and shall mature on July 1 of each year set forth above.

C. Bonds which are reissued upon transfer, exchange or other replacement shall bear interest from the most recent interest payment date to which interest has been fully paid or provided for in full or, if no interest has been paid, from the Series Date.

D. The principal of and interest on the Bonds due at maturity shall be payable to the registered owner thereof, as shown on the registration books kept by the Santa Fe County Treasurer as the registrar/paying agent (the "Registrar/Paying Agent") for the Bonds, upon maturity and upon presentation and surrender thereof at the principal office of the Registrar/Paying Agent. If any Bond shall not be paid upon such presentation and surrender at or after maturity, it shall continue to draw interest at the rate borne by the Bond until the principal thereof is paid in full. Payment of interest on the Bonds (other than at maturity) shall be made by check or draft mailed by the Registrar/Paying Agent (or by such other arrangement as may be mutually agreed to by the Registrar/Paying Agent and such registered owner), on or before each interest payment date (or, if such interest payment date is not a business day, on or before the next succeeding business day), to the registered owner thereof as of the close of business on the Record Date (defined below) at the address as it appears on the registration books kept by the Registrar/Paying Agent. All such payments shall be made in lawful money of the United States of America. The term "Record Date" as used herein with respect to any interest payment date shall mean the 15th day of the month preceding the interest payment date. The person in whose name any Bond is registered at the close of business on any Record Date with respect to any interest payment date shall be entitled to receive the interest payable thereon on such interest payment date notwithstanding any transfer or exchange thereof subsequent to such Record Date and prior to such interest payment date; but interest on any Bond which is not timely paid or duly provided for shall cease to be payable as provided above and shall be payable to the person in whose name such Bond is registered at the close of business on a special record date (the "Special Record Date") fixed by the Registrar/Paying Agent for the payment of any such overdue interest. The Special Record Date shall be fixed by the Registrar/Paying Agent whenever moneys become available for payment of overdue interest, and notice of any such

Special Record Date shall be given not less than ten days prior thereto, by first-class mail, to the registered owners of the Bonds as of the fifth day preceding the mailing of such notice by the Registrar/Paying Agent, stating the Special Record Date and the date fixed for the payment of overdue interest.

E. The Bonds maturing on and after July 1, 2025, are subject to prior redemption at the County's option in one or more units of principal of \$5,000 on and after July 1, 2024 in whole or in part at any time, in such order of maturities as the County may determine, for the principal amount of each \$5,000 unit of principal so redeemed plus accrued interest to the redemption date ("Optional Redemption"). Optional Redemption shall be made upon prior notice mailed to each registered owner of each bond selected for redemption as shown on the registration books kept by the Registrar.

F. Notice of redemption of the Bonds will be given by the Registrar/Paying Agent by sending a copy of such notice by first-class, postage prepaid mail not less than 30 days prior to the redemption date to the address shown as of the fifth day prior to the mailing of notice on the registration books by the Registrar/Paying Agent. The County shall give the Registrar/Paying Agent notice of the Bonds to be called for redemption at least 15 days prior to the date that the Registrar/Paying Agent is required to give owners notice of redemption, which notice shall specify the Bonds and the principal amount to be called for redemption and the applicable redemption dates. The Registrar/Paying Agent's failure to give such notice to the registered owner of any Bond, or any defect therein, shall not affect the validity of the proceedings for the redemption of any Bonds for which proper notice was given. The notice will specify the number or numbers and maturity date or dates of the Bonds to be redeemed (if less than all are to be redeemed) the principal amount of any Bond to be redeemed in part, the date fixed for redemption, and that on such redemption date there will become and be due and payable upon each Bond or part thereof to be redeemed, at the office of the Registrar/Paying Agent, the principal amount thereof to be redeemed plus accrued interest, if any, to the redemption date; and that from and after such date interest will cease to accrue on the principal amount redeemed. Such notice may be a conditional notice of redemption and the amount of money required to redeem the Bonds called for redemption need not be on deposit with the Registrar/Paying Agent at the time notice of redemption is given. If notice is given in the manner provided above, the Bond or Bonds or part thereof called for redemption will become due and payable on the redemption date designated and, if an amount of money sufficient to redeem all Bonds called for redemption is on deposit with the Registrar/Paying Agent on the redemption date, the Bonds or part thereof to be redeemed shall be deemed to be not outstanding and will cease to bear or accrue interest from and after such redemption date. Upon presentation of a Bond to be redeemed at the office of the Registrar/Paying Agent on or after the redemption date, the Registrar/Paying Agent will pay such Bond, or portion thereof called for redemption.

Section 4. The Bonds shall constitute the general obligation bonds of the County, payable from general ad valorem taxes in amounts sufficient to meet the semi-annual payments of interest and annual payments of principal on the Bonds maturing in each year. The full faith

and credit of the County shall be, and hereby is, irrevocably pledged to the payment of the principal of and interest on the Bonds.

Section 5. The Bonds shall bear the manual or facsimile signature of the Chairperson of the Board and shall be attested by the manual or facsimile signature of the Santa Fe County Clerk. The Bonds shall be authenticated by the manual signature of an authorized officer of the Registrar/Paying Agent. The Bonds bearing the signatures or facsimile signatures of the officers in office at the time of the signing thereof shall be the valid and binding obligations of the County, notwithstanding that, before the delivery of the Bonds and payment therefor, or before the issuance thereof upon transfer or exchange, any or all of the persons whose signatures appear on the Bonds shall have ceased to fill their respective offices. The Chairperson of the Board and the County Clerk shall, by the execution of a signature certificate pertaining to the Bonds, adopt as and for their respective signatures the facsimiles thereof appearing on the Bonds; and, at the time of the execution of the signature certificate, the Chairperson of the Board and County Clerk may each adopt as and for his or her facsimile signature the facsimile signature of his or her predecessor in office in the event that such facsimile signature appears upon any of the Bonds. If required for execution of the Bonds, the Chairperson of the Board and the County Clerk, pursuant to Sections 6-9-1 through 6-9-6, NMSA 1978, shall each forthwith file his or her manual signature, certified by him or her under oath, with the Secretary of State of New Mexico, provided that such filing shall not be necessary for any officer where any previous filing shall have application to the Bonds.

No Bond shall be valid or obligatory for any purpose unless the certificate of authentication, substantially in the form hereinafter provided, has been duly executed by the Registrar/Paying Agent. The Registrar/Paying Agent's certificate of authentication shall be deemed to have been duly executed by it if signed by an authorized officer of the Registrar/Paying Agent, but it shall not be necessary that the same officer sign the certificate of authentication on all of the Bonds issued hereunder.

Section 6.

A. Books for the registration and transfer of the Bonds shall be kept by the Registrar/Paying Agent, which is hereby appointed by the County as registrar and as paying agent for the Bonds. Upon the surrender for transfer of any Bond at the principal office of the Registrar/Paying Agent, duly endorsed for transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing, the Registrar/Paying Agent shall authenticate and deliver, not more than three business days after receipt of the Bond to be transferred, in the name of the transferee or transferees, a new Bond or Bonds in fully registered form of the same aggregate principal amount of authorized denominations, and of the same maturity, interest rate and series, bearing a number or numbers not contemporaneously outstanding. Bonds may be exchanged at the principal office of the Registrar/Paying Agent for an equal aggregate principal amount of Bonds of other authorized denominations, and of the same maturity, series and interest rate. The Registrar/Paying Agent shall authenticate and deliver, not more than three business days after receipt of the Bond to be exchanged, a Bond or

Bonds which the registered owner making the exchange is entitled to receive, bearing a number or numbers not contemporaneously outstanding. Exchanges and transfers of Bonds as herein provided shall be without charge to the owner or any transferee, but the Registrar/Paying Agent may require the payment by the owner of any Bond requesting exchange or transfer of any tax or other governmental charge required to be paid with respect to such exchange or transfer.

B. The person in whose name any Bond shall be registered on the registration books kept by the Registrar/Paying Agent, shall be deemed and regarded as the absolute owner thereof for the purpose of making payment thereof and for all other purposes except as may otherwise be provided with respect to payment of overdue interest as is provided in Section 2 hereof; and payment of or on account of either principal or interest on any Bond shall be made only to or upon the written order of the registered owner thereof or his legal representative, but such registration may be changed upon transfer of such Bond in the manner and subject to the conditions and limitations provided herein. All such payments shall be valid and effectual to discharge the liability upon such Bond to the extent of the sum or sums so paid.

C. If any Bond shall be lost, stolen, destroyed or mutilated, the Registrar/Paying Agent shall, upon receipt of the mutilated Bond and such evidence, information or indemnity relating thereto as it may reasonably require and as may be required by law, authenticate and deliver a replacement Bond or Bonds of a like aggregate principal amount of authorized denominations, and of the same maturity, interest rate and series, bearing a number or numbers not contemporaneously outstanding. If such lost, stolen, destroyed or mutilated Bond shall have matured, the Registrar/Paying Agent may pay such Bond in lieu of replacement.

D. The officers of the County are authorized to deliver to the Registrar/Paying Agent fully executed but unauthenticated Bonds in such quantities as may be convenient to be held in custody by the Registrar/Paying Agent pending use as herein provided.

E. Whenever any Bond shall be surrendered to the Registrar/Paying Agent upon payment thereof, or to the Registrar/Paying Agent for transfer, exchange or replacement as provided herein, such Bond shall be promptly cancelled by the Registrar/Paying Agent, and counterparts of a certificate of such cancellation shall be furnished by the Registrar/Paying Agent to the County.

F. Notwithstanding the above provisions of this Section, the Bonds may be issued or registered, in whole or in part, in book-entry form from time to time with no physical distribution of bond certificates made to the public, with the Depository Trust Company of New York, New York (the "Depository"), acting as securities depository for the Bonds. A single certificate for each maturity date of the Bonds issued in book-entry form will be delivered to the Depository and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in authorized denominations, with transfer of ownership effected on the books of the Depository and its participants (the "Participants"). As a condition to delivery of the Bonds in book-entry form, the Purchaser will, immediately after acceptance of delivery thereof, deposit, or cause to be deposited, the Bond certificates with the Depository, registered in the name of the

Depository or its nominee. Principal, premium, if any, and interest will be paid to the Depository or its nominee as the registered owner of the Bonds. The transfer of principal, premium, if any, and interest payments to Participants will be the responsibility of the Depository; the transfer of principal, premium, if any, and interest payments to the beneficial owners of the Bonds (the "Beneficial Owners") will be the responsibility of Participants and other nominees of Beneficial Owners maintaining a relationship with Participants (the "Indirect Participants"). The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by the Depository, Participants or Indirect Participants.

If (i) the Bonds are not eligible for the services of the Depository, (ii) the Depository determines to discontinue providing its services with respect to the Bonds, or (iii) the County determines that a continuation of the system of book-entry transfers through the Depository ceases to be beneficial to the County or the Beneficial Owners, the County will either identify another similar depository to perform such functions or certificates for the Bonds will be delivered to the Beneficial Owners or their nominees, and the Beneficial Owners or their nominees, upon authentication of Bonds and registration of those Bonds in the Beneficial Owners' or nominees' names, will become the owners of the Bonds for all purposes. In that event, the County shall mail an appropriate notice to the Depository for notification to Participants, Indirect Participants and Beneficial Owners of the substitute Depository or the issuance of bond certificates to Beneficial Owners or their nominees, as applicable.

Officers of the County are authorized to sign agreements with the Depository relating to the matters set forth in this Section.

Notwithstanding any other provision of this Resolution, so long as all of the Bonds are registered in the name of the Depository or its nominee, all payments of principal, premium, if any, and interest on the Bonds, and all notices with respect to the Bonds, shall be made and given by the Registrar/Paying Agent to the Depository as provided in this Resolution and by the Depository to its Participants or Indirect Participants and notices to the Beneficial Owners of the Bonds in the manner provided in an agreement or letter of the County to the Depository.

Section 7. If the Registrar/Paying Agent initially appointed hereunder shall resign, or if the County shall reasonably determine that the Registrar/Paying Agent has become incapable of fulfilling its duties hereunder, the County may, upon notice mailed to each registered owner of the Bonds at the address last shown on the registration books, appoint a successor Registrar/Paying Agent. Every such successor Registrar/Paying Agent shall be a bank or trust company located in and in good standing in the United States and having a shareholders equity (e.g., capital stock, surplus and undivided profits), however denominated, of not less than \$10,000,000.

Section 8. Subject to the registration provisions hereof, the Bonds hereby authorized shall be fully negotiable and shall have all the qualities of negotiable paper, and the registered

owner or owners thereof shall possess all rights enjoyed by the holders of negotiable instruments under the provisions of the Uniform Commercial Code.

Section 9. The Bonds shall be in substantially the following form:

[Form of Bond]

REGISTERED

REGISTERED

NO. _____

\$ _____

UNITED STATES OF AMERICA
STATE OF NEW MEXICO
SANTA FE COUNTY, NEW MEXICO
GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS
SERIES 2015

Registered Owner: CEDE & CO.

Principal Amount: _____ DOLLARS

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Series Date</u>	<u>CUSIP</u>
_____ % per annum	July 1, 20____	_____, 2015	_____

The Board of County Commissioners (the "Board") on the faith, credit and behalf of Santa Fe County, New Mexico (the "County"), for value received, hereby promises to pay to the registered owner named above, or registered assigns, the principal amount hereof on the Maturity Date and to pay interest on the principal amount at the Interest Rate on January 1, 2016, and thereafter on January 1 and July 1 of each year (the "Interest Payment Date") from the Series Date to its maturity. The principal of the bonds of the series of which this is one (the "Bonds") and interest due at maturity shall be payable to the registered owner thereof as shown on the registration books kept by the Santa Fe County Treasurer as registrar/paying agent (the County Treasurer and any successor thereto, the "Registrar/Paying Agent") for the Bonds, upon maturity and upon presentation and surrender thereof at the principal office of the Registrar/Paying Agent. If any Bond shall not be paid upon such presentation and surrender at or after maturity, it shall continue to draw interest at the rate borne by the Bond until the principal thereof is paid in full. Payment of interest on the Bonds (other than at maturity) shall be made by check or draft mailed by the Registrar/Paying Agent (or by such other arrangement as may be mutually agreed to by the Registrar/Paying Agent and such registered owner), on or before each Interest Payment Date (or, if such Interest Payment Date is not a business day, on or before the next succeeding business day), to the registered owner thereof as of the close of business on the Record Date (defined below) at his or her address as it appears on the registration books kept by the Registrar/Paying Agent. All such payments shall be made in lawful money of the United States

of America. The term "Record Date" as used herein with respect to any Interest Payment Date shall mean the 15th day of the month preceding the Interest Payment Date. The person in whose name any Bond is registered at the close of business on any Record Date with respect to any Interest Payment Date shall be entitled to receive the interest payable thereon on such Interest Payment Date notwithstanding any transfer or exchange thereof subsequent to such Record Date and prior to such Interest Payment Date; but interest on any Bond which is not timely paid or duly provided for shall cease to be payable as provided above and shall be payable to the person in whose name such Bond is registered at the close of business on a special record date (the "Special Record Date") fixed by the Registrar/Paying Agent for the payment of any such overdue interest. The Special Record Date shall be fixed by the Registrar/Paying Agent whenever moneys become available for payment of overdue interest, and notice of any such Special Record Date shall be given not less than ten days prior thereto, by first-class mail, to the registered owners of the Bonds as of the fifth day preceding the mailing of such notice by the Registrar/Paying Agent, stating the Special Record Date and the date fixed for the payment of overdue interest. If the Bonds are issued in book-entry only form, an authorized officer of the County and the applicable securities depository may make other arrangements for the payments on the Bonds.

The Bonds are fully registered and are issuable in denominations of \$5,000 and any integral multiple thereof (provided that no individual bond may be issued for more than one maturity).

The series of Bonds of which this bond is one is limited to the total principal amount of \$47,220,000 of like tenor except as to number, denomination, maturity date, and interest rate, issued by Santa Fe County, New Mexico. \$8,000,000 in principal amount of the Bonds represents the second series of general obligation bonds approved by the qualified electors of the County at an election held on November 6, 2012 to provide funds for: (1) the acquisition, construction, design and equipping of roads within the County; (2) the acquisition of real property and necessary water rights for, and construction, design, equipping, rehabilitation and improvement of water and wastewater projects within the County; and (3) the acquisition, design, construction, improvement, equipping and restoration of open space, trails and parks within the County. \$39,220,000 in principal amount of the Bonds is allocated to the refunding, refinancing, paying and redeeming the County's outstanding General Obligation Bonds, Series 2005A, Series 2007A and Series 2007B.

The Bonds are issued under the authority of and in full conformity with the Constitution and laws of the State of New Mexico (particularly Sections 4-49-1 *et seq.*, NMSA 1978, Sections 6-15-1 through 6-15-22 NMSA 1978, and acts amendatory and supplemental thereto), and pursuant to the resolution of the Board authorizing the publication of a notice of sale of the Bonds and duly adopted March 31, 2015 (the "Notice of Sale Resolution") and the resolution of the Board awarding the Bonds to the best bidder therefore and duly adopted on April 14, 2015 (the "Award Resolution" and, together with the Notice of Sale Resolution, the "Bond Resolution").

The Bonds maturing on and after July 1, 2025, are subject to prior redemption at the County's option in one or more units of principal of \$5,000 on and after July 1, 2024 in whole or in part at any time, in such order of maturities as the County may determine, for the principal amount of each \$5,000 unit of principal so redeemed plus accrued interest to the redemption date. Redemption shall be made upon prior notice mailed to each registered owner of each bond selected for redemption as shown on the registration books kept by the Registrar.

The Registrar/Paying Agent will maintain the books of the County for the registration of ownership of the Bonds. Upon the surrender for transfer of any Bond at the principal office of the Registrar/Paying Agent, duly endorsed for transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing, the Registrar/Paying Agent shall authenticate and deliver, not more than three business days after receipt of the Bond to be transferred, in the name of the transferee or transferees, a new Bond or Bonds in fully registered form of the same aggregate principal amount of authorized denominations, and of the same maturity, interest rate and series, bearing a number or numbers not contemporaneously outstanding. Bonds may be exchanged at the principal office of the Registrar/Paying Agent for an equal aggregate principal amount of Bonds of other authorized denominations, and of the same maturity, series and interest rate. The Registrar/Paying Agent shall authenticate and deliver, not more than three business days after receipt of the Bond to be exchanged, a Bond or Bonds which the registered owner making the exchange is entitled to receive, bearing a number or numbers not contemporaneously outstanding. Exchanges and transfers of Bonds as herein provided shall be without charge to the owner or any transferee, but the Registrar/Paying Agent may require the payment by the owner of any Bond requesting exchange or transfer of any tax or other governmental charge required to be paid with respect to such exchange or transfer.

The person in whose name any Bond shall be registered on the registration books kept by the Registrar/Paying Agent shall be deemed and regarded as the absolute owner thereof for the purpose of making payment thereof and for all other purposes except as may otherwise be provided with respect to payment of overdue interest; and payment of or on account of either principal or interest on any Bond shall be made only to or upon the written order of the registered owner thereof or his legal representative, but such registration may be changed upon transfer of such Bond in the manner and subject to the conditions and limitations provided herein. All such payments shall be valid and effectual to discharge the liability upon such Bond to the extent of the sum or sums so paid.

If any Bond shall be lost, stolen, destroyed or mutilated, the Registrar/Paying Agent shall, upon receipt of the mutilated Bond and such evidence, information or indemnity relating thereto as the Registrar/Paying Agent may reasonably require and as may be required by law, authenticate and deliver a replacement Bond or Bonds of a like aggregate principal amount of authorized denominations, and of the same maturity, interest rate and series, bearing a number or numbers not contemporaneously outstanding. If such lost, stolen, destroyed or mutilated Bond shall have matured, the Registrar/Paying Agent may pay such Bond in lieu of replacement.

For the punctual payment of the principal of and interest on this bond as aforesaid and for the levy and collection of taxes in accordance with the statutes authorizing the issuance of this bond, the full faith and credit of the County is hereby irrevocably pledged. The Board has, by the Bond Resolution, ordered the creation of an interest and sinking fund for the payment of the Bonds. Such fund is to be held in trust for the benefit of the owner or owners of the Bonds.

It is hereby certified, recited and warranted that all the requirements of law have been complied with by the proper officials of the County in the issuance of this bond; that the total indebtedness of the County, including that of this bond, does not exceed any limit of indebtedness prescribed by the Constitution or laws of the State of New Mexico; that provision has been made for the levy and collection of annual taxes sufficient to pay the principal of and the interest on this bond when the same become due. This bond shall not be valid or obligatory for any purpose until the Registrar/Paying Agent shall have manually signed the certificate of authentication hereon.

IN TESTIMONY WHEREOF, the Board of County Commissioners of Santa Fe County, New Mexico constituting the governing board of the County, has caused this bond to be signed and executed with the manual or facsimile signature of the Chairperson of the Board and subscribed and attested with the manual or facsimile signature of the Santa Fe County Clerk, all as of the Series Date.

Robert Anaya, Chairperson
Board of County Commissioners
Santa Fe County, New Mexico

Attest:

Geraldine Salazar, Clerk
Santa Fe County, New Mexico

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds described in the Bond Resolution and has been duly registered on the registration books kept by the undersigned as Registrar/Paying Agent for the Bonds.

Date of Authentication
and Registration: _____

Santa Fe County Treasurer,
as Registrar/Paying Agent

By: _____
Patrick Varela

ASSIGNMENT

For value received, the undersigned sells, assigns and transfers unto _____ whose social security or tax identification number is _____ the within bond and irrevocably constitutes and appoints _____ attorney to transfer such bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Address: _____

Signature Guaranteed:

NOTE: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

[End of Form of Bond]

Section 10. When the Bonds have been duly executed and authenticated, they shall be delivered to the lawful purchaser thereof named in Section 1 of this Resolution. \$8,000,000 in principal amount of the Bonds, representing the second series of general obligation bonds approved by the qualified electors of the County at an election held on November 6, 2012 shall be applied to Road Projects in the amount of \$3,400,000, to Water and Wastewater Projects in the amount of \$2,600,000 and to Open Space Projects in the amount of \$2,000,000. The Series 2015 Refunding Bonds shall be applied to the 2015 Refunding Project as shall be provided in an escrow agreement (the "Escrow Agreement") between the County and BOKF, NA, dba Bank of Albuquerque (the "Escrow Agent"). The purchaser of the Bonds shall in no manner be responsible for the application of or disposal by the County, or any of its officers, of any of the funds derived from the sale thereof.

Section 11. There shall be levied on all taxable property within the County, at the time and in the manner provided by law, in addition to all other taxes, direct annual ad valorem taxes sufficient to pay the principal of and interest accruing on the Bonds promptly as the same shall become due. This Resolution is hereby declared to be the certificate of the Board, as to the amount of taxes necessary to be levied for the purposes herein stated and said taxes shall be certified, levied and extended upon the tax rolls and collected in the same manner, at the same time and subject to the same penalties as general state and county taxes are certified, levied and collected. The taxes, when collected, shall be kept by the County in the County's interest and

sinking fund for the County's general obligation bonds to be used solely for the purpose of paying the principal of and interest on the County's general obligation bonds as the same become due or mature; provided that nothing herein contained shall be so construed as to prevent the application of any other funds belonging to the County and available for that purpose, to the payment of the Bonds or the interest thereon, as the same become due and upon such payment the levy or levies of tax provided for in this Section may thereupon to that extent be diminished. If the taxes herein provided for shall not be levied or collected in time to pay the interest on or principal of the Bonds as the same become due or mature, then such interest or principal shall be paid from any other funds belonging to the County, which funds may be reimbursed from the taxes herein provided for when the same are collected.

Section 12. The Chairperson of the Board, County Clerk, County Treasurer and other officers and employees of the County are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution, including without limiting the generality of the foregoing, the printing of the Bonds, the execution of letters and agreements with the Depository, the printing and execution of disclosure documents relating to the Bonds, the execution and delivery of the Escrow Agreement, the payment of the costs of issuance of the Bonds, and such certificates as may be required by the Purchaser or bond counsel relating to, among other things, the signing of the Bonds, the tenure and identity of County officials, the receipt of the purchase price of the Bonds from the Purchaser and the absence of litigation, pending or threatened, if in accordance with the facts, affecting the validity thereof and the absence and existence of factors affecting the exclusion of interest on the Bonds from gross income for federal income tax purposes.

In order to assist the Purchaser in complying with Securities and Exchange Commission Rule 15c2-12(b)(5), at the time of delivery of the Bonds, the County will undertake, pursuant to a written continuing disclosure agreement, to provide annual financial information and notices of certain events as specified in that continuing disclosure agreement.

The Board hereby approves the Continuing Disclosure Responsibilities Procedures attached to this Resolution as Exhibit A.

Section 13. The County covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary so that the Bonds will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The Chairperson of the Board, the Santa Fe County Treasurer and any other officer of the County having responsibility for the issuance of the Bonds shall give an appropriate certificate of the County, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of interest on the Bonds.

The County covenants that it (a) will take or cause to be taken such actions which may be required of it for the interest on the Bonds to be and remain excluded from gross income

for federal income tax purposes, and (b) will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield, as required, on investment property acquired with those proceeds, (iii) make timely rebate payments, if required, to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code. The Chairperson of the Board, Treasurer and other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications, as may be appropriate to assure such exclusion of that interest.

Section 14. Any Bond and the interest thereon shall be deemed to be paid, retired, and no longer outstanding (a "Defeased Bond") hereunder when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity, upon redemption, or other) either (a) shall have been made or caused to be made in accordance with the terms thereof (including the giving of any required notice of redemption), or (b) shall have been provided for on or before such due date by irrevocably depositing with or making available to a qualified depository for such payment (i) lawful money of the United States of America sufficient to make such payment or (ii) Government Obligations which mature as to principal and interest in such amounts and at such times as will ensure the availability, without reinvestment, of sufficient money to provide for such payment (as verified by a certified or registered public accountant), and when proper arrangements have been made by the County with a qualified depository for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of the ad valorem taxes herein levied and pledged as provided in this ordinance, and such principal and interest shall be payable solely from such money or Government Obligations.

Any moneys so deposited with the qualified depository may, at the written direction of the County, also be invested and re-invested in Government Obligations, maturing in the amounts and times required to make payments when due on the Defeased Bonds, and all income from such Government Obligations received by the qualified depository which is not required for the payment of the Defeased Bonds and interest thereon, with respect to which such money has been so deposited, shall be turned over to the County for use in accordance with law. The term "Government Obligations" means direct obligations of the United States of America, including obligations the principal of and interest on which are unconditionally guaranteed by the United States of America which may be United States Treasury Obligations such as its State and Local Government Series, which may be in book-entry form.

Section 15. Moneys in any fund not immediately needed may be invested as provided by state law and applicable federal statutes and regulations, provided that the Board and the County hereby covenant to the purchasers and the holders of the Bonds from time to time that

the County will make no use of the proceeds of the Bonds or any funds reasonably expected to be used to pay the principal of or interest on the Bonds which will cause the Bonds to be arbitrage bonds within the meaning of Section 148 of the Code, as amended, or which would adversely affect the tax status of interest on the Bonds under the Code. This covenant is for the benefit of the purchasers and the holders of the Bonds from time to time.

Section 16. After any of the Bonds have been issued, this Resolution shall constitute a contract between the County and the holder or holders of the Bonds and shall be and remain irrevocable and unalterable until the Bonds and the interest thereon shall have been fully paid, satisfied and discharged, defeased or until such payment has been duly provided for.

Section 17. All prior resolutions or other action of the Board inconsistent with the provisions of this Resolution are hereby repealed, but only to the extent of such inconsistency. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 18. The following notice shall be published one time in a newspaper having general circulation in the County as soon as is practicable following the adoption hereof:

[Form of Notice]

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Santa Fe County, New Mexico, on the 14th day of April, 2015, adopted a resolution entitled:

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY
RESOLUTION NO. 2015 –
AWARD RESOLUTION
FOR
THE SANTA FE COUNTY, NEW MEXICO
GENERAL OBLIGATION
REFUNDING AND IMPROVEMENT BONDS, SERIES 2015**

The Resolution directs and authorizes the issuance of Santa Fe County, New Mexico, General Obligation Refunding and Improvement Bonds, Series 2015 in the aggregate principal amount of \$47,220,000, to be issued for the purpose of (1) defraying the costs of Road Projects, Water and Wastewater Projects and Open Space Projects within the County, representing the second series of general obligation bonds approved by the qualified electors of the County at an

election held on November 6, 2012 and (2) refunding, refinancing, paying and redeeming the County's outstanding General Obligation Bonds, Series 2005A, Series 2007A and Series 2007B .

The Resolution awards the sale of the bonds to the best bidder therefor and provides for the delivery thereof; provides for the form of the bonds; provides for the levy of ad valorem property taxes without limitation as to rate or amount to pay the principal of and interest on the bonds; makes certain covenants with the bond purchaser; approves a form of preliminary official statement; and provides other details concerning the bonds. Complete copies of the Resolution are available for public inspection during normal and regular business hours at the office of the Santa Fe County Clerk, 102 Grant Avenue, Santa Fe, New Mexico. This notice constitutes compliance with Section 6-14-6 NMSA 1978.

DATED this 14th day of April, 2015.

/s/

Robert A. Anaya, Chairperson
Board of County Commissioners
Santa Fe County, New Mexico

[End Form of Notice]

(Signature page follows)

PASSED, ADOPTED AND APPROVED this 14th day of April, 2015.

BOARD OF COUNTY COMMISSIONERS
SANTA FE COUNTY, NEW MEXICO

By: _____
Robert A. Anaya, Chairperson

ATTEST:

By: _____
Geraldine Salazar, County Clerk

Approved as to Form:

By: _____
Gregory Shaffer, County Attorney

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

MODRALL, SPERLING, ROEHL, HARRIS & SISK, P.A.
as Bond Counsel

By: _____
Peter Franklin

EXHIBIT "A"

CONTINUING DISCLOSURE RESPONSIBILITIES OF SANTA FE COUNTY, NEW MEXICO IN CONNECTION WITH MUNICIPAL BONDS ISSUED BY THE COUNTY

Santa Fe County, New Mexico (the "County") has entered into continuing disclosure undertakings (each a "CDU") pursuant to SEC Rule 15c2-12 in connection with general obligation bonds and revenue bonds issued by the County. The CDUs typically require:

- That the County disclose certain types of "Annual Financial Information" on an annual basis (typically by providing a copy of the County's audited financial statements for the most recently completed fiscal year);
- That "Event Information" be reported within 10 business days after the occurrence of specific types of events which could affect the County's Bonds.

"Annual Financial Information," "Audited Financial Statements" and "Event Information" are terms defined in each CDU. Copies of the CDUs for the County's outstanding bonds are included in the bond transcript for each series of bonds and are also available upon request from the County's bond counsel.

Currently, any disclosure required by the CDUs is made by electronically posting the information on the Electronic Municipal Market Access website, known as "EMMA." The matrix appearing below identifies both the periodic and non-routine tasks required for compliance with the County's CDUs, and the County officials and consultants to which those responsibilities are nonexclusively assigned (each a "Responsible Officer"). Such Responsible Officers are authorized to delegate assigned tasks to persons they shall designate; provided, that such designation shall be in writing and shall be approved or ratified by the Board of County Commissioners of the County, as the case may be.

Frequency	Task	Bond Counsel	Financial Advisor	County Finance Director	County Manager
	CONTINUING DISCLOSURE				
At least every 4yrs	Retain or identify Dissemination Agent			x	x
Specified by contract	Payment of Dissemination Agent			x	x
Annually	Provide Annual Financial Information per CDU; verify filing		x	x	x
As needed	Event Reporting	x	x	x	x
As needed	Conference to discuss status of outstanding bonds	x	x	x	x

Ms. Patricia Perrin
10 Deans Ct
Santa Fe, NM 87508-1372

EXHIBIT
3

April 14, 2015

County Board of Commissioners
PO Box 276
Santa Fe, New Mexico 87504-0276

Re: Proposed Apartment Development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo."

Dear Commissioners:

On February 21, I emailed Robert Griego some questions that those of us living on Deans Court have about the demise of the College North Master Plan and the de-annexation of the that land--which has produced the proposed development above. (See the attached email to Griego.)

He replied on February 23rd and indicated that the Land Use Administrator, who was not named, would reply.

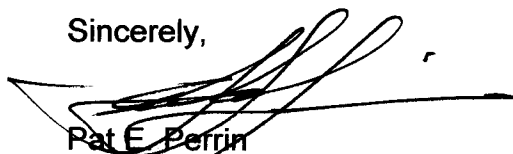
I emailed once again in March with no reply.

Finally I emailed Commissioner Stefanics on April 7, asking for assistance in getting answers and have had no reply.

Therefore, I am using this process to get our answers.

Thank you again.

Sincerely,



Pat E. Perrin
10 Deans Court
Santa Fe, NM 87508
505-474-3453
pateperrin@aol.com

From: pateperrin <pateperrin@aol.com>
To: rgriego <rgriego@santafecountynm.gov>; lstefanics <lstefanics@santafecountynm.gov>; marsjohn4 <marsjohn4@gmail.com>; hunt4steve <hunt4steve@gmail.com>; david <david@bsnsantafe.com>; arjjig <arjjig@comcast.net>; evelyn <evelyn@nmlandandhomes.com>; Flopez3951 <Flopez3951@aol.com>; quantumrandy <quantumrandy@gmail.com>; pbstrong_1999 <pbstrong_1999@yahoo.com>; qleapcoach <qleapcoach@gmail.com>; ceasterwood <ceasterwood@nmb-t.com>; karinlubin <karinlubin@gmail.com>; swg.lgg <swg.lgg@gmail.com>; a63lp <a63lp@yahoo.com>; kcod <kcod@mac.com>; jimshuba <jimshuba@aol.com>; sumac3b <sumac3b@comcast.net>; leelowary <leelowary@gmail.com>; jwells7465 <jwells7465@comcast.net>; bkrasnow <bkrasnow@sfnewmexican.com>; mlaendle <mlaendle@yahoo.com>; pateperrin <pateperrin@aol.com>; gevezich <gevezich@gmail.com>; tunick <tunick@swcp.com>; concernedrvhos <concernedrvhos@gmail.com>; raquel_burns <raquel_burns@shamrockfoods.com>; detwiler <detwiler@cybermesa.com>; tunick <tunick@vsci.net>; eggorman <eggorman@comcast.net>; glens <glens@ufl.edu>; vickischneider <vickischneider@gmail.com>; NLArmstrong <NLArmstrong@nmb-t.com>; eggorman <eggorman@comcast.net>
Subject: Fwd: Questions and attempt to meet with Planning
Date: Tue, Apr 7, 2015 11:37 am

Ms. Stefanics, the following documents that I mailed some questions to Mr. Griego on Feb. 25 and that he acknowledged my email and said he would get back to me. So far, nothing has happened.

Could you assist us in getting some answers to these questions by email.

-----Original Message-----
From: pateperrin <pateperrin@aol.com>
To: rgriego <rgriego@santafecountynm.gov>
Sent: Wed, Feb 25, 2015 1:16 pm
Subject: Re: Questions and attempt to meet with Planning

Thanks ever so much!

-----Original Message-----
From: Robert Griego <rgriego@santafecountynm.gov>
To: pateperrin <pateperrin@aol.com>
Sent: Mon, Feb 23, 2015 11:01 am
Subject: RE: Questions and attempt to meet with Planning

Ms. Perrin,

I understand that you came in on Thursday and spoke with our Administrative Assistant Chrisann Romero. I was out of the office on Thursday afternoon representing the County at a meeting. In regard to your email questions below regarding College North Master Plan, I have sent those questions to our Land Use Administrator who has indicated that they will review the approvals and provide a response to your questions. We can also set up a meeting to discuss after they have researched this request. Robert

From: pateperrin@aol.com [mailto:pateperrin@aol.com]
Sent: Saturday, February 21, 2015 10:34 PM
To: Robert Griego
Subject: Questions and attempt to meet with Planning

My name is Pat Perrin and I went to meet someone from Planning on Thursday, Feb. 19, with no success. No one was in the office.

I attempted to make a subsequent meeting on Friday but was told that almost everyone would be out then

also. So I asked for your card and said I would email my questions to you.

I live in Rancho Viejo and we are trying to understand some complicated issues about The College North Master Plan and its demise. They are as follows:

1. We know that College North Master Plan was approved in 1997 by the Extraterritorial Zoning Authority for 73 acres on 90.75 acres. Phase I was developed in 1999 and subsequent years as a 20-lot subdivision known as The College Heights Subdivision on 33.84 acres. The Master Plan was valid for 5 years and could be renewed for two-year periods at the request of the developer (Suncor/Univest). It was discovered by a new developer purchaser (Vedura) to have expired in March of 2014.

Why and when did it expire? One developer told me that as long as development was ongoing, Master Plans do not expire. Is that accurate?

Wouldn't the County be required to inform homeowners if their Master Plan had expired?

2. The College North Master Plan **preceded** the Community College District Plan, which was approved in November 1, 2000.

Therefore, would the zoning for single family residences hold? Even though the College North Master Plan expired?

3. On December 11, 2000, The Community College District Ordinance is approved. Does the CCDO Land Use Zoning Map designate College Heights as a Village Zone?

4. De-Annexation. In 1999, the Rancho Viejo Vice-President signed a declaration of Covenants that if any Rancho Viejo land was sold, the covenants would run with the sale. (This was notarized and sent to the County. See the attached.)

However, the Covenants also give the developer the right to De-Annex land if he has built more than 50% of the planned development. This portion of the Covenants is quoted in the De-Annexation document filed by the County. And Univest plainly de-annexes to get rid of the Covenants and Restrictions with a careful reading.

This is a conflict.

How does the County handle this? Wouldn't the County be required to inform homeowners if their Master Planned land is being de-annexed?

5. While I was there I asked what the zoning is for Dean's Court (I reside at 10 Dean's Court) and discovered it is "Mixed Use" and not single-family. This is certainly confusing.

If you want me to meet with you, let me know when would be convenient. Mondays, Thursday afternoons and Fridays work best for me.

STATEMENT OF CREDIT DENIAL, TERMINATION OR CHANGE

APPLICANT'S NAME: Matthew Miles Murray

ADDRESS: 15 Olive Ln

CITY, STATE, ZIP: Santa Fe, NM 87506

Originator NMLS ID: [REDACTED]

Pojoaque Valley
El Rancho, north side
Exception 90 to the
San Ildefonso Pueblo Grant

I. Description of Account, Transaction, or Requested Credit: Mortgage Loan Application

II. Description of Action Taken: Application Denied

Denied

III. Principal Reason(s) for Credit Denial, Termination or Other Action Taken Concerning Credit. This section must be completed in all instances.

A. Credit

- | | |
|--|---|
| <input type="checkbox"/> No credit file | <input type="checkbox"/> Garnishment or attachment |
| <input type="checkbox"/> Insufficient number of credit references provided | <input type="checkbox"/> Foreclosure or repossession |
| <input type="checkbox"/> Limited credit experience | <input type="checkbox"/> Collection action or judgment |
| <input type="checkbox"/> Poor credit performance with us | <input type="checkbox"/> Unacceptable type of credit references provided |
| <input type="checkbox"/> Delinquent past or present credit obligations with others | <input type="checkbox"/> Unable to verify credit references |
| <input type="checkbox"/> Bankruptcy | <input type="checkbox"/> Number of recent inquiries on credit bureau report |

B. Income and Employment

- | | |
|---|--|
| <input type="checkbox"/> Unable to verify income | <input type="checkbox"/> Unable to verify employment |
| <input type="checkbox"/> Income insufficient for amount of credit requested | <input type="checkbox"/> Temporary or irregular employment |
| <input type="checkbox"/> Excessive obligations in relation to income | <input type="checkbox"/> Length of employment |

C. Residence

- | | |
|---|--|
| <input type="checkbox"/> Length of residence | <input type="checkbox"/> Temporary residence |
| <input type="checkbox"/> Unable to verify residence | |

No Legal Access
No Clear Title

D. Other

- | | |
|--|---|
| <input type="checkbox"/> Credit application incomplete | <input checked="" type="checkbox"/> Specify: <u>Title company cannot ensure clear</u> |
| <input checked="" type="checkbox"/> Value or type of collateral not sufficient | <u>access to the property.</u> |

IV. Disclosure of Use of Information Obtained from an Outside Source:

- ☐ Disclosure inapplicable
- ☒ Our credit decision was based in whole or in part on information obtained in a report from the consumer reporting agency listed below. You have a right under the Fair Credit Reporting Act to know the information contained in your credit file at the consumer reporting agency. The reporting agency played no part in our decision and is unable to supply specific reasons why we have denied credit to you. You also have a right to a free copy of your

report from the reporting agency, if you request it no later than 60 days after you receive this notice. In addition, if you find that any information contained in the report you receive is inaccurate or incomplete, you have the right to dispute the matter with the reporting agency


Name: **Experian Consumer Relations**
Street Address: **PO Box 2002**
City, State, Zip: **Allen, TX 75013**
Telephone Number: **(888) 397-3742**

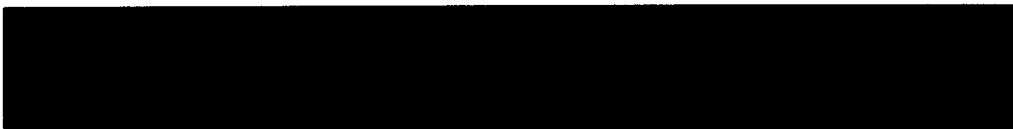
Name: **Equifax Consumer Relations**
Street Address: **PO Box 740241**
City, State, Zip: **Atlanta, GA 30374**
Telephone Number: **(800) 685-1111**

Name: **TransUnion Consumer Relations**
Street Address: **PO Box 1000**
City, State, Zip: **Chester, PA 19022**
Telephone Number: **(800) 916-8800**

(If the Consumer Reporting Agency compiles and maintains files on consumers on a nationwide basis, provide a toll-free telephone number.)

- ☒ We also obtained your credit score from **Experian Consumer Relations** and used it in making our credit decision. Your credit score is a number that reflects the information in your consumer report. Your credit score can change, depending on how the information in your consumer report changes.

Your credit score: 
Date: **01/14/2015**
Scores range from a low of 320 to a high of 844



If you have any questions regarding your credit score, you should contact **Experian Consumer Relations**

at **PO Box 2002, Allen, TX 75013, (888)397-3742**

☐ Our credit decision was based in whole or in part on information obtained from an affiliate or from an outside source other than a consumer reporting agency. Under the Fair Credit Reporting Act, you have the right to make a written request, no later than 60 days after you receive this notice, for the disclosure of the nature of this information.

If you have any questions regarding this notice, you should contact:

Contact's Name:
Creditor's Name:
Address:

Telephone Number:




V. ECOA Notice

The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided that the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The Federal Agency that administers compliance with this law concerning this creditor is:

Agency: Office of the Comptroller of the Currency, Customer Assistance Group
1301 McKinney Street, Suite 3450
Houston, TX 77010-9050

Notice ☐ Mailed ☐ Delivered ☒ Emailed

Date: March 12, 2015 By: 

My bank requested the title company remove exception 13

Title Companies have these problems:
1) Tribes stating roads are no longer public
2) Tribes threatening to shut down roads
3) Tribes demanding a payoff

From: Title Company
Sent:
To: My Bank
Cc:
Subject:

Friday, March 06, 2015 10:55 AM

RE: 15 Olive Ln., Santa Fe, NM 87506/

Good Morning

Unfortunately we are not able to remove that exception at this time. I am sorry this has been a problem with a lot of the properties up north. There is a problem with a couple of the tribes raising a problem stating that the roads are no longer public therefore they are threatening to shut them down and landlock all the homeowners unless they receive some money. So it is all being litigated at this time but we do not have an outcome. So the title companies are put in a bind until it gets worked out which I am hoping happens SOON.

Thanks

Escrow Officer
Title - Santa Fe
Santa Fe, NM

title

From My Bank

To the Title Company

Sent: Friday, March 06, 2015 10:44 AM

Subject: RE: 15 Olive Ln., Santa Fe, NM 87506/

Can you please update me on the above file? Do we may be at least have an idea when we will find out about the exception being removed or not? Please inform.

Thank you,

Mortgage Loan Processor

CONFIDENTIALITY NOTICE: The information contained in this message and in any attached documents is privileged information and/or other confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly

See exception 13 (bottom of the next to last page continued on the top of last page) for the deal killer.

ALTA Commitment Form

COMMITMENT FOR TITLE INSURANCE
ISSUED BY

[REDACTED] TITLE GUARANTY COMPANY

[REDACTED] ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate six months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

This Commitment shall not be valid or binding until countersigned by a validating officer or authorized signatory.

IN WITNESS WHEREOF, [REDACTED] Guaranty Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

Countersigned by:

[REDACTED]

[REDACTED]
title guaranty company

[REDACTED]

[REDACTED]

Secretary

SEC CLERK RECORD 05/13/2015

CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and Stipulations and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. *The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at < <http://www.alta.org/> >*

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at [REDACTED]

Pursuant to the New Mexico Title Insurance Law §59A- 4 NMSA 1978, Control and supervision by superintendent and Title Insurance Regulation §13.14.18.10, NMAC, no part of any title insurance commitment, policy or endorsement form may be added to, altered, inserted in or typed upon, deleted or otherwise changed from the title insurance form promulgated by the New Mexico Superintendent of Insurance, nor issued by a person or company not licensed with regard to the business of title insurance by the New Mexico Superintendent of Insurance, nor issued by a person or company who does not own, operate or control an approved title abstract plant as defined by New Mexico law and regulations for the county wherein the property is located.

COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

File No.: [REDACTED]

1. Effective Date: January 30, 2015 at 8:00 A.M.

2. Policy or Policies to be issued:

Amount of Insurance

(a) A.L.T.A. Owner's Policy 2006 (Standard)

(b) A.L.T.A. Loan Policy 2006 (Standard)

\$ [REDACTED] 000.00

Proposed Insured:

[REDACTED] Bank, its successors and assigns

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

Fee Simple

4. Title to the said estate or interest in said land is at the effective date hereof vested in:

Matthew M. Murray

5. The land referred to in this Commitment is described as follows:

All of Tract "A1," as shown on, "Plat of Survey for Mathew Murray & James Blossom Portion of Exception 90, P.C. 36, P. 4 within the San Ildefonso Pueblo Grant in Sections 4 & 9, T19N, R8E, N.M.P.M. Santa Fe County, New Mexico," filed for record as Document Number 582,092, appearing in Plat Book 160, Page 014, records of Santa Fe County, New Mexico.

**COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART I**

File No. [REDACTED]

The following are the requirements to be complied with:

1. Payment of the full consideration to, or for the account of, the grantors or mortgagors.
2. Payment of all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
3. Satisfactory evidence should be had that improvements and/or repairs or alterations thereto are completed; that contractor, subcontractor, labor and materialmen are all paid.
4. Instruments necessary to create the estate or interest to be insured must be properly executed, delivered and duly filed for record, to wit:
 - a. Pay ad valorem taxes assessed under account number 036004468, records of Santa Fe County, New Mexico.
 - b. Release of Mortgage, from Matthew M. Murray to [REDACTED] recorded as Instrument No. [REDACTED] of Santa Fe County, New Mexico
 - c. Execution and recordation of Mortgage from Matthew M. Murray (indicate marital status) to [REDACTED] Bank, securing its loan.
 - d. Obtain a current Improvement Location Report if Standard Exception 2 and 3 (Survey Protection) is to be deleted.
5. Provide this Company with official identification of all parties involved in this transaction before or at closing.

**COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART II**

File No.: [REDACTED]

Standard exceptions 1, 2, 3, and or 4, may be deleted from any policy upon compliance with all provisions of the applicable rules, upon payment of all additional premiums required by the applicable rules, upon receipt of the required documents and upon compliance with the company's underwriting standards for each such deletion. Standard exception 5 may be deleted from the policy if the name insured in the case of an owner's policy, or the vestee, in the case of a leasehold or loan policy, is a corporation, a partnership, or other artificial entity, or a person holding title as trustee. Except for the issuance of a U.S. policy form (NM7 or NM34), any policy to be issued pursuant to this commitment will be endorsed or modified in schedule B by the company to waive its right to demand arbitration pursuant to the conditions and stipulations of the policy at no cost or charge to the insured. The endorsement or the language added to schedule B of the policy shall read: "In compliance with Subsection D of 13.14.18.10 NMAC, the company hereby waives its right to demand arbitration pursuant to the title insurance arbitration rules of the American land title association. Nothing herein prohibits the arbitration of all arbitrable matters when agreed to by both the company and the insured."

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Right or claims of parties in possession not shown by the public records.
2. Easements or claims of easements, not shown by the public records.
3. Encroachments, overlaps, conflicts in boundary lines, shortages in area, or other matters which would be disclosed by an accurate survey and inspection of the premises.
4. Any lien, claim or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Community property, survivorship, or homestead rights, if any, of any spouse of the insured (or vestee in a leasehold or loan policy)
6. [RESERVED]
7. Water rights, claims or title to water.
8. [RESERVED]
9. Taxes for the year 2015, and thereafter.
10. Defects, liens, encumbrances, adverse claims or other matters, if any, created first appearing in the public records or attaching subsequent to the Effective Date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by the Commitment.
11. All matters that may be shown on an Improvement Location Report or survey of the property, if one is provided to the title company.
12. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
13. Any right, title or interest of any federally recognized Native American tribal group or association to any parcel of

Exception 13

The deal killer

SEC CLERK RECORD 05/13/2015

Exception 13
continued

COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART II

The deal killer

property used for the purpose of ingress and egress to subject tract.

14. Title to the mobile home presently located on the above described land is not insured herein and any loss or damage suffered as a result of the transfer of title to the mobile home or the removal of the mobile home from the above described land is not insured herein.
15. Rights of parties in possession claimed by or through any leasehold instrument or assignment thereof, not shown by the public records.
16. Easement, Matthew M. Murray and Barbara Murray to Jemez Mountains Electric Cooperative, Inc., dated 30 December 1985 recorded in Book 542 Misc., Page 776, records of Santa Fe County, New Mexico.
17. Easement, Matthew Murray and Barbara Murray to Jemez Mountains Electric Cooperative, dated 4 April 1986 recorded in Book 555 Misc., Page 776, records of Santa Fe County, New Mexico.
18. Twenty (20) foot wide ingress and egress easement running along the easterly boundary of tract as shown on, "Plat of Survey for Mathew Murray & James Blossom Portion of Exception 90, P.C. 36, P. 4 within the San Ildefonso Pueblo Grant in Sections 4 & 9, T19N, R8E, N.M.P.M. Santa Fe County, New Mexico," filed for record as Document Number 582,092, appearing in Plat Book 160, Page 014, records of Santa Fe County, New Mexico.
19. Encroachment of wall onto twenty foot wide ingress and egress easement, utility lines running through tract, utility poles and other appurtenant accessories as situated thereon, all as contained on Surveyor's Inspection Report, prepared by Morris A. Apodaca, NMPS No. 5300, dated 23 July 1993, as SIR No. 93-216.

End of Schedule B

In compliance with Subsection D of 13.14.18.10 NMAC, the Company hereby waives its right to demand arbitration pursuant to the Title Insurance Arbitration rules of the American Land Title Association. Nothing herein prohibits the arbitration of all arbitrable matters when agreed to by both the Company and the Insured.

4/14/2015



SFC CLERK RECORD05/13/2015



SANTA FE
COUNTY

2015 LEGISLATIVE REPORT

Report to the Santa Fe County Commission

DATES

June 19, 2015 - Effective date of legislation other than a general appropriation bill or a bill carrying an emergency clause or other specified date.

All other acts become effective 90 days after adjournment of Legislature or at date specified in the act.

PASSED BILLS STATISTICS

158 Signed by Governor (4 contain line-item vetoes, HB1, HB2, HB178, SB291)

15 Vetoed by Governor

18 Pocket Vetoed

LEGISLATION RELATED TO SANTA FE COUNTY ACTIONS

Governor signed

Senate Bill 319 (Sen. C. Leavell) – Industrial Revenue Bonds to Pay for Fracking, Mining
Is related to **Resolution: 2014-111**

House Bill 2 – Fresh Produce for School Meals Funding: budget funding is \$364,300
Is related to **Resolution: 2014-135**

Also contained in House Bill 2 is funding for state prisoners housed at county detention facilities. This is contained in the Department of Finance and Administration budget under “County detention of prisoners” in the amount of \$2,690,900

House Bill 67 (Rep. J. Trujillo) – Correction of Property Tax Schedule Errors by County Treasurer or Property Owner
Is related to **Resolution: 2014-109**

Governor authorization not required

Senate Joint Memorial 4 (Sen. S. Rue) – Requests Study of Options for Mentally Ill Awaiting Trial
Is related to **Resolution: 2014-108**

Senate Memorial 29 (Sen. B. Shendo) – Study Impacts of Increased Natural Gas Flaring and Venting

LEGISLATION SANTA FE COUNTY RELATED

Governor signed

House Bill 49 County Property Tax Notices and Assessments by Electronic Mail – Rep. R. Wooley

House Bill 204 Distribution of Liquor Excise Tax Proceeds – Rep. C. Trujillo

House Bill 475 Disclosure of Tax Information to New Mexico Finance Authority – Rep. J. C. Hall

House Bill 581 Revising Procedure for Adjusting Distributions to Local Governments – Rep. G. Dodge

Senate Bill 42 Medicaid for Certain Incarcerated Persons – Sen. G. Ortiz y Pino

Senate Bill 104 County Treasurer: Installment Payments for Delinquent Property Taxes – Sen. B. Sharer

Senate Bill 112 Expands Definition of “Agricultural Use” for Property Valuation – Sen. C. Cisneros & Rep. B. Gonzales

Senate Bill 125 Change County Roads Speed Limits – Sen. P. Woods & Rep. D. Roch

Senate Bill 227 Mutual Domestics Eligible for Wastewater Facility Construction Loan – Sen. R. Martinez

Senate Bill 233 Limits Temporary Disability Benefits – Rep. P. Woods and Rep. C. Trujillo

Senate Bill 398 County Discretion to Prohibit Livestock Running at Large – Sen. P. Campos

Senate Bill 565 Revises Film Production Tax Credit Act – Sen. W. Payne

Senate Bill 643 Omnibus Election Code Revision – Sen. L. Torracco

Senate Bill 669 Revising Procedures for Adjusting Distributions to Local Governments – Sen. S. Ingle

Governor authorization not required

House Joint Memorial 9 Increase Local Procurement Related to LANL Environmental Cleanup – Sen. R. Martinez & Rep. S. Garcia Richard

Vetoed

House Bill 332 Probation and Good Behavior – Rep. A. Maestas

Senate Bill 114 Local Government Special Fuel Tax – Sen. R. Griggs

Pocket Vetoed

House Bill 324 Public Records; Filing and Recording Copies of Instruments – Rep. B. Egolf

ALL BILLS LISTED

SIGNED BY GOVERNOR	pages 8 - 35
VETOED BY GOVERNOR	pages 36 – 38
POCKET VETOED	pages 39 - 41

SIGNED BY GOVERNOR

BILL	DESCRIPTION	PL/Chap	Status
HB1	<i>Gentry (R30)</i> LEGISLATIVE FEED BILL Makes a series of appropriations from the General Fund for expenses of the 2015 Session of the Legislature and the operation of legislative agencies during FY2015. The General Fund appropriation is apportioned as follows:	P.L.2015, c.1	SIGNED
HB2	<i>Larranaga (R27)</i> GENERAL APPROPRIATION ACT OF 2015 HAFc substitute for HB2 and HB4 is a 201-page bill, cited as the "General Appropriation Act of 2015," that makes appropriations to state agencies for expenditure in FY 2016. Includes additional FY 2016 recurring GF appropriations, including HB1, of \$81.7 million, or 1.3 percent, over the FY 2015 operating budget. Notable increases include \$36.6 million for public education, \$10.5 for the Corrections Department, \$8.2 million for CYFD, \$7 million for DPS, and \$3.5 million for tourism and economic development. (2015:HB5)	P.L.2015, c.101	SIGNED
HB39	<i>Trujillo, J. (D45)</i> INCOME TAX REFUND DESIGNATION FOR SENIOR SERVICES Starting with the 2015 taxable year, allows income taxpayers who are owed a refund to designate all or part of the refund amount to be paid to the North Central New Mexico Economic Development District. That district is the non-metro Agency on Aging for providing supplemental senior services throughout the state.	P.L.2015, c.50	SIGNED
HB49	<i>Woolley (R66)</i> COUNTY PROPERTY TAX NOTICES AND ASSESSMENTS BY ELECTRONIC MAIL (Identical to 2013 HB526) Authorizes a county assessor or treasurer, if requested to do so by a property owner, to transmit notices pursuant to the Property Tax Code by electronic means rather than by first-class mail.	P.L.2015, c.2	SIGNED
HB53	<i>Espinoza (R59)</i> SCHOOL PERSONNEL: PROHIBITS COMPELLING USE OF PSYCHOTROPIC DRUGS Requires each local school board or governing body to adopt policies that prohibit school personnel from denying any student access to programs or services because the parent or guardian has refused to place the student on psychotropic medication.	P.L.2015, c.51	SIGNED
HB54	<i>Espinoza (R59)</i> ANESTHESIOLOGIST ASSISTANTS ACT CHANGES Provides that anesthesiologists and anesthesiologist assistants may practice in New Mexico outside the employment of the Department of	P.L.2015, c.52	SIGNED

	Anesthesiology at the UNM Medical School.		
HB63	<i>Lundstrom (D9)</i> PUBLIC PROJECT LOAN AUTHORIZATIONS (Endorsed by the New Mexico Finance Authority Oversight Committee) Authorizes the New Mexico Finance Authority to make the following 90 public project loans from the Public Project Revolving Fund (loans less than \$1 million do not require specific authorization and need not be identified in this act):	P.L.2015, c.25	SIGNED
HB65	<i>Trujillo, C. (D46)</i> AUTOCYCLE REGISTRATION AND LICENSURE Relates to the use of autocycles. A new section of the Motor Vehicle Code provides for autocycles to be registered as motorcycles and, for the purpose of proof of financial responsibility, allows them to be characterized as a motorcycle. However, the driver of an autocycle is not required to have a motor cycle endorsement to operate an autocycle nor is the use of a helmet required. Prohibitions against leasing a motorcycle to persons under the age of 18 do not apply to autocyclers. (2015:SB185)	P.L.2015, c.53	SIGNED
HB67	<i>Trujillo, J. (D45)</i> PROPERTY TAX SCHEDULE CHANGE REQUESTS (For the Revenue Stabilization and Tax Policy Committee) Expands and clarifies what types of errors the county treasurer may correct once the annual property tax schedule is transmitted to the treasurer by the county assessor. Also, allows property tax owners additional grounds for challenging property tax schedule errors through actions brought in district court.	P.L.2015, c.39	SIGNED
HB83	<i>Trujillo, C. (D25)</i> LAND GRANT FUND DEPOSITS IN CREDIT UNIONS (For the Land Grant Committee) (Similar to 2014 SB92) Authorizes Land Grant-Mercedes funds to be deposited in a credit union and imposes accounting recordation requirements for payments made with land grant funds.	P.L.2015, c.40	SIGNED
HB84	<i>Trujillo, C. (D25)</i> FREESTANDING BIRTH CENTER LICENSURE Amends the Public Health Act to include freestanding birth centers in the definition of health facilities licensed by the Department of Health, and provides that such a center accredited by the Commission for Accreditation of Birth Centers shall be granted a license renewal based on that accreditation.	P.L.2015, c.153	SIGNED
HB85	<i>Alcon (D6)</i> UNIFORM VOIDABLE TRANSACTIONS ACT (For the Courts, Corrections and Justice Committee) Changes the name of the Uniform Fraudulent Transfer Act to the Uniform Voidable Transactions Act and makes several changes to the act.	P.L.2015, c.54	SIGNED

HB91	<p><i>Salazar, T. (D70)</i></p> <p>SENIOR DRIVER EDUCATION COURSES</p> <p>HWMC substitute for HB91 is narrower in scope than the original bill. Continues the intent of the original to specify that the Driving School Licensing Act shall not apply to nonprofit corporations that provide DOT-approved motor vehicle accident prevention courses for drivers who are 50 (down from 55 in current statute) years of age or older.</p>	P.L.2015, c.6	SIGNED
HB101	<p><i>Gallegos, David (R61)</i></p> <p>PENALTIES FOR SEXUAL EXPLOITATION OF CHILDREN BY PROSTITUTION</p> <p>(Identical to 2014 HB46, as amended by SPAC) Amends the age of criteria for three categories of felonies involving exploitation of children by prostitution.</p>	P.L.2015, c.13	SIGNED
HB103	<p><i>Gallegos, David (R61)</i></p> <p>AUTISM AWARENESS LICENSE PLATES</p> <p>Directs the Division of Motor Vehicles to offer to applicants a standardized special registration plate with a logo commemorating autism awareness. The fee for the plate and each renewal shall be \$35 in addition to regular registration fees, with \$10 from each fee to defray production costs and \$25 from each fee to be appropriated to the Department of Health for the purpose of funding autism research, outreach and education.</p>	P.L.2015, c.55	SIGNED
HB107	<p><i>Gallegos, David (R61)</i></p> <p>HOBBS JUNIOR COLLEGE LICENSE PLATE</p> <p>Authorizes the Motor Vehicle Division to issue a special automobile registration plate commemorating New Mexico Junior College in Hobbs for a fee of \$35 in addition to the regular registration fee.</p>	P.L.2015, c.154	SIGNED
HB121	<p><i>McMillan (R37)</i></p> <p>NURSE EDUCATORS FUND PURPOSE EXPANSION</p> <p>(Virtually identical to 2014 HB59; related to 2014 SB48) Expands the purpose of the Nurse Educators Fund to allow registered nurses seeking employment as nurse educators in public, post-secondary educational institutions, not just those presently employed as nurse educators by public universities or colleges, to receive loans to obtain bachelor and master of science, or doctorate of nursing practice and doctor of philosophy in nursing programs. The Higher Education Department is to adopt rules for continuing employment or pay-back provisions for current and future nursing educators.</p>	P.L.2015, c.41	SIGNED
HB139	<p><i>Salazar, T. (D70)</i></p> <p>DESIGNATION AND TRAINING OF AFTER-CARE LAY CAREGIVERS</p> <p>Directs hospitals to provide each patient or patient's legal guardian with an opportunity to designate one lay caregiver following the patient's admission and before the patient's discharge. Directs the hospital to</p>	P.L.2015, c.155	SIGNED

	consult with a designated lay caregiver to prepare the lay caregiver for aftercare, to provide a discharge plan detailing the patient's aftercare needs, to engage the patient or lay caregiver in the discharge planning process and to educate the lay caregiver in a manner consistent with current accepted practices.		
HB142	<i>Egolf (D47)</i> CRIMINAL PENALTIES FOR UNAUTHORIZED DISTRIBUTION OF SENSITIVE IMAGES (Identical to 2014 HB238 as amended and reported favorably by HCPAC) Establishes new criminal penalties under the Criminal Code for the unauthorized distribution of sensitive images with any of the following intents:	P.L.2015, c.42	SIGNED
HB155	<i>Steinborn (D35)</i> LOBBYIST REPORTING REQUIREMENTS Requires certain reports to be made by lobbyists' employers; changes reporting requirements; extends the retention period for reports; requires reports to be posted online; and raises registration fees.	P.L.2015, c.56	SIGNED
HB164	<i>Roch (R67)</i> SCHOOL TRANSPORTATION REPORTING DATES AND ALLOCATIONS (For the Legislative Education Study Committee) (Similar to 2013 HB419) Provides that allocations from public school transportation disbursements for an entire school year will be based on an average of the amounts reported by school districts and state-chartered charter schools to the PED transportation director on the second and third reporting dates of the previous school year. Eliminates allocations for the first six months of the school year based on tentative district transportation budgets with adjustments for the remainder of the year based on the November 15 student count.	P.L.2015, c.57	SIGNED
HB165	<i>Roch (R67)</i> ADEQUATE YEARLY PROGRESS SYSTEM REPEAL (For the Legislative Education Study Committee) (Conflicts with SB223) In general, eliminates language or repeals provisions that conflict with the A-B-C-D-F Schools Rating Act. Removes the definition of "adequate yearly progress" in the Public School Code, the "adequate yearly progress program" and references throughout to "adequate yearly progress," and replaces that language with references to "progress," "measuring students' academic performance" and "reporting annual progress." Regarding priorities for school enrollment, gives second priority to a students in a school "rated 'F' for two of the prior four years pursuant to the A-B-C-D-F Schools Rating Act" rather than ranked "needs improvement" or "subject to corrective action." (2015:SB223)	P.L.2015, c.58	SIGNED
HB170	<i>Larranaga (R27)</i> HIGHER EDUCATION ENDOWMENT FUND CHANGES	P.L.2015, c.7	SIGNED

	(Related to 2013's HB170 and 2011's HB353) Changes the distribution process and uses of the Higher Education Endowment Fund; creates the Higher Education Endowment Committee and prescribes powers and duties, provides for merit-based awards from the fund; and makes an \$8 million (GF nonreverting) appropriation to the Endowment Fund.		
HB171	<i>Herrell (R51)</i> ESTABLISHED CONDITIONS FOR BIRTHING WORKFORCE RETENTION FUND AWARDS Proposes to amend the Medical Malpractice Act to establish certain conditions for awards from the Birthing Workforce Retention Fund. The fund provides malpractice assistance insurance premium assistance for certified nurse-midwives and physicians whose insurance premium costs jeopardize their ability to continue their obstetrics practice in the state.	P.L.2015, c.59	SIGNED
HB174	<i>Maestas Barnes (R15)</i> REQUIRES TEXT MESSAGE NOTIFICATION OF AMBER ALERTS Requires all cellular service and paging service companies to send, free of charge, a text message to all customers located in a geographic area where an amber alert has been issued.	P.L.2015, c.14	SIGNED
HB178	<i>Stapleton (D19)</i> CAREER TECHNICAL EDUCATION PATHWAYS AND ELECTIVES (Relates to 2015's SB14, SB229 and HB145) Defines terms relevant to career technical education; requires that career and technical education courses be offered as a high school elective; and requires the Public Education Department to promulgate rules to allow students who successfully complete an industry-recognized program to receive a maximum of 1.0 in calculating the student's grade point average. (2015:SB14; 2015:SB229; 2015:HB145)	P.L.2015, c.60	SIGNED
HB201	<i>Baldonado (R8)</i> ADDS TILAPIA AND STRIPED BASS TO GAME FISH Adds the genus <i>Oreochromis</i> (tilapia) and the family Moronidae (striped bass, hybrid striped bass, white bass and others) to the list of protected game fish at Sec. 17-2-3C.	P.L.2015, c.26	SIGNED
HB202	<i>Baldonado (R8)</i> PENALTY ASSESSMENT OPTION FOR MINOR HUNTING AND FISHING INFRACTIONS Proposes to expand the list of game and fish penalty assessment misdemeanors at Sec. 17-2-10.1 by providing a penalty assessment option of \$50 for fishing, hunting or trapping without the proper stamp or validation; and another of \$125 for a manner and method rule violation contrary to adoption by State Game Commission rule.	P.L.2015, c.27	SIGNED
HB203	<i>Baldonado (R8)</i>	P.L.2015,	SIGNED

	<p>VETERAN AND ACTIVE MILITARY DISCOUNTED HUNTING AND FISHING LICENSES</p> <p>Provides a 50 percent discount on any hunting or fishing license (except for a resident, disabled veteran, fishing and game hunting combination license, which costs \$10.00) to all veterans and active duty military personnel.</p>	c.148	
HB204	<p><i>Trujillo, C. (D46)</i></p> <p>DISTRIBUTION OF LIQUOR EXCISE TAX PROCEEDS</p> <p>Proposes a temporary increase in the percentage of liquor excise tax revenue distributed to the Local DWI Grant Fund. Currently the 41.5% goes to that fund. For the period July 1, 2015 through June 30, 2018, that fund would receive 46% but thereafter the distribution reverts to 41.5%.</p>	P.L.2015, c.8	SIGNED
HB212	<p><i>McMillan (R37); Papen (D38)</i></p> <p>REIMBURSEMENT PARITY FOR CRISIS TRIAGE CENTER SERVICES</p> <p>Directs Department of Health, to adopt and promulgate rules to establish a reimbursement rate for services provided to recipients of state medical assistance at a crisis triage center that, at a minimum, equals the reimbursement rate for the same services provided at a hospital.</p>	P.L.2015, c.61	SIGNED
HB213	<p><i>Maestas Barnes (R15)</i></p> <p>CHILD-RESISTANT NICOTINE LIQUID PACKAGES</p> <p>Prohibits the sale of nicotine liquid (used in e-cigarettes) unless it is contained in child-resistant packaging. Authorizes the Attorney General to institute a district court civil action for a violation, or to prevent a violation. Relief may include an injunction, restraining order or civil penalty of up to \$1,000 per violation.</p>	P.L.2015, c.76	SIGNED
HB216	<p><i>Trujillo, J. (D45)</i></p> <p>ASSIGNMENT OF FILM PRODUCTION TAX CREDITS</p> <p>Allows the film production company eligible to receive a film production tax credit to assign it to a financial institution. Taxation and Revenue Department would direct the tax credit amount to the financial institution instead of the film production company.</p>	P.L.2015, c.62	SIGNED
HB218	<p><i>Gallegos, David (R61); Sanchez, C. (D30)</i></p> <p>DELINQUENT TAX ELECTRONIC LEVY WARRANTS</p> <p>(Duplicate of HB135) Empowers the Taxation and Revenue Department and a financial institution to agree that the department may serve levies on the institution electronically pursuant to the Electronic Authentication of Documents Act and the Uniform Electronic Transactions Act. Also allows personal service of the department's levies by certified law enforcement officers of the Department of Public Safety. (2015:HB135)</p>	P.L.2015, c.15	SIGNED
HB220	<p><i>Zimmerman (R39)</i></p> <p>INCREASED NATIONAL GUARD INSURANCE ELIGIBILITY</p> <p>Makes a finding that the eligibility limits for members of the National</p>	P.L.2015, c.149	SIGNED

	Guard of New Mexico for life insurance through the Federal Servicemembers' Group Life Insurance program are increased from \$250,000 to \$400,000.		
HB236	<i>Harper (R57); Cisneros (D6)</i> INCREASES SEVERANCE TAX DISTRIBUTION AND REDUCES BONDING CAPACITY (Identical in substance to SB150) (Endorsed by the Investments and Pensions Oversight Committee) Provides for increased distributions to the Severance Tax Permanent Fund by phasing in reductions to severance tax and supplemental severance tax bonding capacity. (2015:SB150)	P.L.2015, c.63	SIGNED
HB243	<i>Rodella (D41)</i> ALCOHOLIC BEVERAGES: LIQUOR CONTROL ACT CHANGES (Relates in part to SB258) Adds powdered alcohol and frozen or freeze-dried alcohol to the definition of alcohol in the Liquor Control Act. Adds the definition of "growler" to the act, meaning a clean, refillable, resealable container having a liquid capacity not exceeding one gallon, and that is intended for the sale of beer, wine or cider for off-premise consumption. (2015:SB258)	P.L.2015, c.102	SIGNED
HB263	<i>Dodge (D63)</i> RENEWABLE ENERGY CERTIFICATES FOR THERMAL ENERGY (Identical to SB249) (Related to 2013 SB204) Provides additional standards for renewable energy certificates to be issued for the generation and use of thermal energy; also defines "useful thermal energy" as used in the Rural Electric Cooperative Act. (2015:SB249)	P.L.2015, c.64	SIGNED
HB274	<i>Armstrong (D17)</i> SYNCHRONIZATION OF PRESCRIPTIONS Proposes new sections of the Health Care Purchasing Act, the Public Assistance Act, the Insurance Code, the Health Maintenance Organization Law and the Nonprofit Health Care Plan Law to allow synchronization of prescriptions.	P.L.2015, c.65	SIGNED
HB277	<i>Martinez, J. (D11)</i> KINSHIP GUARDIANSHIP (Related to 2014 HB160) Eliminates a child's marital status from the information required of a petition seeking the appointment of a guardian. Eliminates the requirement of a petitioner to obtain an order of the court setting a hearing date; directs the court to set a hearing date no less than 30 and no more than 90 days from the date of the filing of a petition. Eliminates, in order to comport with current federal law, the requirement that the burden of proof be beyond a reasonable doubt for cases involving an Indian child; provides that the burden of proof for all cases shall be by clear and convincing evidence.	P.L.2015, c.28	SIGNED
HB282	<i>Montoya (R1)</i>	P.L.2015, c.29	SIGNED

	HIGHER ED COMMON COURSE NAMES AND NUMBERS Establishes a deadline of August 1, 2017 for the Higher Education Department to establish a common course name and numbering system for lower-division courses in the comprehensive statewide articulation plan for educational programs.		
HB287	<i>James (R24)</i> MODIFIES SECRETARY OF STATE FEES AND REQUIREMENTS Relates to corporations and related businesses administered by the Secretary of State: modifies application and filing requirements; adjusts fees for copying services; imposes a fee for credit and debit card payments; suspends filing privileges for entities owing payments. Also makes an appropriation.	P.L.2015, c.66	SIGNED
HB318	<i>Pacheco (R23)</i> EDUCATION COUNSELOR SALARY ELIGIBILITY (Almost identical to 2013 HB623, pocket vetoed by the governor; similar to 2013 SB590; conflicts with 2015 HB71 and SB153; HB76 and SB91) Amends the School Personnel Act to provide that the minimum salary for a counselor who holds the highest-ranked counselor license provided by the act and Public Education Department rules shall be the same as provided for Level Three-A teachers.	P.L.2015, c.103	SIGNED
HB320	<i>Baldonado (R8); Sanchez, C. (D30)</i> HOMEOWNER ASSOCIATIONS LIMITS ON FLAGS Proposes to amend the Homeowner Association Act to specify that an association shall not adopt or enforce any restriction related to the flying or displaying of flags that is more restrictive than the applicable state law or county or municipal ordinance.	P.L.2015, c.104	SIGNED
HB327	<i>Zimmerman (R39)</i> NATIONAL GUARD MEMBERS AND FAMILY ASSISTANCE ELIGIBILITY (Related to 2015 HB220) Changes the requirement for New Mexico National Guard members and their families to be eligible to receive assistance pursuant to the Income Tax Act rather than the active service in the global war on terrorism would now require deployment overseas for a period of 30 or more consecutive days. Provides that the temporary suspense account from which such distributions are made shall be nonreverting. (2015:HB220)	P.L.2015, c.150	SIGNED
HB328	<i>Rehm (R31)</i> MOTOR VEHICLE AIRBAG REQUIREMENTS (Almost identical to HB193 in 2014) Prohibits manufacturing, selling or installing counterfeit or substandard airbags; misrepresenting counterfeit or substandard airbags as airbags; or intentionally altering an airbag to make it counterfeit or substandard.	P.L.2015, c.43	SIGNED
HB335	<i>Trujillo, J. (D45)</i>	P.L.2015, c.77	SIGNED

	<p>LIQUOR CONTROL TASTING PERMIT VIOLATIONS</p> <p>Provides that the director of the Alcohol and Gaming Division of RLD may impose administrative penalties on the holder of a small brewery, winegrower or craft distillery tasting permit for violations of the Liquor Control Act that occur during tastings.</p>		
HB341	<p><i>Hall, J. C. (R28)</i></p> <p>CYFD WORKER EDUCATION LOAN REPAYMENTS</p> <p>Proposes the Children, Youth and Families Worker Loan Repayment Act, whose stated purpose is to increase the number of public service workers employed with CYFD who are direct service providers in the CYFD Protective Services Division or Juvenile Justice Division. Provides for repayment of the principal and reasonable interest accrued on higher education loans obtained from the federal government or a commercial lender.</p>	P.L.2015, c.16	SIGNED
HB348	<p><i>Wooley (R66)</i></p> <p>RAISE QUALIFICATION INCENTIVES FOR COUNTY APPRAISERS</p> <p>Increases the size of increments that county commissioners may provide to the salaries of qualifying appraisers holding certificates at the level of Appraiser 2 or above, as incentives to obtaining greater qualification levels.</p>	P.L.2015, c.78	SIGNED
HB369	<p><i>Cook (R56)</i></p> <p>GENETIC ANALYSIS INFORMED CONSENT EXCEPTION</p> <p>Existing statute prohibits genetic analysis on a person without first obtaining informed and written consent, with a number of exceptions. The bill adds another exception to consent, thereby authorizing a laboratory to conduct an analysis or test of a specified individual based on a written order from a health care practitioner (or agent).</p>	P.L.2015, c.156	SIGNED
HB377	<p><i>Gonzales (D42)</i></p> <p>PROVIDES FOR APPORTIONABLE MOTOR VEHICLE FEES</p> <p>Makes technical (nonsubstantive) changes to a gallimaufry of statutory provisions in order to comply with the International Registration Plan, a registration reciprocity agreement among states of the United States, the District of Columbia and provinces of Canada providing for payment of apportionable fees on the basis of total distance operated in all jurisdictions.</p>	P.L.2015, c.9	SIGNED
HB383	<p><i>Gallegos, David (R61)</i></p> <p>BLANKET FINANCIAL ASSURANCE FOR TEMPORARILY ABANDONED OIL AND GAS WELLS</p> <p>(Duplicate of SB442) (Related to 2015 HM16, SB335, SB389, SB421 and SM 9; 2014 HB373 and HM76) Provides discretion to the Oil Conservation Division to allow an operator of an oil or gas well held in temporarily abandoned status for more than two years to choose to cover those wells by increasing its blanket plugging financial assurance or to require one-well financial assurance on each abandoned well. An operator</p>	P.L.2015, c.79	SIGNED

	granted and electing blanket plugging financial assurance shall increase that assurance as follows: (2015:SB442; 2015:HM16; 2015:SB335; 2015:SB389; 2015:SB421)		
HB386	<i>Lundstrom (D9)</i> LOCAL GOVERNMENT PLANNING FUND Appropriates \$3 million (GF) from the Public Project Revolving Fund to the Local Government Planning Fund administered by the New Mexico Finance Authority to make grants to evaluate and make cost estimates for infrastructure, water and waste water projects, water conserve action plans, master plans, economic development plans, energy audits and to pay the administrative costs of the local government planning program.	P.L.2015, c.80	SIGNED
HB403	<i>James (R24)</i> PUBLIC AGENCY LEAVE DONATION POLICY Requires state agencies, political subdivisions and school districts to implement policies that allow employees who earn annual or sick leave the opportunity to donate leave to another employee in the event of a medical emergency.	P.L.2015, c.81	SIGNED
HB415	<i>Trujillo, C. (D46)</i> STATEWIDE DOG AND CAT SPAY AND NEUTER PROGRAM Requires the state Animal Sheltering Board to develop and implement a statewide dog and cat spay and neuter program in conjunction with animal shelters and euthanasia agencies. Allows income taxpayers due a refund to donate all or part of the refund to a fund to support the statewide spay and neuter program.	P.L.2015, c.82	SIGNED
HB427	<i>Garcia Richard (D43)</i> RESIDENT TUITION RATES FOR VETERAN'S SPOUSE OR CHILD Extends in-state tuition to the spouse or child of a veteran of the Armed Forces that is eligible for benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any other federal law authorizing educational benefits for a veteran or the dependents of a veteran.	P.L.2015, c.151	SIGNED
HB431	<i>Wooley (R66)</i> MOUNTED PATROL WAIVER OF CONCEALED FIREARMS TRAINING AND FEES Grants an exemption to a current member of the New Mexico Mounted Patrol from application or renewal fees, and training courses, necessary to carry a concealed firearm. The exemption applies to mounted patrol members who have successfully completed a Law Enforcement Academy basic law enforcement training program for mounted patrol members.	P.L.2015, c.157	SIGNED
HB441	<i>Gonzales (D42)</i> TAOS SKI VALLEY BOND SALE (Duplicate of SB556) Authorizes Taos Ski Valley Tax Increment Development District to issue \$44 million in bonds backed by gross	P.L.2015, c.83	SIGNED

	receipts tax increments, subject to review and approval of the New Mexico Finance Authority; authorization lasts for 25 years. (2015:SB556)		
HB460	<i>Ruizloba (D12)</i> LOTTERY SCHOLARSHIP MENTORING PILOT PROJECT Creates a six-year pilot project administered by the Higher Education Department for 500 Legislative Lottery Tuition Scholarship recipients annually to voluntarily provide community outreach, chiefly through mentoring public school students, to study the mutual benefits of such mentoring. Does not include an appropriation.	P.L.2015, c.84	SIGNED
HB463	<i>Cook (R56)</i> BARBER'S LICENSE FOR REGISTERED APPRENTICE Provides that a barbering license will be issued to a person who shows proof of having successfully completed a registered barbering apprenticeship approved by the State Apprenticeship Agency, and who meets the other requirements already established by law.	P.L.2015, c.85	SIGNED
HB475	<i>Hall, J. C. (R28)</i> DISCLOSURE OF TAX INFORMATION TO NEW MEXICO FINANCE AUTHORITY Allows the Taxation and Revenue Department to disclose to the New Mexico Finance Authority the amount of municipal and county gross receipts taxes collected from any local option gross receipts tax imposed and the amount of governmental gross receipts tax paid by every state agency, institution, instrumentality or political subdivision.	P.L.2015, c.30	SIGNED
HB478	<i>Trujillo, J. (D45)</i> STAGGERED LIQUOR LICENSE RENEWAL DATES Provides for the proration of fees for new dispenser, retailer, club and public service liquor licenses issued after the first of the year as follows: for licenses issued in the first quarter of the license year, the full amount; issued in second quarter, three fourths of the fee, issued in the third quarter, half the amount, and for licenses issued in the fourth quarter, one fourth.	P.L.2015, c.86	SIGNED
HB479	<i>Adkins (R29)</i> EXPAND SCHOOLS ELIGIBLE FOR K-3 PLUS Expands eligibility of schools that can conduct K-3 Plus programs to include those that improved their school grade with the K-3 Plus program and wish to continue the program.	P.L.2015, c.75	SIGNED
HB487	<i>Powdrell-Culbert (R44)</i> CITY COURT FEE TRANSFERS TO CITY GENERAL FUND Increases the population threshold from 3,000 to 10,000 for municipalities that are authorized to transfer fund balances from a Special Account into its General Fund. Applies to fees collected by a municipal judge that are placed into a Special Account.	P.L.2015, c.87	SIGNED

HB489	<i>Irwin (D32)</i> WINEGROWER INTERNET SALES Provides that licensed winegrowers may accept and fulfill orders for wine placed by purchasers through an Internet website. Allows transactions to be administered by winegrowers or their agents.	P.L.2015, c.105	SIGNED
HB505	<i>Armstrong (D17)</i> PUBLIC ASSISTANCE FOR FORMER FOSTER CARE RESIDENTS (Duplicate of 2015 SB139) Proposes a new section of the Public Assistance Act that makes it mandatory for the Human Services Department to provide medical assistance coverage for New Mexico residents who are former recipients of foster care, regardless of the state where the foster care was received, until the person reaches the age of 26. (2015:SB139)	P.L.2015, c.31	SIGNED
HB560	<i>Cook (R56)</i> REVISING FORFEITURE ACT PROCEDURES (Related to 2015 SB441) Specifies the purposes of the Forfeiture Act (FA) to deter criminal activity and protect against wrongful forfeiture. Provides that FA shall not apply to the seizure of contraband. Defines key terms. Specifies that forfeiture shall apply to property of a person upon conviction of a crime to which FA applies if the state proves by clear and convincing evidence that the property is subject to forfeiture. (2015:SB441)	P.L.2015, c.152	SIGNED
HB563	<i>Steinborn (D35)</i> RIO GRANDE TRAIL COMMISSION Creates the Rio Grande Trail Commission to establish the trail to run the length of the state from Colorado to Texas. Prescribes membership; attaches the Commission to the Energy, Minerals and Natural Resources Department; establishes duties and requires reports. Creates the nonreverting Rio Grande Trail Fund.	P.L.2015, c.20	SIGNED
HB567	<i>Egolf (D47)</i> STEPHEN EASLEY TELEHEALTH VIDEOCONFERENCING CENTER Names the Center for Telehealth at the University of New Mexico the "Stephen Easley Center for Telehealth."	P.L.2015, c.158	SIGNED
HB578	<i>Ezzell (R58)</i> NMFA FUNDS FOR WATER PROJECT LOANS Authorizes the New Mexico Finance Authority to make loans or grants from the Water Project Fund for 127 water projects throughout the state.	P.L.2015, c.88	SIGNED
HB581	<i>Dodge (D63)</i> LOCAL OPTION GRT DISTRIBUTION ADJUSTMENT HGEIC substitute for HB581 (almost identical to SCORC substitute for SB669), like the original, significantly revises procedures whereby distributions of certain tax revenues in prior periods to municipalities and counties are corrected when the correction results in the local government	P.L.2015, c.89	SIGNED

	being required to return previously distributed funds. The substitute corrects minor language errors noted in the LFC's fiscal impact report; for example, by including "or county" in subparagraphs (a) through (c) on page 11. More substantively, trims somewhat the information that may be released to a municipality or county concerning a recoverable amount by denying access to any amended returns associated with a refund. Otherwise, major provisions of the substitute are like those in the original bill. (2015:SB669)		
SB3	<i>Leavell (R41); Larranaga (R27)</i> INSURANCE NOMINATING COMMITTEE AND SUPERINTENDENT CHANGES Provides for the compensation of the State Insurance Superintendent to be established by the Insurance Nominating Committee, instead of by the Legislature in the Appropriations Act, at the beginning of each term and annually thereafter.	P.L.2015, c.11	SIGNED
SB4	<i>Leavell (R41)</i> VOLUNTEER FIREFIGHTERS RETIREMENT: LIMITS TIME PERIOD FOR POSTING OR ADJUSTING SERVICE CREDIT Specifies that volunteer firefighters may post or adjust service credit earned for a period not to exceed the two preceding calendar years. (Current statute allows firefighters to post credit dating back to January 1, 1979.)	P.L.2015, c.67	SIGNED
SB8	<i>Cisneros (D6); Gonzales (D42)</i> CHARTER SCHOOL ELIGIBILITY FOR EDUCATION TECHNOLOGY EQUIPMENT ACT (Identical to 2015 HB 19) (Similar in intent to 2014 HB 260 and Senate Floor Sub for SB6) Makes locally-chartered and state-chartered charter schools eligible for a pro-rata share of education technology equipment acquired by a school district through lease-purchase. (2015:HB19)	P.L.2015, c.68	SIGNED
SB42	<i>Ortiz y Pino (D12)</i> MEDICAID FOR CERTAIN INCARCERATED PERSONS (For the Legislative and Human Services Committee and the Courts, Corrections and Justice Committee) Directs the Secretary of Human Services to adopt and promulgate rules to provide continued Medicaid enrollment to eligible, incarcerated individuals.	P.L.2015, c.127	SIGNED
SB52	<i>Papen (D38)</i> EXTEND PORT OF ENTRY OVERWEIGHT ZONES (For the interim Transportation Infrastructure Subcommittee) Present law permits the operation of a motor vehicle, or a combination of motor vehicles, of a gross weight of 36,000 pounds or less, to operate on state roads within a zone of six miles from a port of entry on the U.S.-Mexican border without first obtaining an overweight permit from the Transportation Department. The bill extends that distance to 12 miles.	P.L.2015, c.48	SIGNED
SB61	<i>Rue (R23)</i>	P.L.2015, c.69	SIGNED

	<p>AFFORDABLE HOUSING ACT RULES AND AUTHORITY (Endorsed by the Mortgage Finance Authority Oversight Committee) Provides rules to be adopted for housing assistance grants by the Mortgage Finance Authority and other agencies; and for the timely sale of certain housing projects. Provides for enforcement, and penalties for violations, of the Affordable Housing Act.</p>		
SB62	<p><i>Rue (R23)</i> AFFORDABLE HOUSING TAX CREDIT ACT DEFINITION CHANGE (Endorsed by the Mortgage Finance Authority Act Oversight Committee) Removes “county” and “municipality” from the Affordable Tax Credit Act definition of “person.” The act does not apply directly to city or county governments, but only to a housing authority that might be established by local government; and the term housing authority is included within the definition of “person.”</p>	P.L.2015, c.17	SIGNED
SB70	<p><i>Padilla (D14)</i> LABOR LAW: OVERTIME EXEMPTION AIRLINE EMPLOYEES (Pertains to HB352 enacted in 2013) Makes permanent provisions of Section 50-4-24(C) NMSA 1978 which exempt employers from paying overtime to airline employees who work more than 40 hours in a week due to voluntarily trading shifts with other employees. Under current law, certain employers of airline employees are exempt from paying overtime to employees due to voluntary shift changes with other employees.</p>	P.L.2015, c.21	SIGNED
SB81	<p><i>Morales (D28); James (R24)</i> EMS PRE-HOSPITAL PROTOCOLS FOR STROKE PATIENTS Proposes to amend the Public Health Act to provide for new pre-hospitalization protocols for stroke patients and to expand the allowable sources of accreditation for stroke centers.</p>	P.L.2015, c.90	SIGNED
SB83	<p><i>Candelaria (D26)</i> CRIMINAL SENTENCING ACT TECHNICAL CORRECTIONS (For the Courts, Corrections and Justice Committee) Makes technical corrections—gender neutrality and statutory citation re-ordering—to the provision of the Criminal Sentencing Act related to multiple violent sexual offense convictions.</p>	P.L.2015, c.12	SIGNED
SB95	<p><i>Rue (R23)</i> DEPARTMENT OF PUBLIC SAFETY REORGANIZATION; OVERWEIGHT VEHICLE PENALTY INCREASES (Endorsed by the Courts, Corrections and Justice Committee) Reorganizes the Department of Public Safety by placing the Special Investigations Division and the Motor Transportation Division under the New Mexico State Police Division; changes the name of the Training and Recruiting Division to the New Mexico Law Enforcement Academy Division. Changes status in law enforcement training fund from reverting to nonreverting. Increases penalty fines in seven categories for overweight</p>	P.L.2015, c.3	SIGNED

	vehicles.		
SB97	<i>Neville (R2)</i> NM AMIGOS LICENSE PLATES Authorizes the Motor Vehicle Division to issue special registration plates for a \$10 additional fee (in addition to the regular motor vehicle registration fee) to eligible members of New Mexico Amigos. Proof of current membership shall include a signed consent form from the president of the club. Anyone who violates the member-eligibility requirement is guilty of a petty misdemeanor. When a person ceases to be a member, that person shall immediately remove the special registration plate from the person's vehicle and return it to MVD.	P.L.2015, c.4	SIGNED
SB100	<i>Burt (R33)</i> NEW MEXICO MAGAZINE ADVERTISING SALES Adds a new exemption from the Procurement Code for procurement of services of advertising sales representatives for New Mexico Magazine.	P.L.2015, c.32	SIGNED
SB104	<i>Sharer (R1)</i> COUNTY TREASURER: INSTALLMENT PAYMENTS FOR DELINQUENT PROPERTY TAXES (For the Revenue Stabilization and Tax Policy Committee) Clarifies that Taxation and Revenue Department's authority to designate county treasurers to act as its agents in accepting delinquent tax payments extends to and includes the acceptance of installment payments from the property owner.	P.L.2015, c.44	SIGNED
SB107	<i>Martinez, Richard (D5)</i> MAGISTRATE COURT CIVIL JUDGMENT ACTION LANGUAGE (Endorsed by the Courts, Corrections and Justice Committee) Removes unnecessary language from the law relating to limitations on civil actions. Present law is written in such a way as to apply to a court of record and a "court not of record" (magistrate court). In actuality the law applies equally to all courts in which civil actions may be brought (district court, metropolitan court and magistrate court.) Thus the reference to a "court not of record" has been stricken from the statute that provides for limitations on actions based on certain private written instruments.	P.L.2015, c.91	SIGNED
SB112	<i>Cisneros (D6); Gonzales (D42)</i> DEFINITION OF "AGRICULTURAL USE" FOR PROPERTY VALUATION (Duplicates HB112) Expands the definition of "agricultural use" for property valuation purposes and prohibits sole consideration of acreage in a determination of whether land is primarily used for agriculture. (2015:HB112)	P.L.2015, c.92	SIGNED
SB121	<i>O'Neill (D13); McMillan (R37)</i> VACCINE PURCHASING ACT (For the Legislative Health and Human Services Committee) Cited as the	P.L.2015, c.5	SIGNED

	Vaccine Purchasing Act, establishes a statewide universal vaccine purchasing program within the Department of Health. The purpose of the program is to expand and improve rates of childhood immunizations, facilitate acquisition of vaccines by health care providers and leverage funding for purchase, storage and distribution of vaccines for children who are not eligible under the federal Vaccines for Children Program.		
SB123	<i>Woods (R7)</i> MEAT INSPECTION REMOVAL FOR WILD ANIMALS, POULTRY AND BIRDS Amends the definitions in the Livestock Code to remove wild animals, poultry and birds used for human consumption from the definition of "livestock," meaning that they are not subject to meat inspection. Clarifies that the sureties listed in the definition of "bond" are those approved by the Grain Inspection, Packers and Stockyards Administration of the U.S. Department of Agriculture. (2015:HB105)	P.L.2015, c.22	SIGNED
SB125	<i>Woods (R7); Roch (R67)</i> CHANGE COUNTY ROAD SPEED LIMITS Amends the Motor Vehicle Code to limit the maximum speed on a county road, without a posted speed limit, to 55 miles per hour.	P.L.2015, c.45	SIGNED
SB128	<i>Stewart (D17); Smith (R22)</i> CAPITAL ALLOCATIONS FOR SCHOOL DISTRICT BUILDING SYSTEMS (For the Public School Capital Outlay Oversight Task Force and the Legislative Education Study Committee) (Similar to 2014 HB68) Provides that up to \$15 million of the Public School Capital Outlay Fund may be spent annually in FYs 2016 through 2020 by the Public School Capital Outlay Council for school building system repairs, renovation or replacement projects, provided that allocations shall be expended within three years of the allocation.	P.L.2015, c.93	SIGNED
SB129	<i>Stewart (D17)</i> LIENS ON CONTRACTOR-OWNED SCHOOL BUSES (For the Legislative Education Study Committee) Requires that a school district file a lien on every contractor-owned school bus under contract to the district, not only on those where the bus contractor still owes money. The lien shall have priority second only to one securing a purchase-money obligation.	P.L.2015, c.46	SIGNED
SB130	<i>Stewart (D17)</i> PUBLIC SCHOOL LEASE PURCHASE ACT DEFINITIONS (For the Legislative Education Study Committee) Changes definitions and modifies existing language to clarify the relationship between charter schools and local school boards with respect to the acquisition of public school facilities through lease purchase and use of resources to make lease purchase payments.	P.L.2015, c.106	SIGNED

SB144	<p><i>Padilla (D14)</i></p> <p>MILITARY AIRBORNE HAZARDS AND BURN PIT REGISTRY ACT</p> <p>Cited as the Military Airborne Hazards and Open Burn Pit Registry Act, its purpose is to provide outreach, education and advocacy for New Mexico service members and veterans who have been exposed to open burn pit smoke or other airborne hazards during their service in Operation Iraqi Freedom, Operation Enduring Freedom, Operation New Dawn, the Gulf War 1990-1991, or other conflicts or theaters that may later be identified.</p>	P.L.2015, c.94	SIGNED
SB146	<p><i>Cisneros (D6); Gonzales (D42)</i></p> <p>MINING ACT NOTIFICATION REQUIREMENTS</p> <p>Amends the Mining Safety Act to provide two distinct definitions for what constitutes an "accident" in (1) a surface mine and what constitutes an accident in (2) an underground mine or the surface areas of an underground mine. The definitions differ in five areas and thereby change the types of accidents that would come within the purview of the state mine inspector for purposes of responding to and investigating a fatal or serious accident. Current law in New Mexico uses the definition provided in federal regulations, 30 C.F.R. 50.2, for both types of mining. The majority of those provisions have been retained, except those specified below.</p>	P.L.2015, c.107	SIGNED
SB148	<p><i>Stewart (D17)</i></p> <p>CHARTER SCHOOL DEFINITIONS AND RESPONSIBILITIES (For the Legislative Education Study Committee) (Conflicts with 2015 HB74) Defines certain terms related to charter schools; puts governing bodies of charter schools on an equal footing with local school boards for purposes of bullying and cyberbullying prevention, prioritization of resources when schools are rated D or F, and participation in programs funded under the Fine Arts Education Act and Bilingual-Multicultural Education Act; clarifies the responsibilities of the Public Education Commission and the Public Education Department regarding approval of charter school budgets; and modifies requirements for contracts between chartering authorities and charter schools, and the performance frameworks in those contracts.</p>	P.L.2015, c.108	SIGNED
SB153	<p><i>Belfort (R19)</i></p> <p>STREAMLINE PUBLIC SCHOOL TEACHER ADMINISTRATOR LICENSURE</p> <p>(Substitute for SBs 153 and 126) Amends the School Personnel Act to change the three-tiered licensure procedure for Level 3-B administrator licenses by reducing the license from nine to five years and relaxing qualifying criteria. (2015:HB71; 2015:HB76; 2015:SB91)</p>	P.L.2015, c.74	SIGNED
SB158	<p><i>Munoz (D4)</i></p> <p>PUBLIC WORKS PROJECT CLAIM EVIDENCE STANDARDS</p> <p>SCORC substitute for SB158 continues the intent of the bill to clarify evidentiary standards for claims made by the state against an out-of-state</p>	P.L.2015, c.109	SIGNED

	contractor's payment bond for taxes due for furnishing labor and materials under a public works contract.		
SB174	<i>Wirth (D25)</i> STATE INVESTMENTS: ADMINISTRATIVE AND QUALIFYING CHANGES Proposes a series of administrative changes applicable to the State Investment Council, State Investment Officer, and State Investment Office. Eliminates the Private Equity Investment Advisory Committee.	P.L.2015, c.95	SIGNED
SB189	<i>Beffort (R19)</i> GOOD SAMARITAN LIABILITY IMMUNITY FOR AIDING PERSON IN NEED OF DEFIBRILLATION Changes the standard for immunity from civil liability under the Cardiac Response Act for persons who render emergency care or treatment by the use of an automated external defibrillator.	P.L.2015, c.33	SIGNED
SB200	<i>Sanchez, C. (D30); Smith (R22)</i> SPEECH-LANGUAGE PATHOLOGY ACT CHANGES (Related to 2015 HM3 and HM4; 2014 HJM1, HJM2, SJM1 and SJM2;) Clarifies the definition and use of certain terms in the Speech and Hearing Professions Licensing Act; provides for a bilingual-multicultural license endorsement.	P.L.2015, c.110	SIGNED
SB208	<i>Payne (R20)</i> EXTENDS COVERAGE OF FRAUD AGAINST TAXPAYERS ACT Expands the definition of "state" in the Fraud against Taxpayers Act to include public schools, local governments and other recipients of state funds. This would allow the Attorney General to file a civil action or any private person to bring a qui tam action against any person who presented what is alleged to be a false or fraudulent claim for payment to a public school, local government or other recipient of state funds.	P.L.2015, c.128	SIGNED
SB220	<i>Pirtle (R32)</i> HMO CREDENTIALING REQUIREMENTS SJC substitute for SB220 maintains the intent of the original measure, but does so in a clearer, if less concise, fashion. Proposes new and amended sections of the Insurance Code, the Health Maintenance Organization Law and the Nonprofit Health Care Law to establish provider credentialing requirements and define "credentialing."	P.L.2015, c.111	SIGNED
SB226	<i>Martinez, Richard (D5)</i> USE OF PUBLIC WATER; LANDOWNER LIABILITY PROTECTION SJC substitute for SB226 (also previously substituted by SCONC) narrows the scope of the original bill down to a single section of law that provides landowners with legal protections from intrusions onto their land by unauthorized persons seeking to gain access to public waterways. While this version of the bill maintains the overall intent of the original, it is	P.L.2015, c.34	SIGNED

	considerably narrower in scope.		
SB227	<i>Martinez, Richard (D5)</i> MUTUAL DOMESTICS ELIGIBLE FOR WASTEWATER FACILITY CONSTRUCTION LOAN Provides that a mutual domestic water consumers association, as defined in the Sanitary Projects Act, is included within the definition of local authority in the Waste Water Facility Construction Loan Act, thus making such associations eligible for financial assistance under the act.	P.L.2015, c.112	SIGNED
SB231	<i>Shendo (D22)</i> OUTDOOR RECREATION AND WILDLIFE VOLUNTEER RULES Requires the State Game Commission to adopt rules regarding recruitment, training and acceptance of services of volunteers for education and outreach activities, hunter and angler services, and wildlife conservation services administered by the Department of Game and Fish; and provides that a volunteer shall comply with all department policies and procedures and shall not be deemed a state employee.	P.L.2015, c.35	SIGNED
SB233	<i>Woods (R7); Trujillo, C. (D46)</i> LIMITS TEMPORARY DISABILITY BENEFITS Proposes to amend the Workers' Compensation Act and the New Mexico Occupational Disease Disablement Law to limit temporary disability benefits.	P.L.2015, c.70	SIGNED
SB238	<i>Beffort (R19)</i> ALLOWS SMALL BEER AND WINE BREWERS TO HOLD WHOLESALER'S LICENSE Allows a small beer or wine brewer to hold an interest in a legal entity that holds a restaurant or a dispenser's license, and a wholesaler's license issued under the Liquor Control Act.	P.L.2015, c.113	SIGNED
SB241	<i>Griego (D39)</i> LIQUOR LICENSE TRANSFER RESTRICTIONS REMOVED Removes restrictions in present law regarding the inter-local option district transfer and inter-county transfer of dispenser and retailer liquor licenses.	P.L.2015, c.114	SIGNED
SB248	<i>Sanchez, M. (D29)</i> DISABLED VETERAN BENEFIT PROPERTY ASSESSMENTS (Identical to 2014 SB312; related to 2014 HB347 and to 2015 SB218) Exempts the property of a disabled veteran, including the joint or community property of the veteran and the veteran's spouse, from special benefit assessments if the property is occupied by the veteran as the veteran's principal place of residence. (2015:SB218)	P.L.2015, c.115	SIGNED
SB249	<i>Ingle (R27)</i> RENEWABLE ENERGY CERTIFICATES FOR THERMAL ENERGY (Related to 2013 SB204) Provides additional standards for renewable	P.L.2015, c.71	SIGNED

	energy certificates to be issued for the generation and use of thermal energy; also defines “useful thermal energy” as used in the Rural Electric Cooperative Act.		
SB270	<i>Smith (D35)</i> TOBACCO SETTLEMENT PERMANENT FUND DISTRIBUTION (For the Legislative Finance Committee) Provides that, for FY 2016, the 50 percent of the annual distribution from the Tobacco Settlement Permanent Fund not already directed by the enabling act to the Tobacco Settlement Program Fund should likewise be appropriated, as it was in FY 2009 through 2013, to the Tobacco Settlement Program Fund, the purposes of which are stated in law. Does not make an appropriation.	P.L.2015, c.36	SIGNED
SB275	<i>Candelaria (D26)</i> BODY ART PRACTICE, PRACTITIONER’S FUND AND APPROPRIATION Separates supervision of the Body Art Safe Practices Act from the Board of Barbers and Cosmetologists and vests that authority in a newly created Board of Body Art Practitioners. Requires that an owner of a body art establishment obtain a body art operator license. Provides for the restoration of an expired license.	P.L.2015, c.129	SIGNED
SB276	<i>Pirtle (R32); Wooley (R66)</i> STATE ENGINEER HEARING VENUE Requires that hearings held before the State Engineer or the Engineer’s appointed examiner must be held in the county in which the water right at issue is adjudicated, licensed or permitted, unless the parties and the State Engineer stipulate to another site for the hearing.	P.L.2015, c.37	SIGNED
SB279	<i>Wirth (D25); Trujillo, C. (D46)</i> SUSTAINABLE BUILDING TAX CREDIT CHANGES Senate Finance Committee substitute for SCONC-amended SB 279 drops all changes to the existing sustainable building tax credit. The new sustainable building tax credit kicks in on January 1, 2017, as in the original bill. For the new sustainable building tax credit, cuts the aggregate tax credit amounts claimable in any year, however, by one-half, to \$1, 250,000 for sustainable commercial buildings, \$3,375,000 for sustainable residential buildings that are not manufactured housing and \$375,000 for manufactured housing. Updates citation of Build Green New Mexico certification standards from the January 2013 standards to its November 2014 standards.	P.L.2015, c.130	SIGNED
SB291	<i>Cisneros (D6)</i> REALLOCATES THREE SEVERANCE TAX BOND PROJECTS Reallocates three appropriations.	P.L.2015, c.147	SIGNED
SB299	<i>Morales (D28)</i> NURSE PRACTITIONER SCOPE OF PRACTICE (An expanded version of 2013 HB414) Updates sections of existing	P.L.2015, c.116	SIGNED

	statutes to authorize advanced practice registered nurses, certified nurse-midwives and physician assistants to approve certain certificates and perform other duties now required of physicians. State and local government agencies must conform rules to the expanded scope of the health care practitioners' practice.		
SB300	<i>Candelaria (D26); Maestas (D16)</i> ALCOHOLIC BEVERAGE SALES AT MUNICIPAL GOLF COURSES, STATE MUSEUM (Duplicate of HB198) Strikes the governmental liquor license limitation allowing only beer and wine to be sold and served at municipal golf courses. The bill will now allow the sale of spirituous liquors by the drink. (2015:HB198)	P.L.2015, c.117	SIGNED
SB302	<i>Munoz (D4)</i> CHANGE TO DEDUCTION FOR ADMINISTRATIVE AND ACCOUNTING SERVICES To qualify for the gross receipts deduction for receipts from providing administrative, managerial, accounting and customer service to an affiliate, the taxpayer has to be under control of another entity. Currently "control" is defined as equity ownership in the entity that meets two tests. It must represent at least 50% of the total voting power and have a value equal to at least 50% of the total equity of the entity. Under the bill "control" occurs if either test is met.	P.L.2015, c.38	SIGNED
SB311	<i>Torraco (R18)</i> SELF-SERVICE STORAGE NOTIFICATIONS, SALES AND LATE FEES Proposes to amend the Self-Service Storage Lien Act to provide for electronic notifications and advertisement of sales; provide for the sale of abandoned personal property; and provide for the assessment of late fees.	P.L.2015, c.118	SIGNED
SB318	<i>Cisneros (D6)</i> EXTENSION OF SUNSET DATES CERTAIN AGENCIES (For the Legislative Finance Committee) Delays the sunset termination dates for several military and occupation boards and extends the term of their existence to the following dates:	P.L.2015, c.119	SIGNED
SB319	<i>Leavell (R41)</i> INDUSTRIAL REVENUE BONDS FOR COMMERCIALY PERMITTED MINES SFC substitute for SB319 maintains the intent of the original bill. Expands the definition of "project" within the County Industrial Revenue Bond Act in order to create the possibility for energy companies to seek public financing for projects. Include any land or building or other improvements thereon, and all necessary personal property, which shall be suitable for: • A commercial enterprise that has received a permit from the Energy, Minerals and Natural Resources Department for a mine that has not been in operation prior to the issuance of bonds; or • A commercial enterprise	P.L.2015, c.120	SIGNED

	that has received a permit from the Energy, Minerals and Natural Resources Department for a refinery, treatment plant or processing plant of energy products that has not been in operation prior to the issuance of bonds;		
SB323	<i>Moore (R21)</i> SAFE DISCLOSURE OF HEALTH INFORMATION Proposes to amend sections of the Health Information System Act to provide for the safe disclosure of information related to specifically identifiable data sources; proposes a new section of the act to establish a Health Information System Advisory Committee.	P.L.2015, c.121	SIGNED
SB325	<i>Ingle (R27)</i> LIMITS NON-COMPETE CONTRACTUAL PROVISIONS FOR HEALTHCARE PRACTITIONERS (Similar to 2014 HB76 and SB46; similar to 2013 SB608 and 2013 HB642) Limits enforceability of contractual conditions involving certain healthcare practitioners who are under contract to health businesses. Declares a non-compete provision void, in a contract that restricts the right of a health care professional to provide health care services, upon the termination of the agreement (or extension) or the practitioner's employment with a party seeking to enforce the agreement. Applies to agreements entered into on or after July 1, 2015.	P.L.2015, c.96	SIGNED
SB329	<i>Kernan (R42)</i> CHANGE EDUCATIONAL REQUIREMENTS FOR TEACHER LICENSURE Changes the course requirements in the college of arts and sciences for achieving licensure or reciprocity as a teacher in New Mexico, and increases the number of weeks of student teaching required for candidates not seeking licensure through reciprocity.	P.L.2015, c.97	SIGNED
SB341	<i>Campos, P. (D8)</i> NURSE EDUCATORS FUND FOR ALL NURSING DEGREES (Similar to 2013 HB204) Would remove the limitation on use of the Nurse Educators Fund solely to supporting college- and university-employed nursing educators who are pursuing higher degrees, and broadens the fund's purpose also to allow support for registered nurses seeking employment as nursing educators in public postsecondary education institutions.	P.L.2015, c.47	SIGNED
SB352	<i>Ingle (R27)</i> FAVORABLE UTILITY RATES DO NOT REQUIRE EXCESS CAPACITY Current statute specifies that the PRC may offer special rates or tariffs for electric utilities in order to promote economic development in the state, provided that excess electric generating and purchased power capacity exists. The bill deletes the "excess capacity" provision, with the result that the PRC may offer special rates at any level of capacity. The rates charged	P.L.2015, c.72	SIGNED

	must be at least equal to the incremental cost of providing service to the customer.		
SB356	<i>Candelaria (D26)</i> ADMINISTRATIVE HEARING OFFICE ACT Places the tax and motor vehicle hearing officers of the Taxation and Revenue Department into a new agency, the Administrative Hearing Office which is attached to the Department of Finance and Administration.	P.L.2015, c.73	SIGNED
SB357	<i>Ivey-Soto (D15); Espinoza (R59)</i> HIGH SCHOOL EQUIVALENCY CREDENTIALS (Similar to 2013 SB183) This 60-page bill simply substitutes the generic term "high school equivalency credential" for several other terms with the same meaning used inconsistently throughout state statute. By making this change, removes some language that is subject to copyright.	P.L.2015, c.122	SIGNED
SB367	<i>Sanchez, M. (D29)</i> INCREASES OPTOMETRISTS' PRESCRIBING POWERS Provides greater prescribing powers to optometrists and clarifies the powers of the Optometry Board.	P.L.2015, c.131	SIGNED
SB369	<i>Burt (R33)</i> MILITARY BASE PLANNING OFFICE CHANGES Eliminates the July 1, 2016 sunset of the Office of Military Base Planning and Support and of the Military Base Planning Commission, leaving the office and the commission with no termination date. Reorganizes the entities to make the governor, rather than the homeland security advisor, the appointment authority for the director of the office and reducing membership on the Military Base Planning Commission from 17 to 11.	P.L.2015, c.123	SIGNED
SB381	<i>Candelaria (D26)</i> CARLOS VIGIL MEMORIAL ACT (Very similar to 2014 SB293) Would create a new short-titled act, the Carlos Vigil Memorial Act, with the stated purpose to cultivate a culture where bullying is not accepted; educate the New Mexico community about bullying behaviors and the potential consequences of bullying; and provide grants for the prevention, resolution and eradication of bullying in schools. Creates the Carlos Vigil Memorial Board, including one member from the Department of Health staff, to review grant applications and to award grant applications and to award grants from the Eradicate Bullying Fund.	P.L.2015, c.132	SIGNED
SB389	<i>Leavell (R41)</i> FILING RULES UNDER OIL AND GAS ACT No rule may be adopted under the Oil and Gas Act until after a hearing by the Oil and Gas Commission. Any rule adopted shall be filed and published in accordance with the State Rules Act. Any person affected by the rule may appeal to the Court of Appeals within 30 days after filing. The Court may set the rule aside only if it is found to be (1) arbitrary, capricious	P.L.2015, c.133	SIGNED

	or an abuse of discretion; (2) not supported by substantial evidence in the record; or (3) otherwise not in accordance with law.		
SB398	<i>Campos, P. (D8)</i> COUNTY DISCRETION TO PROHIBIT LIVESTOCK RUNNING AT LARGE Changes from mandatory to discretionary the authority of a board of county commissioners to prohibit the running at large of livestock within the limits of a platted townsite and addition, a conservancy, an irrigation district or a military reservation or enclave.	P.L.2015, c.134	SIGNED
SB412	<i>Leavell (R41)</i> AMENDS THE ESCROW COMPANY ACT (Related to 2013 HB254 and SB282) Proposes to amend the Escrow Company Act to change the requirement for bonds; require audit reports, account statements and reports of condition; and provide for an exception to the Inspection of Public Records Act.	P.L.2015, c.135	SIGNED
SB433	<i>Ryan (R10)</i> E-CIGARETTE REGULATION SPAC substitute for SB433 expands the scope of the bill to include regulation of nicotine liquid containers in addition to e-cigarettes. Expands and renames the existing Tobacco Products Act to include e-cigarettes and nicotine liquid containers within the renamed Tobacco Products, E-Cigarette and Nicotine Liquid Container Act. Prohibits the sale of e-cigarettes and nicotine liquid containers to minors in person or via the internet; requires nicotine liquid containers to be sold in child resistant packaging; provides for penalties. (2015:HB42; 2015:SB360)	P.L.2015, c.98	SIGNED
SB440	<i>Martinez, Richard (D5)</i> LIQUOR CONTROL ACT: SMALL BREWERS AND WINEGROWERS RECIPROCITY Provides reciprocity between winegrowers and small brewers licensed under the Liquor Control Act, meaning that each can buy products from the other and sell and serve them in the same manner as is already provided by law.	P.L.2015, c.124	SIGNED
SB442	<i>Leavell (R41)</i> BLANKET FINANCIAL ASSURANCE FOR TEMPORARILY ABANDONED OIL AND GAS WELLS (Related to 2015 HM16, SB335, SB389, SB421 and SM29; 2014 HB373 and HM76) Provides discretion to the Oil Conservation Division to allow an operator of an oil or gas well held in temporarily abandoned status for more than two years to choose to cover those wells by increasing its blanket plugging financial assurance or to require one-well financial assurance on each abandoned well. An operator granted and electing blanket plugging financial assurance shall increase that assurance as follows: (2015:HM16; 2015:SB335; 2015:SB389; 2015:SM29; 2015:HB383)	P.L.2015, c.99	SIGNED

SB446	<i>Sapien (D9)</i> INTERSTATE DISTANCE EDUCATION ACT Creates a new short-titled act, the Interstate Distance Education Act, requiring the Higher Education Department to establish a program to facilitate receipt of distance education by students in New Mexico, and provision of distance education by participating state post-secondary institutions to students in other states. Requires HED to enter into interstate agreements and create an application process for in-state institutions to participate in the program. Provides for complaint resolution and sanctions. Exempts from the Out-of-State Proprietary School Act courses offered under a participation agreement pursuant to the act.	P.L.2015, c.23	SIGNED
SB448	<i>Burt (R33)</i> MILITARY ACQUISITION GROSS RECEIPTS END DATES (Duplicate of HB520) Deletes the sunset date of June 30, 2016 from the gross receipts deduction for receipts from transformational acquisition programs performing research and development, test and evaluation services at White Sands Missile Range.	P.L.2015, c.18	SIGNED
SB450	<i>Burt (R33)</i> STANDARDIZES MUSEUM AND MONUMENT BOARD AND DIRECTOR DUTIES Relates to cultural affairs; standardizes museum and monument board and director duties and provides other cleanup of statutes.	P.L.2015, c.19	SIGNED
SB453	<i>Pirtle (R32)</i> INCREASES PAYMENTS FOR AGENCY-RELATED DISPLACEMENT Amends the Relocation Assistance Act to increase amounts authorized for payment to a person or business displaced by an agency program or project.	P.L.2015, c.136	SIGNED
SB459	<i>Leavell (R41)</i> INCREASING CONTRACT EXTENSION TERMS FOR JAIL CONTRACTORS Increases from one or two years to three years the length of permissible extensions of contracts with a private independent contractor for the operation of a jail or for the incarceration of prisoners.	P.L.2015, c.137	SIGNED
SB480	<i>Rue (R23)</i> REQUIRES STATE PURCHASING AGENT TO DEVELOP CLASSIFICATION CODES Requires the State Purchasing Agent to develop a standardized classification code for each expenditure by a state agency or local public body.	P.L.2015, c.138	SIGNED
SB482	<i>Rue (R23)</i> GSD FACILITIES DIRECTOR ON ARCHITECTURAL	P.L.2015, c.139	SIGNED

	<p>COMMITTEE</p> <p>Current statute requires the Director of the Facilities Management Division of GSD to serve on the Architect, Engineer, Landscape Architect and Surveyor Selection Committee. This bill allows the director to provide a nominee instead.</p>		
SB489	<p><i>Papen (D38)</i></p> <p>HORSE RACE DRUG TESTING</p> <p>Requires the State Racing Commission to adopt rules regarding the handling of pre- and post-race, out-of-competition and necropsy testing of plasma, urine and other samples. Such rules shall follow the guidelines established by the Association of Racing Commissioners, International or by another nationally recognized organization. (2015:HB379)</p>	P.L.2015, c.140	SIGNED
SB506	<p><i>Payne (R20)</i></p> <p>DISABLED VETERAN'S PROPERTY TAX EXEMPTION OPTIONS</p> <p>When the principal place of residence of a disabled veteran (or that veteran's surviving spouse) granted a 100% exemption for that property under Section 7-37-5.1 is transferred during a tax year, the veteran or surviving spouse may either (1) maintain the exemption on the transferred residence or (2) move the exemption to the new principle place of residence regardless of the statutory deadlines for applying and claiming the exemption.</p>	P.L.2015, c.126	SIGNED
SB507	<p><i>Torraco (R18)</i></p> <p>TAX FRAUD INVESTIGATION DIVISION, TRD</p> <p>Reconciles conflicting amendments to Section 9-11-4 to explicitly include the Tax Fraud Investigations Division as a division of the Taxation and Revenue Department.</p>	P.L.2015, c.125	SIGNED
SB510	<p><i>O'Neill (D13)</i></p> <p>EXPANDING CRIME VICTIMS REPARATIONS</p> <p>(Related to 2015 HB167, HB 245 and SB46) Changes the enumeration of crimes to which the Crime Victims Reparation Act applies to delete aggravated arson, qualify the dangerous use of explosives to require bodily harm as a result, delete the limitation of stalking to aggravated stalking and add assault against a household member and battery against a household member. (2015:HB167; 2015:HB245; 2015:SB46)</p>	P.L.2015, c.10	SIGNED
SB519	<p><i>Rodriguez (D24)</i></p> <p>FIREFIGHTERS' FIRE FUND</p> <p>Raises the required balance in the Firefighters' Survivors Fund from \$50,000 to \$250,000. Requires that, upon certification by the Fire Marshall that the balance of the Firefighters' Survivors Fund is less than \$250,000, the State Treasurer must distribute the amount needed to bring the balance to \$250,000.</p>	P.L.2015, c.24	SIGNED
SB537	<p><i>Rue (R23); Garcia Richard (D43)</i></p> <p>STATE CONTRACT INFORMATION ON SUNSHINE PORTAL</p>	P.L.2015, c.141	SIGNED

	Requires specific elements of contracts entered into by a state agency regarding the sale, lease or development of state land, to be posted on the Sunshine Portal. Applies to contracts with a total price of more than \$20,000.		
SB552	<i>Cervantes (D31)</i> DRINKING WATER SYSTEM FINANCING Appropriates \$1,800,000 (nonreverting) from the Public Project Revolving Fund to the Drinking Water State Revolving Fund for expenditure in FY 2016 and subsequent fiscal years to provide state matching funds for federal Safe Drinking Water Act projects and to carry out the purposes of the Drinking Water State Revolving Fund Act.	P.L.2015, c.142	SIGNED
SB565	<i>Payne (R20)</i> REVISES FILM PRODUCTION TAX CREDIT ACT SCORC substitute for SB565 apparently means to bifurcate the film production tax credit into two segments: one for films that begin principal photography prior to January 1, 2016 and those that begin on or after January 1, 2016. No language, such as effective date or applicability sections or time references within the text of the bill, actually makes this segregation but, to make sense of it, the bill has to be read as if it did.	P.L.2015, c.143	SIGNED
SB571	<i>Shendo (D22)</i> PHYSICAL THERAPY ACT CHANGES Provides that a physical therapist is a licensed health care provider conducting the practice of physical therapy and is fully responsible for managing all aspects of the physical therapy care of each patient served.	P.L.2015, c.144	SIGNED
SB622	<i>Burt (R33)</i> MULTIPLE-TRIP PERMITS FOR CERTAIN LARGE SPECIALIZED VEHICLES Allows a special multiple-trip permit to be issued for a single vehicle with a load in excess of that allowed under Sec. 66-7-410 that governs gross weight of vehicles and loads.	P.L.2015, c.49	SIGNED
SB643	<i>Torraco (R18)</i> OMNIBUS ELECTION CODE REVISION Senate Floor Amendment 1 (Senator Torraco) to SJC substitute for SB643 is a daunting piece of legislation, comprised of 115-single-spaced pages of amendments containing 103 sections of law. The measure combines almost all provisions from four bills, HB62, SB195, SB617 and SB643, to form an omnibus Election Code.	P.L.2015, c.145	SIGNED
SB669	<i>Ingle (R27)</i> LOCAL OPTION GRT DISTRIBUTION ADJUSTMENTS Significantly revises procedures whereby distributions of certain tax revenues in prior periods to municipalities and counties are corrected when the correction results in the local government being required to return previously distributed funds.	P.L.2015, c.100	SIGNED

SB723	<i>Ingle (R27)</i> CAPITAL PROJECT ADMINISTRATIVE COST INCREASE SFC substitute for dummy bill SB0723 changes the administrative fee that is included in the cost of a capital project from one percent of estimated construction cost to four percent of the appropriated amount of the project.	P.L.2015, c.146	SIGNED
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VETOED BY GOVERNOR

BILL	DESCRIPTION	Status
HB38	<i>Bandy (R3); Wirth (D25)</i> FOREST AND WATERSHED RESTORATION ACT (For the Water and Natural Resources Committee) Proposes the Forest and Watershed Restoration Act to provide for long-term funding for forest and watershed restoration, and creates the Forest and Watershed Restoration Board and the Forest and Watershed Restoration Fund. (Monthly distribution of \$1,250,000 from Insurance Department Suspense Fund to Forest and Watershed Restoration Fund.)	VETOED
HB108	<i>Lundstrom (D9)</i> INVESTMENT ZONES FOR BEHAVIORAL HEALTH SERVICE DELIVERY (Similar to SB566) (Related to SB522) HHC substitute for HB108 continues as a measure that directs the Interagency Behavioral Health Purchasing Collaborative to divide the state into designated investment zones to prioritize the delivery of non-Medicaid behavioral health services. (2015:SB566; 2015:SB522)	VETOED
HB146	<i>Stapleton (D19)</i> INSTRUCTIONAL MATERIAL DEFINITIONS AND DISTRIBUTION (Identical to 2015 SB225) Broadens the definition of “instructional material” in the Instructional Material Law, eliminates a requirement that local policies guarantee that every student have a textbook for each class, deletes limits on types of material that can be chosen for purchase and eliminates the need for a waiver for selecting materials not on the multiple list. (2015:SB225)	VETOED
HB156	<i>McCamley (D33)</i> INNOVATIONS IN TEACHING ACT Creates a new short-titled act to implement the “Innovations in Teaching Program.” Recites findings and purpose, defines terms, requires the Public Education Department to develop an application and award process, specifies required contents of the application, provides for a waiver of students’ standards-based assessments on the teacher’s evaluation, waives use of results of students’ standards-based assessments in A-B-C-D-F School Rating System, and provides for evaluations, reports, and early termination of a project where warranted.	VETOED
HB254	<i>Pacheco (R23); Rue (R23)</i> COMPELLED STATEMENTS OF HAZARDOUS DUTY OFFICERS Amends the Hazardous Duty Officers’ Employer-Employee Relations Act to clarify the nature of compelled statements of a hazardous duty officer and requirements with respect to the taking and release of such compelled statements.	VETOED
HB296	<i>Maestas Barnes (R15)</i> SOLAR ENERGY INSTALLATION LEASE TAX CREDIT (Related to HB70 and SB371) Allows taxpayers who lease, rather than purchase, qualifying solar or photovoltaic systems to apply for a solar market development tax credit against personal income tax. Not clear whether claims retroactive to installations on or after January 1, 2006 are intended to be included. (2015:HB70; 2015:SB371)	VETOED

HB332	<p><i>Maestas (D16)</i></p> <p>PROBATION AND GOOD BEHAVIOR</p> <p>Decreases a person's period of probation by 30 days for every 30 days served without a probation violation.</p>	VETOED
HB379	<p><i>Ezzell (R58)</i></p> <p>HORSE RACING: DRUG TESTING TO FOLLOW INTERNATIONAL RULES</p> <p>(Duplicate of SB489) Requires the State Racing Commission to adopt rules regarding the handling of pre- and post-race, out-of-competition and necropsy testing of plasma, urine and other samples. Such rules shall follow the guidelines established by the Association of Racing Commissioners, International or by another nationally recognized organization. (2015:SB489)</p>	VETOED
HB428	<p><i>Garcia Richard (D43); Ivey-Soto (D15)</i></p> <p>SOME COUNTIES TO SET OFFICIALS AND OFFICERS SALARIES</p> <p>Provides that an urban county (Bernalillo) or incorporated county (Los Alamos) that has adopted a charter may by ordinance set the annual salary for some or all of its elected or appointed officers, but that no salary may exceed \$95,000. Permits this action notwithstanding existing statutory salaries set for Bernalillo, Doña Ana, Sandoval, San Juan and Los Alamos Counties. Bernalillo County.</p>	VETOED
SB94	<p><i>McSorley (D16)</i></p> <p>INDUSTRIAL HEMP FARMING ACT</p> <p>(Identical to 2011 HB565 and 2009 HB403) The Industrial Hemp Farming Act allows the production and sale of industrial hemp and amends the definition of controlled substances to exclude hemp from the definition of marijuana. Makes \$150,000 in GF appropriations in support of the act's provisions.</p>	VETOED
SB105	<p><i>Martinez, Richard (D5)</i></p> <p>SPECIAL COUNTY EDUCATION GROSS RECEIPTS TAX</p> <p>(Same as 2014 SB82) Provides authority for Rio Arriba County to enact a Special County Education Gross Receipts Tax of three-fourths of one percent on all businesses within the county to pay for revenue bonds issued for capital improvements, school grounds improvement and educational technology equipment.</p>	VETOED
SB114	<p><i>Griggs (R34)</i></p> <p>LOCAL GOVERNMENT SPECIAL FUEL TAX</p> <p>(For the Transportation Infrastructure Revenue Committee) Amends and re-names the County and Municipal Gasoline and Special Fuel Tax Act to allow municipalities and counties to impose by ordinance a tax of one or two cents per gallon sold at retail within the jurisdiction.</p>	VETOED
SB257	<p><i>Ivey-Soto (D15); Hall, J. C. (R28)</i></p> <p>ALLOWS SEPARATE AUDITS FOR GOVERNMENT COMPONENT UNITS</p> <p>Proposes to amend the Audit Act to authorize the component unit of a primary government entity (as determined in accordance with generally accepted accounting principles) to choose to be audited separately from the audit of the primary government entity. If the component unit chooses to have a separate audit conducted, the component unit audit shall be included in the primary government entity's audit but need not be</p>	VETOED

	conducted by the same auditor. Applies to FY 2016 and all subsequent fiscal years.	
SB334	<i>Griego (D39)</i> 12TH DISTRICT COURT JUDGE RESIDENCE Provides that at least one judge of the 12th District Court shall reside in Lincoln County and maintain the judge's principal office there.	VETOED
SB503	<i>Ortiz y Pino (D12); Smith (R22)</i> BEER AND WINE DELIVERY LICENSES Authorizes local option districts to approve beer and wine delivery licenses, for the sale of wine and beer along with the sale and delivery of prepared foods, by holding an election on the question. The license confers the ability to sell up to 144 ounces (two six-packs) of beer and up to 1.5 liters (two bottles) of wine. The annual fee for the license is \$1,300.	VETOED

POCKET VETOED

BILL	DESCRIPTION	Status
HB89	<i>Herrell (R51)</i> COURT LANGUAGE ACCESS SERVICES FUND (For the Courts, Corrections and Justice Committee) Creates the Language Access Fund to be administered by the Administrative Office of the Courts upon appropriation by the Legislature for paying the costs of court interpreters, staffing and operating the New Mexico Center for Language Access, language access services training, and other activities necessary to meet constitutional and statutory language requirements.	PVETOED
HB122	<i>McMillan (R37)</i> SCOPE OF PRACTICE OF HEALTH PROFESSIONS (Related to 2014 HB143, HJM9, HM28, SB14, SB58, SB76, SB329) Requires that a member or licensee of a health profession licensing board who seeks a change in the scope of practice shall request a hearing from that board on the matter. The board shall collect data, make a technical assessment of the proposed change and report its analysis, conclusions and recommendations to the New Mexico Legislative Council. The council shall assign the proposed change to a committee for its review and shall report on its assessment, analysis and recommendations to the Legislature.	PVETOED
HB192	<i>Armstrong (D17)</i> CHANGES SCOPE OF PRACTICE UNDER THE OCCUPATIONAL THERAPY ACT Proposes to amend sections of the Occupational Therapy Act to make changes to the scope of practice of persons licensed or certified pursuant to the act.	PVETOED
HB198	<i>Maestas (D16)</i> ALCOHOLIC BEVERAGE SALES AT MUNICIPAL GOLF COURSES Strikes the governmental liquor license limitation allowing only beer and wine to be sold and served at municipal golf courses. The bill will now allow the sale of spirituous liquors by the drink.	PVETOED
HB258	<i>Garvia, Miguel (D14)</i> PATIENT FREEDOM OF CHOICE TO INCLUDE MENTAL HEALTH PROFESSIONALS (Similar to 2013's HB208) Amends the Insurance Code, under the Freedom of Choice section, to include a licensed professional mental health counselor or therapist among the list of practitioners that an insured person has the right and freedom to choose for treatment of an illness or injury. That right shall not be restricted under any new policy of health insurance, contract or health care plan.	PVETOED
HB324	<i>Egolf (D47); Ivey-Soto (D15)</i> PUBLIC RECORDS INSTRUMENTS OF WRITING In situations where an original instrument of writing is unavailable for filing and recording, a copy of it will be accepted for filing and recording if an accompanying document is presented with the proper information.	PVETOED

HB339	<i>Garcia Richard (D43); Griggs (R34)</i> LIQUOR CONTROL ACT: SMALL BREWERS AND WINEGROWERS RECIPROCITY (Same as SB440) Provides reciprocity between winegrowers and small brewers licensed under the Liquor Control Act, meaning that each can buy products from the other and sell and serve them in the same manner as is already provided by law. (2015:SB440)	PVETOED
HB404	<i>Lewis (R60)</i> DRIVER'S LICENSE QUALIFICATIONS FOR OUT-OF-STATE DUI (Related to 2014 HB10 and HB191; related to 2015 HB86 and HB131) Provides that the qualifications of the Ignition Interlock Licensing Act for issuance of a New Mexico driver's license after conviction of DUI shall not apply if a person has only one DUI conviction in another state or the District of Columbia and presents proof of successful completion of all the conditions of the person's sentence, whether or not installation of an ignition interlock device was a condition of that sentence. (2015:HB86; 2015:HB131)	PVETOED
HB519	<i>Herrell (R51)</i> PHYSICAL THERAPY ACT CHANGES (Identical to 2015 SB571. Related to 2014 HB284 and 2015 HB192 and SB359) Provides that a physical therapist is a licensed health care provider conducting the practice of physical therapy and is fully responsible for managing all aspects of the physical therapy care of each patient served. (2015:SB571)	PVETOED
SB106	<i>Martinez, Richard (D5)</i> AUTHORIZES AOC TO RECEIVE PUBLIC OR PRIVATE FUNDS (Endorsed by the Courts, Corrections and Justice Committee) Authorizes the Director of the Administrative Office of the Courts to apply for and receive any public or private funds (including U.S. government monies) available to carry out AOC programs, duties and services.	PVETOED
SB115	<i>Neville (R2)</i> REORGANIZATION OF THE CITIZEN SUBSTITUTE CARE REVIEW ACT STRUCTURES The SPAC substitute retains the original intent of SB115 to reorganize the implementation of the Citizen Substitute Care Review Act (CSCRA) in order to provide for independent and objective monitoring of children placed in the custody of CYFD.	PVETOED
SB255	<i>Sanchez, C. (D30)</i> AUTHORIZES VALENCIA COUNTY INSTRUCTIONAL CENTER Authorizes the UNM Board of Regents to create an off-campus instructional center in Valencia County.	PVETOED
SB271	<i>Munoz (D4)</i> EXCLUDES OUT-OF-STATE ACTIVITIES FROM GOVERNMENTAL GROSS RECEIPTS TAX The base of the governmental gross receipts tax is trimmed to exclude performance of, or admissions to, recreational, athletic or entertainment services or events taking place outside New Mexico.	PVETOED

SB358	<p><i>Torraco (R18)</i></p> <p>CORRECTIONAL HALFWAY HOUSES AND TRANSITIONAL RESIDENTIAL FACILITIES</p> <p>(For the Courts, Corrections and Justice Committee and the Criminal Justice Reform Subcommittee) Directs the Corrections Department to divide the state into at least four probation and parole regions and to operate or contract with a third party to operate in each region at least two halfway houses or transitional residential facilities, one each for men and for women.</p>	PVETOED
SB379	<p><i>Sapien (D9); Larranaga (R27)</i></p> <p>CHILD CARE ASSISTANCE ACCOUNTABILITY ACT</p> <p>(For the Legislative Finance Committee) Proposes the Child Care Assistance Accountability Act; requires CYFD to establish the Child Care Assistance Accountability Program.</p>	PVETOED
SB391	<p><i>Stewart (D17)</i></p> <p>EXTENDS SOLAR MARKET DEVELOPMENT TAX CREDIT</p> <p>Extends the sunset date of the solar market development personal income tax credit from December 31, 2016 to December 31, 2020.</p>	PVETOED
SB438	<p><i>Griego (D39)</i></p> <p>CORPORATE APPLICATION AND FILING REQUIREMENTS</p> <p>Changes certain filing fees required of corporations with the Secretary of State; provides for a flat fee for copying documents and authorizes charging fees for payment to the secretary by credit or debit card; and suspends the privilege of filing for any entity that is liable for payments to the secretary. Appropriates to the secretary fees charged for handling credit and debit card payments.</p>	PVETOED
SB471	<p><i>Sapien (D9); Smith (R22)</i></p> <p>LIQUOR CONTROL ACT: ALTERNATING SMALL BREWER PROPRIETORSHIP</p> <p>Provides for alternating proprietorships of the manufacturing facilities and equipment of a small brewer's licensee so that another person who holds a small brewer's license may use them to produce beer.</p>	PVETOED

Jose Larranaga



From: Bruce Krasnow <brucekrasnow@gmail.com>
Sent: Monday, April 13, 2015 5:52 PM
To: Jose Larranaga; Oralynn Guerrerortiz
Subject: Selah Master Plan comment

Follow Up Flag: Follow up
Flag Status: Completed

Mr. Larranaga,

I know this letter is late but I thought I would be attending the April 14 BCC meeting to speak in favor of this project, but I am unable to attend.

As a resident of the nearby College Heights section of Rancho Viejo, I can speak to the strong outreach this property owner has done with nearby property owners and neighbors to hear our ongoing concerns about Richards Avenue safety and the transportation infrastructure deficiencies in and around the community college.

They listened and the project as proposed, and approved with the CDRC conditions, is sufficiently phased to satisfy our concerns. I will add the property owner and his representatives were very proactive in proposing what is a sustainable approach to the coming growth and development in the Community College District: let the development occur but it should be phased only when the transportation corridor can be upgraded to alleviate health and safety issues along Richards Avenue/Oshara Village/Santo Nino and Santa Fe Community College, not intensify the problems.

I hope the county and other developers can bring forward plans like this where they receive the predictability needed from the county to develop their property, while at the same time keep the health and safety of those already living the nearby county neighborhoods at the forefront of these important decisions.

Sincerely,
Bruce Krasnow
3B Deans Ct., Santa Fe, 87508
brucekrasnow@gmail.com

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