

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
RESCHEDULED REGULAR MEETING

March 24, 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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REGULAR MEETING
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This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 4:10 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 Kathy Holian
 Commissioner Miguel Chavez
 Commissioner 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 Ken Baros, the State Pledge by Melanie Ramirez and the Moment of Reflection by Lynette Kennard of the Finance Department.

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 Tabled or Withdrawn Items

KATHERINE MILLER (County Manager): Mr. Chair, we have one amendment on page 3 under Matters from the County Attorney, item VI. A. 1. c has been added, and then also I do note that in the Public Hearings, Case #Z 06-5033, the Village at the Galisteo Preserve has also been tabled. So that one will have to be renoticed.

CHAIR ANAYA: Commissioners, are there any other requested changes?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: First of all, may I ask is Mr. Alonso Sanchez here? Mr. Chair, if Mr. Sanchez does come early, I would like to ask that we could hear item V. A. 4 when he arrives.

CHAIR ANAYA: That would be fine, Commissioner.

COMMISSIONER HOLIAN: So with that, Mr. Chair, I move for approval of the agenda.

CHAIR ANAYA: There's a motion from Commissioner Holian to approve the agenda as amended. Is there a second?

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Commissioner Chavez, Mr. Vice Chair seconds. Is there any discussion?

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

I. G. Approval of Minutes

1. Approval of February 10, 2015 BCC Study Session Meeting Minutes

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

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I would move approval of the February 10, 2015 BCC Study Session meeting minutes.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Motion from Commissioner Holian, second from Commissioner Holian. Any further discussion? Seeing none.

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

I. G. 2. Approval of February 10, 2015 BCC Meeting Minutes

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I move approval of February 10, 2015 BCC meeting minutes.

CHAIR ANAYA: Motion from Commissioner Stefanics.

COMMISSIONER CHAVEZ: Second.

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

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

I. H. Employee Recognition

**1. Retirement and Recognition of 15 Years and 6 Months of
Dedicated Service to Santa Fe County for Teresa Martinez**

MS. MILLER: Mr. Chair, the Commission had requested that I have an opportunity for you to recognize Teresa Martinez, our Finance Director who's been with the County 15 ½ years. We were going to it on March 31st but she's respectfully requested to have the last day off. So we've moved it up to today. So we do have in front of you an opportunity to recognize her and her service to Santa Fe County. I turn it over to you.

CHAIR ANAYA: So I'm going to go to the Commissioners.
Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Mr. Chair, I know you have known Teresa Martinez longer than I have but in the six-plus years that I have worked with Teresa as our Finance Director I will say that I have seen the minor mishaps at the beginning immediately corrected and every year thereafter glowing reports on our audits, on our awards and from the state. I think it is a tribute not only to Ms. Martinez but also to her entire staff who have committed to working to her high standards and her willingness to work with all of us on our needs and our desires as we move forward through our projects. Teresa Martinez has been involved in community service. She's been involved in some of the employee activities. She is not just focused on finance here at our County. She is totally integrated with everything that we do here and I want to thank her very, very much, and I could not imagine her shoes being filled. Hear that Carole? But thank you very much, Teresa.

CHAIR ANAYA: Thank you, Commissioner Stefanics, for those words.
Mr. Vice Chair, Commissioner Chavez.

COMMISSIONER CHAVEZ: Ms. Martinez, I feel like I'm just kind of getting to know you in your work as a County employee, so I can only thank you for your dedication and your commitment and hope that your next chapter in your endeavors will be as fruitful and as enjoyable as your work here at the County. So good luck to you in the future and whatever plans you have in your retirement. I know you won't be idle but good luck to you in the future. Thank you.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Teresa, I am very sorry that you are retiring and although I hope you have a happy retirement I'm also kind of selfishly hoping that you get bored and actually decide to come back. You have really been a true professional in the County in my opinion. You really epitomize professionalism. You're knowledgeable, you're hardworking, you look out for the best interests of the taxpayers. I know that you manage their finances very wisely, and you're really great at explaining things, too. I've always really appreciated the reports that you've produced for us because I feel like I really have a window on how the County is doing financially at any given time. So I'm very appreciative of that.

I am personally going to miss you so much, but I'll see you at the MS Walk next

month and good luck. Thank you.

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

COMMISSIONER ROYBAL: I too would like to say thank you for your service. I haven't had the opportunity to work with you as long, Teresa. I only started my term but all of the reports and everything that I've seen and how highly everyone talks about you, it's something to be proud of and I really wish the best of luck to you in your future endeavors. I too wish I had had more time to work with you and I just wish you all the best. Thank you.

CHAIR ANAYA: Thank you, Commissioner Roybal. I'm not going to now going to give any staff, any department heads or otherwise, any staff that are present to make any comments if they so choose. Is there any department heads or staff that would like to make some comments regarding Ms. Martinez? I'm going to just start with Mr. Sedillo and go to Mr. Leigland after that.

PABLO SEDILLO (Public Safety Director): Mr. Chair, members of the committee, I will tell you this. I've been here three years with the County and Ms. Martinez has made it very pleasant to work with. We've had our disagreements but at the end I've learned so much from her and how she has presented the Finance Department in the most professional way. Thank you very much, Teresa, for being there for me and the Public Safety Department and the County as a whole. And Teresa, I will collect my five dollars from you for coming up here first. But in all seriousness, she has been a mentor, a leader for the County of Santa Fe and I am going to miss her.

CHAIR ANAYA: Thank you, Mr. Sedillo. Mr. Sedillo, before you go, so you said that you've had many disagreements, but then you did what she said? Is that ultimately –

MR. SEDILLO: Absolutely. Remember, I'm a good husband too. I always to what I'm told.

CHAIR ANAYA: Thank you, Mr. Sedillo, for those words. Mr. Leigland.

ADAM LEIGLAND (Public Works Director): Mr. Chair, Commissioners, we heard that Pablo had a lot of disagreements with Teresa but I will say that Teresa and I, always – we never disagreed. She always saw things my way. I have a newcomers orientation for new employees in my department once a month and what I always say is that at the end of the day, what our job is is to spend taxpayer money as effectively and efficiently because we're the ones putting the money in the ground. But that cannot happen, that kind of glib statement cannot happen without Teresa back there providing all the support that she does and I think that we saw that, the best way, when we had a special study session where we were presented this very complex capital package. That was her work and it was her work that allowed me to do the work that I know this Commission appreciates. So I'm going to miss her expertise but I'm also going to miss her personality because she's very easy to work with and all joking aside about doing what she says because the truth is we do do what she says and that keeps us on the straight and narrow and keeps us out of trouble. So I'm glad to hear that she's going to spend more time with her daughter upon retirement. I met her daughter on a couple of occasions and I think that's really important to spend time with family. So I know

Commissioner Holian wants her to come back but I'm sure her daughter thinks otherwise. Thank you.

CHAIR ANAYA: Thank you. Ms. Salazar.

BERNADETTE SALAZAR (HR Director): Mr. Chair, members of the Commission, I've worked with Teresa for over 14 years now and I'm going to really, really miss her. She's my partner in crime. Whenever we attend a meeting together department heads look at us like, oh, no, what are we in for now. She is a true leader. I think she's done a wonderful job with the Finance Division and I'm just really going to miss her. I'm going to miss her Sanchez Heño and hope that we can still stay in touch so we can vent with each other still. Thank you.

CHAIR ANAYA: Thank you, Ms. Salazar. Mr. Flores.

TONY FLORES (Deputy County Manager): Thank you, Mr. Chair. I started at the County originally 16 years ago and Teresa came in shortly thereafter and her and I were division directors within the Finance Department, actually under Ms. Miller. And I consider myself a pretty good judge of character and I can remember having many discussions – not arguments, not disagreements, but discussions with Teresa in her office downstairs. And the one thing that struck me with her besides her evenness, the way she handled things very, very calmly – this was a long time ago. She handles things much differently now but back then it was calm.

And I knew at that point in time, seeing her across the desk, because I had to sit in a little chair across from her, she would be a Finance Director some day. And I knew back then that there was a person that was waiting to come out of that shell and be able to lead County finances. And I knew that she was going to be that person someday when all of us left.

And I must say, a couple of weeks ago, during the lunch hour we were communicating back and forth via email and I kept getting these responses from her and they were all capitalized. And I finally shot back, I said, I understand, Teresa. I'm sorry. Why are you yelling at me? And so said, oh, my gosh. I just realized my caps are on and I understand now that means I'm yelling. So I shot back OMG, and I had to spell that out. That kind of full circle of our friendship. So I'm not only going to miss her as a leader for Santa Fe County when it comes to the finances. I'm going to miss her as somebody that I've been able to lean on back then and upon my return. So I just want to wish her the best.

CHAIR ANAYA: Thank you, Mr. Flores. Ms. Ellis-Green.

PENNY ELLIS-GREEN (Land Use Administrator): Thank you, Mr. Chair, Commissioners. I've had the pleasure of working with Teresa for over 15 years here at the County and she has always been incredibly professional and incredibly helpful and I think Adam and Pablo are right. We do do what she says but we do what she says because she knows what she's doing and she knows what's right. And I just want to congratulate her and thank her for myself, personally, and the whole department and the whole County. Thanks.

CHAIR ANAYA: Thank you, Ms. Ellis-Green. Ms. Jaramillo.

CAROLE JARAMILLO (Budget Director): Mr. Chair, Commissioners, thank you for doing this for Teresa today. She really, really did not want to have any big

hoo-hah for her or anything and I told her, you know, you're just going to have to suck it up and deal with it. So here she is, dealing with it. She doesn't like all the attention and everything else but she really deserves our recognition and our thanks. She has led the Finance Division through some very rocky financial, economic times and she's just been a great leader, a great friend, a great mentor for me. I cannot fill her shoes, Commissioner. I know that. I have no delusions in that regard. But we are so going to miss her very, very much and just I thank her for everything she's done for me personally and for the County generally.

CHAIR ANAYA: Thank you, so much. Rachel.

RACHEL O'CONNOR (Community Services Director): Mr. Chair, on behalf of the Community Services Department I just want to say thank you so much to Teresa and her staff for the service and really graciousness that they have shown our department over the past three years. Whenever we have a question, whenever we have a problem, we go straight to Teresa. She's been incredibly supportive I think to those of us that were new directors with the County and helped us to understand our jobs, and I think that was felt not just by myself but by many, many of the staff and certainly all the managers within our department. So collectively we wish her the best of everything and thank her for the graciousness that she brought to her job and to our department.

CHAIR ANAYA: Thank you so much. I saw Kenny Martinez come in so I'm going to ask him to come forward to make comments regarding Ms. Martinez and her work here.

KEN MARTINEZ (RECC Director): Thank you, Mr. Chair, Commissioners. I really don't have too much to say other than I have a great deal of respect for Ms. Martinez. She's always been really supportive of the RECC and myself since we transitioned over to the County in 2007, and she made that transition seamless and she's been at every one of my budget board meetings, except for this hearing, right? But she's always made the finance process for the RECC very easy and she's supported us a lot. It's going to be a sad thing for me to see her go but I wish her the best and if there's ever anything I can do to help her out, just let me know. 911 is always there.

CHAIR ANAYA: Other questions or feedback for Ms. Martinez. Ms. Miller.

MS. MILLER: Mr. Chair, Commissioners, I did hire Teresa 15 years ago, 15 ½, and I was so excited when I came back to the County that she was here and was the Finance Director because she's just always been an exemplary employee. I trust her opinion so much. She's not one of these directors that you have to really worry about handling things. She just takes care of it, gets it down. I call her up and say I need some information on something. It's just done.

She will definitely be missed here because it's not just her professionalism and her thorough work but her personality is a joy. But I have to tell you that she's been really good at letting me know this day was coming, and I ignored it. I pretended I didn't hear her. I said, yes, you're going to change your mind. You're going to want to stay for those 27 years. And about three months ago the smile on her face just got bigger and bigger and everywhere she went Carole would be with her at meetings to get up to speed on stuff. Carole's all grouchy and she's all happy. I said – it was a joke in the senior staff

meetings – she is really going to retire.

I just want to wish her the best because she deserves it. She's put a lot of time and effort into this County and into her public service to the state of New Mexico and Santa Fe County and she deserves a really enjoyable and peaceful retirement. These jobs are hard. I think people don't realize just how hard local government is and how much time and how much energy and really personal commitment you put into them if you want to be good at them and Teresa has definitely done that. I think the Finance Division has really benefited from that from her and they're a great team. I think they'll do well even in her absence because she's done a good job at training people and making a really good team there. But she'll definitely be missed by everybody.

So thank you for taking this time on our agenda to do this.

CHAIR ANAYA: You're welcome, Ms. Miller and any of you that are hoping that we would move this along, I don't apologize at all. Teresa deserved a few extra moments of reflection and words for her efforts and I knew that if I afforded more people the opportunity to say things that it would keep my remarks brief. But I would simply say this to you, Teresa, Bern, did you say Sanchez Heño? I'm going to close with something else other than that. I'm going to say: respect, professionalism, kindness, diplomacy, compromise, action, work, friendship, and I'm going to say Sanchez smile is what we appreciate and we're going to miss. I've known you for a long, long time, all the way back to the years on Lomita Street, but we'll miss you. We thank you very much from the bottom of all our hearts for your service. Everybody, if we would please rise and give her a round of applause. So now you can say whatever you want, you can gore whatever ox you need to.

TERESA MARTINEZ (Finance Director): I'm not going to. As many times as I've stood up here before you I am probably the most nervous today so I wrote down what I wanted to say to ensure that I didn't forget anything. I joked that I was going to come up here and do what Paul Griffin did. He was the former budget administrator, very cranky man, and he stood up here one day before the BCC and he said, you people did this. And then I got towed into the County Manager's Office the next day and told, he can never do another public presentation. So I promised that I wouldn't do that.

I wanted to tell you that it's genuinely been my honor and my pleasure to work for this County and to work for the people that are employed by Santa Fe County. It's the best group of people I've ever worked with. I started at the Department of Corrections and I did three years, I came to Education for five years, I thought I'd come to Santa Fe County for three to five years and 15 years later I'm still here. So this is going to be the hardest job I will ever walk away from.

I saw a lot while I was here. I went through several Commission terms if you will, several County Managers and several Finance Directors, but the core at the end of the day was the Finance family. And I get a lot of credit for how great they are. A lot of them were already here when I came. A lot of them I've hired, and it's the best bunch of people I've ever worked with in my entire life. And it's going to be the hardest thing for me to walk away from them. I'm fortunate to have been a part of a County and serve with the people side by side that I've worked with and to make an impact on my local community.

I hope I've made a difference for Santa Fe County because I know Santa Fe

County has impacted me in the best way, both professionally and personally. I hope I have served you with humbleness and humility and I want nothing but the best for Santa Fe County. So keep doing what you're doing and keep doing good things. And thank you for today. Thank you.

[A plaque was presented and photographs taken.]

MS. MILLER: And Mr. Chair, just one final note. We are having a luncheon next Friday but I wanted to make sure we had an opportunity for the Commission to recognize Teresa and also Becky Meyer will be retiring as well. Thank you.

CHAIR ANAYA: Thank you, Ms. Miller, and thank you so much Teresa for your many years of service to the community and to the County.

II. CONSENT AGENDA

A. Final Orders

1. **BCC CASE # MIS 14-5231 High Summit III. Grevey-Liberman Family Group, Applicant, James W. Siebert and Assoc., Inc., Agent, request a two-year time extension of the previously approved Final Plat for Phase 2 through 5 of the High Summit III Subdivision under Ordinance No. 2011-11. The property is located off Hyde Park Road (State Road 475, southeast of the Summit Subdivision, within Sections 15, 16, 21 and 22, Township 17 North, Range 10 East (Commission District 4) (Approved 5-0) Vicente Archuleta, Case Manager**

B. Miscellaneous

1. **A Proclamation Recognizing Certified Government Financial Managers Month (Commissioner Chavez)**
2. **A Proclamation Recognizing March 26-28, 2015 as Battle of Glorieta Pass Days (Commissioner Holian)**

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

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, Mr. Sanchez is here, so after we do the Consent Agenda and vote on the items I'm wondering if we can go to item V. A.
4.

CHAIR ANAYA: Yes, Commissioner.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I move approval of the Consent

Agenda.

COMMISSIONER HOLIAN: Second.

COMMISSIONER STEFANICS: Motion by Commissioner Stefanics for

approval of Consent, second by Commissioner Holian. Any further discussion? Seeing none.

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

V. A. 4. A Proclamation Recognizing March 26-28, 2015 as Battle of Glorieta Pass Days

COMMISSIONER HOLIAN: Thank you, Mr. Chair. First of all, I would really like to thank Mr. Alfonso Sanchez for making sure that the people of Santa Fe County do not forget this very important battle that took place in the Civil War on Glorieta Pass. My husband and I, it turns out now live near Glorieta Pass, and as a matter of fact on our land there have been buttons found from Civil War uniforms on our land. And so you really feel connected to history when things like that happen.

And when I describe where I live and people don't know where Glorieta is, I often tell them that there was a little know but very, very important Civil War battle that occurred near Glorieta Pass. So now I would like to read the proclamation recognizing March 26 through March 28, 2015 as Battle of Glorieta Pass Days.

Whereas, during the American Civil War New Mexico became a key arena in the war as the Confederate Army advanced northward through the state gaining ground in battles from Las Cruces to Santa Fe and on March 10, 1862, forced the territorial seat of government to retreat to Las Vegas;

Whereas, the Battle of Glorieta was fought over the course of two days in places called Apache Canyon, Pigeon's Ranch and Johnson's Ranch, all in the vicinity of Glorieta Pass in what was then known as the New Mexico Territory;

Whereas, on March 26, 1862, the first day, the courageous Colorado Volunteers and New Mexico soldiers stood together against the Confederate Army in the Battle at Apache Canyon, just 13 miles from Santa Fe losing only five Union soldiers, taking 71 Confederate prisoners, and killing an estimated 5 Confederate soldiers;

Whereas, the Battle resumed on March 28, 1862 west of the Village of Glorieta at Pigeons' Ranch and Johnson's Ranch near Glorieta Pass and there the Confederates were effectively defeated as a result of the rear guard destruction of the Confederates wagon trail at Johnson's Ranch;

Whereas, during the last day of battle each side sustained nearly equal losses of approximately 46 killed, 15 captured and 60 wounded. With 30 Confederate casualties of the battle being discovered in modern times buried in a mass grave on Pigeon's Ranch;

Whereas, the victory of the Battle at Glorieta Pass occurred one year, seven months, and 13 days before Gettysburg and is seen as a turning point in the Civil War by preventing the Confederates from taking control of the gold and silver mines from Colorado to California;

Whereas, for over 150 years the significance of the Battle of Glorieta Pass has been inadequately recognized and this battlefield, known as the Gettysburg of the West, remains among the top ten most endangered Civil War battlefields;

And whereas it is our duty to remember the highest sacrifices made by all those

soldiers who died or were gravely wounded on March 26 through March 28, 1862 during the Battle of Glorieta Pass and to recognize their crucial role in solidifying the future union of our great country and in preserving the freedom that we all enjoy as citizens.

Now, therefore, the Santa Fe Board of County Commissioners hereby proclaims that we recognize March 26 through March 28, 2015 as the Battle of Glorieta Pass Days.

Approved, adopted and passed on this 24th day of March 2015, signed by the five Commissioners, the County Manager, the County Attorney and our County Clerk. Thank you, Mr. Chair.

CHAIR ANAYA: Commissioner Holian, why don't you move it and then we'll go to discussion.

COMMISSIONER HOLIAN: Mr. Chair, I believe we already passed on on Consent.

COMMISSIONER STEFANICS: We did on Consent.

CHAIR ANAYA: Oh, we had it on Consent. Okay. Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I always want to thank Commissioner Holian for bringing this forward not only to recognize the battlefield but I would be remiss and I think derelict in my duties as part of the Chavez Clan if I didn't mention one of the New Mexico Volunteers, and that was Colonel Manuel Chavez. And he's only one of the New Mexico soldiers that fought there at the Battle of Glorieta. Marc Simmons has written extensively about Manuel Chavez. He's known as the Little Lion of the Southwest, or el leoncito. He stands out in the chapters of New Mexico history during that period but there were many who made the sacrifice along with him. Marc Simmons mentions in his book that while Manuel Chavez was – made the commitment to lend his service to that battle, he left his family and his ranch to do that.

In his absence there was a raid on his ranch and there were 11,000 head of sheep that were scattered while he was away, so he had to ask for permission to go tend to his family matters but was back within a couple of days to continue in the efforts in securing New Mexico. And so what I would like to do next year if possible, Commissioner Holian, is to find the list of New Mexico Volunteers and the Colorado Volunteers who fought at the Battle of Glorieta and include them in the proclamation and maybe even read their names. And just to put it into perspective, the Mexican-American War lasted from 1846 to 1848. The American Civil War was from 1861 to 1865. There were 13 years between the two battles.

So we talk about the sacrifices that people make. There were many sacrifices and I think it's appropriate that we recognize those sacrifices and maybe learn from the mistakes in the past. So again, Commissioner Holian, I thank you for bringing this forward. It puts our area in a historical perspective because the battlefields throughout the country are trying to be – they're grouped, there's an effort to group them together and to keep the importance of them fresh in our minds. So thank you for doing that.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I would just like to thank you, Commissioner Chavez, for bringing in that important historical perspective from the

point of view of your own family. Thank you very much.

CHAIR ANAYA: Is there anyone else you'd like to bring forward, Commissioner Holian, at this time?

COMMISSIONER HOLIAN: Mr. Chair, perhaps Mr. Sanchez would like to say a few words.

CHAIR ANAYA: Mr. Sanchez, the floor is yours.

ALFONSO SANCHEZ: Mr. Chair, Commissioners, it is time that we honor what happened there a long time ago. The reason why Santa Fe has survived and not been pillaged like some of the southern and eastern cities because a village 13 miles down, Canoncito where they have taken the brunt of the battles and Santa Fe has been spared, and here we are, Santa Fe. What saddens me is that on March 26th 32 Confederates were killed and they are still there. I can't find them. At that time everyone assumed, all the historians, that the battle occurred when the old 1835 bridge that's still there along the creek and presumably that's where the battle at that time started and ended.

Then comes Alfonso and my wife, we're the owners of the 19.907 acres where the 32 were killed. They're still there. That used to be an old Indian – we call it the Old Santa Fe Trail, but for many, many years before, the Indians used that. And then we did. And here we are. At that time there was no railroad. In 1846 the railroad came. Then came Highway 66, then now I-25, on or about 1950. No wonder we can't find the dead that are buried there.

I'm an old veteran of World War II, Korean War, and the second thing that President Lincoln did when we won the Civil War, the first thing was what? The proclamation that freed the blacks from slavery. But what was the second thing that he did. President Lincoln was faced with a divided nation. The rebels that took up arms against the United States and he was faced with bringing them back together into the Union. How did he solve that? He forgave all Confederates for their insurrection.

Getting back here to Santa Fe and that little piece of land. Me and Cecilia my wife, we own the 19.907 acres, one mile frontage along I-25. After I retired I spent most of my time there trying to build a memorial trying to follow exactly what Major Shavington did from the Colorado Volunteers did in achieving the victory that happened there. And he almost graphically tells us how everything happened. But then all the historians they forgot or they didn't know exactly where. They said that the battle started at the old 1846 bridge there by Mr. Connor's there I guess. But here we are today. We're trying to – and that bridge is so very historical because our old folks there built it but if you go to the town there you'll almost cry because it's ready to crumble into the Galisteo Creek. But it's still there. And why it survived all these many, many years. And that's where all the historians and all the books said that the battle started and ended there.

I came with my metal detector and I went down and I got a hold of this other historian lawyer who found five cannon balls, right there. The cannons were on the bridge shooting at the oncoming US forces and he found them. I got him to contribute two to the Pecos National Monument. I wanted him to give me one. He wanted the other three. I don't know what he was going to do with them but he wanted them as a paperweight.

But I, with my metal detector I didn't find anything, bullets or spent shells there. But then here I am with 19.907 acres and lord knows. And then I read Major Shavington's report that said that the Confederates retreated from that ridge a mile and a half, exactly right in front of my mile frontage of I-25. So here I am with everyone, and I got everyone to meet at Shavington's rock, because there's a big hill there. Fred Archibald, he's the patent lawyer from San Angelo, Texas. He's the one who came and I asked him to come and show me where he found those five cannon balls, because that's all I find there. So he did, and we all then agreed, including Dr. Don Albert, who wrote the book about the Battle of Glorieta Pass, and thus, and I got all the parties, historians at the time, Dr. Don Albert and everyone else from the Pecos National Monument. So all the historians now say and believe that the March 26th battle was fought on my property, a mile and a half further down from the old bridge. Very historical.

We also acquired, me and the wife, 16 acres about a mile and half from the 19.9 where the 80 wagon trains of the Confederates on March 28th were completely destroyed. So here we are today. Those 16 acres – well, I'm 87 years old, so we're trying to get rid of it and I've always been trying to get Santa Fe County to buy it, because the victory there saved New Mexico, Colorado, Utah, Arizona, and then California's seaports. So we were responsible by those victories, by preserving those states and all lands in between as slave-free states. And here we are today. So thank you very much, Ms. Holian and Commissioners for this honor. I keep – and I know I think where they're buried. There are several grave sites and I've found 18 old shoes six inches from the top of the surface.

COMMISSIONER HOLIAN: Thank you very much, Mr. Sanchez, and I would love to go on a field trip there.

MR. SANCHEZ: Well, I'd like to maybe almost donate the 16 acres for Santa Fe, to Santa Fe County because it's so historical and I'm 87. I'm not going to live forever. We'd like to get rid of it and have you guys deal with it. I have a memorial there too and a bigger memorial from the 19.907 where the March 26th battle was fought. You mentioned Major Chavez, he was a participant at the Battle at Valverde, the other side of Socorro, and we lost that battle, presumably, and Major Chavez passing by, he's the one that convinced Major Shavington, I know where this wagon train is. Let's rear action. I'll lead you. He led the Union forces, again, Major Shavington, through the hills of, and a shortcut to Galisteo and he said there they are 80 wagon trains. And Shavington – the only bad thing about Major Shavington was later on. He died in ill repute because, presumably what he did to an Indian.

We all have so much to be grateful for. I keep working there and my wife says I have Alzheimer's dementia. I'm a workaholic. I went to law school [inaudible] and I lettered in track 60 years ago. It still fits. Listen, thank you for very much.

COMMISSIONER CHAVEZ: Thank you, Mr. Sanchez.

MR. SANCHEZ: The other – I know you have a lot of business to transact, but thank you for the honor. I sure wish your committee – because I've heard several committees years ago and presumably we were on the track that you all were going to buy it if that's possible. Listen. Can you believe that 1.7 million tourists, two years ago, visited Gettysburg. Santa Fe is a tourist town. We're all looking for jobs. Can you imagine – not that we want 1.7 million tourists to visit but this is a tourist town and –

but it takes money. I have this person that has access to sonar. I took him down there and he says well, it takes money to rent that thing but he says, I'll find them, because he did. He found all or I guess most of those that died at Valverde. So he says no question about me being – of him being able, but it takes money and there's more than one grave site.

But I personally found 18 shoes 150 years old and if some of us were there digging the grave to bury it, that only accounts for nine. So there's several burial sites along my stretch of property that we own. My wife and my children, they signed a deed for the 19.907 acres. I didn't. Contrary to my advice they went ahead. But I wasn't really personally, being a lawyer 57 years. They don't have good title and I still own half and I'd like to continue that. Because it's going to be there. There's nothing we can do. They're just dead there without being able to find them, but sonar would find them. But it takes dinero.

COMMISSIONER HOLIAN: Thank you, Mr. Sanchez, and I would like to present you the proclamation that we signed, so that you can have it.

[A plaque was presented and photographs were taken.]

CHAIR ANAYA: Thank you very much, Commissioner Holian and Mr. Sanchez. Commissioner Holian, I know that every time you continually have brought back this resolution, but I think that we as a Commission need to ask some questions of our congressional delegation as well as our leadership at the legislature in the House and the Senate, as well as the Governor, as to why not? Because this question's been posed many, many times relative to this battlefield, but why hasn't there been more national attention? And it's not just Gettysburg, battlefields across the United States of America are prominently displayed for lack of a better term and there's a lot of attention drawn to those battlefields in our country and a lot of national resources therein. So I think at minimum we need to as a Commission write a letter to our Governor and to the state legislature and to our congressional delegation to ask those critical questions as to why has this particular area been from my perspective left out of the discussion of prominence and attention and that at minimum we raise those questions and then follow suit to see if there might be other things or resources that we would do to preserve the area and preserve its history as it's been articulated by Commissioner Holian through the proclamation and by Mr. Sanchez. So I think at minimum we need to do that and then follow through with responses that we might get as to what next. But I think Commissioner Holian and Commissioner Chavez and Mr. Sanchez and all those who pay great attention to our history, our past and how it forges where we are today and how we're here, so thank you so much.

V. A. 3. A Proclamation Proclaiming the Month of March as Certified Government Financial Managers Month

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. This is before at a request of the New Mexico Chapter of the Association of Government Accountants and we have two members of that association with us, my daughter Elena Tercero, if you

would please come forward and bring your group with you. You have someone representing the group. So this proclamation declaring the month of March as Certified Government Financial Managers Month.

Whereas, the New Mexico Chapter of the Association of Government Accountants, AGA, based in Santa Fe, New Mexico, is a professional organization and part of the Association of Government Accountants which has a network of over 14,805 members in 104 chapters in the United States and around the world; and

Whereas, there are approximately 249 active members representing state, federal, municipal and private sector accountants, auditors and financial managers in New Mexico; and

Whereas, AGA, New Mexico Chapter members have responded to AGA's mission of advancing government accountability as it continues its broad educational efforts with emphasis on high standards of conduct, honor and character in its code of ethics. The AGA New Mexico Chapter is making significant advances in their professional ability and in service to the citizens of New Mexico by mastering technical and complex requirements; and

Whereas, the Santa Fe County Finance Department was awarded the Government Financial Officers Association distinguished budget presentation award by the New Mexico Association of Counties from fiscal years 2001 to 2009 and fiscal years 2012 to 2014; and

Whereas, the Santa Fe County Finance Department was awarded the GFOA distinguished annual financial statement report awarded by the New Mexico Association of Counties for the past four fiscal years; and

Whereas, the Santa Fe County Treasurer's Office employees are actively being trained in financial management through the New Mexico EDGE – Education Designed to Generate Excellence in the public sector, courses and certifications to acquire and apply the highest professional standards, best practices and theories to their financial management behaviors and strategies; and

Whereas, the Certified Government Financial Manager Program of AGA provides a means of demonstrating professionalism and competency by requiring CGFM candidates to have the appropriate educational and employment history. The candidates must abide by AGA's code of ethics, pass three examinations requiring expertise in government, environment, governmental financial management and control and governmental financial management and budgeting, and maintain certification by completing at least 80 hours of continuing professional education in government, financial management topics or related technical subjects every two years.

Now, therefore, be it resolved that we the Board of County Commissioners of Santa Fe County do hereby proclaim the Month of March 2015 as Certified Government Financial Managers Month for the County of Santa Fe.

Approved, adopted and passed on this 24th day of March 2015, signed by all of the Commissioners, County Manager, County Attorney and County Clerk.

So the podium is yours if you want to tell us more about your organization and maybe what you're doing as an individual to get your courses and move through that process.

ELENA TERCERO: Thank you, Chair, Commissioners, Dad. As he did mention, my name is Elena Tercero and I am a CPA here in Santa Fe and also the New Mexico Chapter president this year. So right now I am actually studying for the CGFM exam. I came from Albuquerque, actually just before this meeting to take the third exam. I passed that exam, exam 1 at the beginning of this month and I have also completed that one so I have one exam left. So I'm really encouraging people to better themselves, get the education and the training that they need in their field and their expertise, especially coming from a state agency. I worked for the Department of Finance and Administration for almost five years previously and so state, local, county agencies, the AGA really does benefit them because they get to work with others in the accounting and finance arena and really be able to get to understand more of governmental accounting because it is not easy.

It is a complete different ball of wax compared to business accounting. So it's really important to make sure that your employees have that, which obviously they do. Hearing everything that we did previously from the Finance Director, all the awards from GFOA, but also AGA does education as well. Next week we're actually having a professional development training in Albuquerque. It's a two-day event. We added in one day. On Monday we're actually going to go through all three exams for attendees. Vince, do you want to say a few?

VINCE LITHKO: Thank you, Mr. Chair, County Commissioners. My name is Vince Lithko. I am the New Mexico Chapter certification chair, Association of Government Accountants. I am CGFM and I just would like to thank the Commission for recognizing our professional accreditation and the Association to Advance Government Accountability within the County of Santa Fe. Thank you.

COMMISSIONER CHAVEZ: Mr. Chair, if I could. I want to thank both of you for being here and I think there's a value added component to this because it works for your organization but it also highlighted the County's efforts in being professional in their financial departments so I don't think we could have timed it any better. So if you would, we'd like to present this proclamation to you and do a photograph before you leave.

[Photographs were taken.]

III. ACTION ITEMS

B. Resolutions

1. **Resolution No. 2015-44, a Resolution Adopting January-June 2015 Schedule of New Water Deliveries**

CLAUDIA BORCHERT (Utilities Director): Mr. Chair, members of the Commission, thank you. Before you have a resolution that is required by a set of resolutions that dictate how water is awarded to projects within the county, and the Resolution 2006-57 specifically asks the Commission to approve every six months a schedule of new water deliveries and that was a practice that was done through 2010 and has not been done since except for this one. So here I am again with a new water delivery

resolution and on this new water delivery resolution there is one projects, Elevations, which is in the Community College District that is seeking a water allocation of 32 acre-feet for their project, plus 20 percent that goes to line losses and reserve, resulting in a water budget of 38.4 acre-feet.

The resolution before you, should you choose to approve it, awards that water to them. The new water delivery has an expiration date of one year per the 2006 resolution I mentioned earlier, so this will give the Elevations one year to use this water, to bring this water supply on line, otherwise we may be back if we need to renew it. With that I stand for any questions.

CHAIR ANAYA: Thank you, Claudia. What's the pleasure of the Board?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: There's a motion from Commissioner Holian, second from Commissioner Chavez. Commissioner Chavez, under discussion.

COMMISSIONER CHAVEZ: Yes, thank you, Mr. Chair. So Claudia, this 38.4 acre-feet, will accommodate their full build-out? Because I think this is being done in phases, right?

MS. BORCHERT: Mr. Chair, Commissioner Chavez, my understanding is that this will accommodate almost all of the build-out. I believe they are building that portion that they can with the current road access in one phase, and then there's a tiny little bit that they may come back for after that. The applicant agent is here if you would like to seek verification of that, but that's what my understanding is.

COMMISSIONER CHAVEZ: That would be fine, and then to add to that question, I know it's maybe hypothetical looking into the future but how will that change the water budget from what we're approving today?

MS. BORCHERT: Mr. Chair, Commissioner Chavez, so if they decide to expand then they will have to come back and get an additional new water delivery for their additional budget. So I don't think it's very much, a couple more acre-feet from what I understand. Would you like the applicant's agent to answer those questions?

COMMISSIONER CHAVEZ: That would be fine. Thank you, Mr. Chair.

JENNIFER JENKINS: Good afternoon, Chair, Commissioners. Our master plan approval back from September was for 214 dwelling units. The current development plan application that is being processed in the Land Use Department is for 200 units. So we just reduced it, basically eliminated one building, and that one building that we eliminated accounts for a couple of acre-feet. So if we decide to add that building back later on then we would ask for an additional allotment for a couple of acre-feet. But it's the vast majority of the entire project.

COMMISSIONER CHAVEZ: Okay. That helps. I just wanted to understand how that was going to play out. And then I guess, I'm assuming that once this is approved that the 38.4 acre-feet would be in perpetuity. And would there be any reason for that budget to go up or down thought?

MS. JENKINS: I would not anticipate that budget increasing. That's

adequate and based upon sound historical figures.

COMMISSIONER CHAVEZ: And based on water harvesting or more conservation efforts, could that number ever be whittled down at all?

MS. JENKINS: Well, I think the water use could very likely be reduced over time but – and maybe Ms. Borchert could speak to this, but it's my understanding that the allocation, we're entitled to that amount but obviously we'll be doing all the water conservation measures and all the water harvesting that is mandated by Santa Fe County, and it's not atypical for multi-family communities to use less water than anticipated.

COMMISSIONER CHAVEZ: Okay. Do you want to expand on that if necessary?

MS. BORCHERT: Mr. Chair, Commissioner Chavez, I would just like to add that what we are planning to do with all allocations and let me just clarify one thing. This is – if you approve this this is an allocation that is valid for a year. Presuming that they bring this water supply on line, then it is in perpetuity. Also, just let me clarify that I plan on having a requirement that is a monitoring and reporting requirement where projects like this report to us back on a five-year average whether they are staying within their budget and there is some kind of clause in the agreement they signed with us that stipulates what happens should then not be within the budget as they anticipated.

COMMISSIONER CHAVEZ: Okay. Good. Thank you.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. Ms. Borchert, what was the last – what project was the last water allocation for and what's the next one after this?

MS. BORCHERT: Commissioner Stefanics, I do not believe I brought my 2010 memo. There have been allocations done by the BCC since 2010; they just weren't done in this format of a new water delivery schedule.

COMMISSIONER STEFANICS: Okay. The reason I'm asking, Mr. Chair, is I'm wondering if this could be associated with land use decisions as they happen, as opposed to coming several months after we would make a decision. And so I'm just putting that out for consideration by staff to think about and coordinate. That's all. Thank you.

MS. BORCHERT: Commissioner Stefanics, we are taking a whole look at the whole process and we appreciate that feedback and we will certainly see what we can do to dovetail the process with the land development approval process.

CHAIR ANAYA: If I could, it's my understanding that this is an ordinance requirement and we're looking at revisiting that at some point. Is that correct?

MS. BORCHERT: Mr. Chair, it's a resolution at this point. We have considered turning it into an ordinance and yes, we are considering how to revise the policies as they exist and put them into a format that would be most beneficial.

CHAIR ANAYA: Fine. Any other questions or comments. Seeing none.

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

V. B. 2. Resolution No. 2015-45, a Resolution Delegating Authority to the County Manager to Sign a Release of Affordable Mortgage and such other Documents as may be Necessary to Comply with the County's Affordable Housing Program and Close the Purchase and Sale of an Affordable Home located at 16 Reeds Peak, Santa Fe County, New Mexico

ROSEMARY BAILEY (Housing Department): Mr. Chair, Commissioners, before you you have a resolution delegating authority to the County Manager to sign a release of mortgage and such other documents as may be necessary to comply with the County's affordable housing program and close the purchase of the sale of an affordable home, located at 16 Reed's Peak.

In October of 2006 a homeowner purchased a home for an affordable mortgage and since then she has contacted us wishing to sell the home. So we found another affordable buyer for her and all this would do is transfer the loan that she has of \$77,500 to the new affordable homeowner so that they can purchase the home. I stand for any questions.

CHAIR ANAYA: Thank you, Ms. Bailey. What's the pleasure of the Board?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval but I do have a question.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Motion from Commissioner Holian, second from Commissioner Chavez. Under discussion, Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. So as I understand it, the conditions of the note and mortgage for the new purchaser will be exactly the same as they were for the previous purchaser of the property. In other words zero percent interest and a deferred payment loan that's due on sale.

MS. BAILEY: Yes, ma'am.

COMMISSIONER HOLIAN: Okay. Thank you, Rosemary. Mr. Chair, I have one more question. Is the County providing any other kind of assistance with this?

MS. BAILEY: Yes. We are providing the income range to buyer, so they also qualify for \$15,000 in down payment assistance.

COMMISSIONER HOLIAN: Thank you.

CHAIR ANAYA: Is there any other questions or comments? Is there anybody here from the public that wants to comment on this resolution? Not on this? Okay. There's a motion and a second.

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

CHAIR ANAYA: Are there any questions from the public on the prior resolution? Seeing none, we'll move on.

V. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

A. Matters from Commissioners and Other Elected Officials

1. Elected Officials Issues and Comments

CHAIR ANAYA: Madam Clerk, any comments from you?

GERALDINE SALAZAR (County Clerk): My only comment I have is that I really respect and appreciate the professionalism of Teresa Martinez, and we will miss her. Other than that, I hope we're all having a good evening.

CHAIR ANAYA: Thank you, Madam Clerk. Thank you. I appreciate that.

IV. MATTERS OF PUBLIC CONCERN

CHAIR ANAYA: Are there any people that would like to make comments to the Commission? The floor is yours, ma'am. The only caveat I would say is your comments pertaining to any of the land use cases that are coming later on?

BETH DETWILER: My name is Beth Detwiler. I live at 11 Craftsman Road in Oshara Village, Santa Fe County. I want to thank the Commission for giving me some time to talk to you in the spirit of moving forward with shared purpose. I'm going to ask that as you always do listen with open heart and minds and imagination to a suggestion that I have. You know, it's no secret that we've been having a lot of trouble with traffic on Rabbit Road issues. In all the meetings that we've had about the connectors and all the controversy and trying to look at an appropriate route, and understanding that the purpose of those northeast and southeast connectors is connectivity.

Somehow I think I lost focus on the most achievable opportunity for improved connectivity that was right in front of me and I apologize for that and for bringing it to you this way, but it occurred to me that the easiest thing that we could do to improve our traffic problem is to actually complete the end of Rabbit Road, which you know dead-ends on the west edge of Rabbit Road and was never completed with its original goal of continuing through to connect with the Dinosaur Trail light on Richards Avenue.

That is only 600 feet. The road stops 600 feet short of creating a connected road to Richards Avenue and when I thought of that I thought I am sure that you Commissioners, working with County Roads, can find a way to dig deep into some reserve for emergencies and find what I estimate would probably be \$120,000 to \$150,000 to complete Rabbit Road. What this would do is to provide connectivity, to improve safety for Oshara Village and to relieve that traffic situation that we have all worked on for years without every finding a solution. I think it would be simple. I think it would be affordable and I think it could be do-able.

I assumed that the developer, since the rest of the road was completed and that 600 feet was not, I'm assuming that the planning for that road and the easements and those things may already be in place somewhere. That already may have been completed. We know it is disappointing when a developer goes into foreclosure and leaves things that were promised unfinished but I believe when it is a matter in the public interest the

completion of that project falls back on governmental entities who are charged with in the best of our ability providing public services, infrastructure and doing the best to relieve any kind of situation that may be a detriment to public safety.

I have a map that I have shared at some times. It shows Rabbit Road. It shows Rabbit Road traffic going through Oshara Village and it shows what they call the needed extension, 600 feet of roadway. I've been walking back through there. Those roads are already there. There are dirt roads, a number of them. Pick one. Blade it. Pave it. Stripe it. Done. We've got it. It doesn't have to be the world's greatest road. It doesn't have to last forever because Rabbit Road is not going to last forever either. But I think this project could be done this summer and it would give us tremendous relief. It would get a monkey off all of our backs in terms of the situation that is not the best for the public. So I'm going to give this map to our minutes taker and it could either be given to you or it could be within the minutes that you will see as you look at your draft minutes. *[Exhibit 1]*

So finishing Rabbit Road is my number one request of you, to commission the County Roads Department to immediately start to look into that, and I would really appreciate it.

Also, step number two, for the County to take over now the ownership and enforcement and maintenance of Rabbit Road from one end to the other and thus improving public safety. And then lastly – I'm not going to say the last part, because I already said I wouldn't say anything that might be pending. And that is something that we are just in the working phase of detail on some other suggestions for improving our traffic situation in Oshara Village. Any questions that I can answer for you?

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, first of all I just want to thank Ms. Detwiler for coming, and I do believe that Oshara is not going to see relief from the work on the southeast connector. The state plans to work on the northeast connector over the next several years, that being Rabbit Road. So I do believe that the County should identify what temporary relief might be available. I think we would need to consult with our Roads, but the southeast connector, per se, might take a while to do this. I've been working with Oshara now for three or four years on this issue, and so I don't see our big projects, the southeast and the northeast connector happening soon that's going to assist this community.

There are small children. There's a lot of affordable houses there. So it is an incubator for young families and that's all I'd like to say. Thank you for coming.

MS. DETWILER: Thank you. Any questions?

CHAIR ANAYA: I would just say that I appreciate the information and I would like our Transportation newly created to have this as one of the items that they take a look at in addition to the other things they're looking at. But I appreciate your time. Thank you very much.

MS. DETWILER: Thank you very much.

CHAIR ANAYA: Are there other members of the public that would like to come forward at this time? Any other members of the public that would like to come forward? Okay.

V. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

A. Matters from Commissioners and Other Elected Officials (cont.)

1. Elected Officials Issues and Comments

CHAIR ANAYA: Are there any other items from other elected officials? I would bring one forward on the Assessor's behalf. He's going to be bringing forward – I had a good discussion with the Assessor regarding many things that are going on in the Assessor's Office on the webpage and outreach he's been doing, and he's going to be coming to a Commission meeting to provide a brief presentation that shows the public how to access his website and many of the other things that he's got happening in the office. So I would say that on his behalf, Assessor Martinez.

V. A. 2. Commissioner Issues and Comments

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I would like to request at a future meeting a presentation by either a representative of COLTPAC or staff that works with COLTPAC. Last week I talked with Dave Danberg who is the chair of COLTPAC and he alerted me that COLTPAC is now working on organizing a series of events to showcase some of the open space properties that they think are of greatest interest to the public, and so I would just like to request a presentation on that particular topic. Thank you, Mr. Chair.

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

COMMISSIONER STEFANICS: Thank you, Mr. Chair. First of all, I provided all the Commissioners and the Managers over there a pin for Colorectal Cancer Month. March is that month. And it is recommended that at the age of 50 and older that you start a baseline and I think that many people forget about it and this is the type of cancer that can be cured 99.5 percent. So I would ask everybody to take it seriously. Take it home. Take it to the public, etc.

The second thing is I provided everybody here a copy – this is the paper copy, and this is actually an electronic program from NACo, the National Association of Counties, the County Economic Tracker. [Exhibit 3] They take every county that is a member of NACo and they do the statistics for many, many things. They can roads, they can jobs, they can do economic base, and I would ask – I've asked our staff in the past to go on to the website to make sure there are no mistakes, but the research staff at NACo changed a year ago and they are highly professional. They came from another think tank and they are doing all of this work. But if you go to the NACo website to this particular, the county tracker one, you can gain quite a bit of information about us in relation to other counties in the state of New Mexico or us in relation to other parts of the country. Thank you very much. That's all I have.

CHAIR ANAYA: Thank you, Commissioner Stefanics. Commissioner

Roybal.

COMMISSIONER ROYBAL: I too have a couple of comments. I did go out to visit our Boys and Girls Club in Santa Cruz and I was really shocked to see the condition that that Boys and Girls Club was in, so I would like to at a future date have staff look at possible – I guess putting some money into that facility, to go ahead and do some sort of remodeling or upgrades to that facility.

And also I've had a lot of calls about some flooding issues in the Pojoaque area and something else I'm working on with that. Other than that, that's all I have. Thank you.

CHAIR ANAYA: Thank you, Commissioner Roybal. Commissioner Chavez, Mr. Vice Chair.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I have nothing at this time.

CHAIR ANAYA: Thank you, Commissioners. I have one item and I'd like to actually get some feedback from my colleagues and it doesn't have to be on the bench today, but I would like to have some discussion about asking our superintendents – our county is only as strong as our public school system is and our public education system is and I find myself asking more and more questions regarding the condition of our schools and where our students are headed. I have some understanding and a better grasp of what's happening in the Moriarty-Edgewood School District and I'm learning more about the Santa Fe School District.

Now I've had some recent discussions with the principal at one of the high schools, Capital High School, actually. But I think as a Commission at minimum understanding that they have their own autonomy and responsibility but at minimum I'd like to get some feedback from the Commissioners as to how we might engage the superintendents and the school districts and maybe an understanding, dialogue, to better understand what's happening with our kids and our students, and then figure out how we might coordinate some of our efforts or assist them in some of their advocacy efforts on behalf of our kids, our students, in all of the school districts throughout the county. So that would be Moriarty-Edgewood schools. That would be the Pecos School District. That would be the Pojoaque School District and that would be the Espanola School District.

And so I don't know if any Commissioners want to comment now. If you do that's fine, but I do want to hear some feedback at some point and figure out how we can maybe engage them in some type of dialogue. Commissioner Chavez, Mr. Vice Chair.

COMMISSIONER CHAVEZ: Yes, thank you, Mr. Chair. I know that we do have an intergovernmental liaison and I'm wondering if that person would be maybe the point person to start the dialogue with our local school districts. And I think that I would agree with you. If we're not good at education you almost fail at everything else. So I would be willing to have that conversation as it moves forward or be part of that conversation as it moves forward. And maybe we could have some joint study sessions between different school boards or have them attend our meetings. I'm not sure how it would play out but I would be willing to help with that discussion.

CHAIR ANAYA: Thank you, Commissioner, and it could be a series of meetings. Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, another way to approach this – sometimes it's difficult to get bodies together. But another way might be for one or two of us to visit with one or two of them, them meaning members of a school board and the superintendent, so that – and our County Manager, so that there might be some dialogue in a small group and then bring reports back. So I'm open to a variety of methods but I think it's a great idea.

CHAIR ANAYA: Okay, Commissioners, Commissioner Holian, Commissioner Roybal, when you're ready if you could give it some thought and maybe provide some feedback we can come up with a unified strategy as to how we might approach it. I like utilizing staff to maybe get some initial feedback and I actually like the idea about having a couple of us go round and maybe assemble some information. So, Ms. Miller, if you'd even kick that around and share it with your staff and maybe we can come up with a collective way to garner some information, figure out some common ground and then work together maybe on some strategic initiatives. That's all I have. So thanks to the Commissioners for that.

V. B. Matters from the County Manager

1. Miscellaneous Updates [*Exhibit 2: Legislative Update*]

MS. MILLER: I just had a couple real quick things for you. One, a quick legislative update. There is a legislative report. I believe they have been handed out to you, if they haven't Rudy has them. And this just gives you information on what bills passed, where everything ended up. Also, the Association of Counties has done a nice summary of the bills that have been passed that was emailed to you, and particularly those priorities to the Association of Counties. The Association of Counties was very successful with all of the initiatives that the Counties had supported and the Association had lobbied for. The only one that did not make it through both house that was an Association of Counties priority was the sunset provision to the 1/12 gross receipts tax that the state currently takes from us for the hospitals. There was a bill sponsored by Senator Rodriguez that made it all the way basically to the last chamber and they never heard it in the House chamber. So unfortunately as it stands right now the status quo stays in place and that is that the counties have 1/12, an equivalent to 1/12 of their gross receipts tax sent to the state to fund the hospitals throughout the state.

So that bill passed last year. We've been paying our portion and will continue. The bill that they put through was to try to have that sunset, I believe in three years, at the same time the state's Medicaid plan would sunset so that we could revisit it with the state at that time. So until some other piece of legislation or some other action happens on behalf of counties that will stay in place in perpetuity.

And then I just want to say that next week when we have our regular meeting we'll give a more complete update on legislation and the staff will present a full update to you. If there's no questions on that I just want to say that some specific dates that are

kind of benchmarks relative to legislation, the Governor has to April 10th in order to take action on any legislation. If nothing is signed or actually vetoed, it's actually considered pocket vetoed at that time, and then June 18th is the effective date of legislation other than the general appropriation bill or a bill carrying an emergency clause or a different specified date.

Everything else – if it doesn't have an emergency clause it's effective 90 days after the adjournment of the legislature and that is June 18th. So if there's no other questions about this, so as I said, the staff will finish up reviewing everything and give a more complete report next Tuesday.

Then two other really quick updates. One, as you know we're entering budget season for FY 16, so we would like to have a study session with the Commission on the FY 16 budget, kind of the first one. We usually do two with you as well as a couple of our regular meetings but we wanted to give you an overview of what we anticipate, legal requirements that we might have or mandates that we would have to fund next year, what we think our revenues will be, an outlook on the type of requests coming in from the different departments in the way of FTEs and unions and compensation packages. So we were hoping we could do that. We've historically been doing the morning of the first BCC meeting of the month, so April 14th is our regular BCC day. We start at 2:00 that day but we were hoping we could do a study session from 10:00 to 12:00 if that works for your schedules.

CHAIR ANAYA: I guess I would comment that one of the reasons we made the adjustment had to do with conflicts associated with Commissioners and trying to work with that, so I'm going to – maybe we're not going to comment on that right now and that way the Commissioners can give it some thought, but I think that was one of the reasons that we moved the meeting was because some Commissioners couldn't be there. So have you had an opportunity to talk with any of the Commissioners?

MS. MILLER: Mr. Chair, I kind of briefly mentioned that we would need to do a study session but we haven't talked about any specific dates. I know that is an issue but one of the requests was that if we were going to have a morning meeting that we try to make it in coordination with a meeting that we already have. So that was the reason for that date. Our other option would be to try to select an evening, but then we bump into some of your other board meetings. So we're open to ideas. We'd just like to have it sometime in the first half of April. From that study session we get a little direction of where your priorities are. We're also having individual conversations about priorities but we'd like to get some sense of the Board and make sure you're aware of that revenues look like and what kind of the overall outlook is, and then get some feedback so that when we do come back in May we have a much more comprehensive presentation for you.

CHAIR ANAYA: So, Ms. Miller, here's some food for thought, and we've had this discussion in the past and maybe also I'd ask the Commissioners to give it some thought and maybe we can have a broader dialogue about in a Commission meeting. Commissioner Chavez, you're very familiar with it because you worked with it at the City, but the City has a committee structure. And maybe the time has come that the County to where on some of the issues that are pending issues that we maybe approach a

committee structure approach. And they'd still have to be noticed as Commission meeting if there's more than two Commissioners present, but maybe this is an opportunity relative to some of the scheduling aspects where we can have focus, Commissioners, and have focus areas, essentially, that invest more of their time in those areas that they have a greater interest in and even maybe a greater knowledge base in.

And so I think on that note I'd like to maybe get some thought from the Commissioners, as opposed to maybe having a meeting where we might have one or two Commissioners not present, maybe we give some thought to a committee structure with recommendations. And on that note, Ms. Miller, I would say that I wanted to bring up on the record that we did make appointments to the City discussions. I had a conversation with you earlier regarding Public Safety that I would like with you and Commissioner Roybal, go to the next City of Santa Fe Public Safety meeting with some information on the white paper aspects of the RECC, and then we follow suit with the balance of the white papers that I know you're working on with the rest of your staff to follow suit with the annexation discussions that Commissioner Chavez and I will be working on and then water/wastewater that I know Commissioner Holian and Commissioner Stefanics will be working on.

So maybe this is an opportunity in that same vein to have some focus areas but I'd like some thought and maybe some feedback from the Commissioners. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I want to ask Ms. Miller something first. Ms. Miller, when would we be voting on our County budget for the next fiscal year?

MS. MILLER: Mr. Chair, Commissioner Stefanics, our interim budget as approved by the Board needs to be to DFA by May 31st, so we would be voting on that at the last meeting in May, but we can't make substantive changes if the last meeting in May is really close to May 31st because it's really hard to get them in in time. So we pretty much need to know that we're on the right track. We can make changes to the budget, it's just that we can't – like last year it was on May 30th and we needed to turn it in the next day. It's almost impossible for staff to make major changes.

What we can do though, the final budget isn't due till the end of June and we do make changes in June that we incorporate in the final budget. So what we typically have tried to do with the Commission is to make sure that in the first meeting in May we have all the major initiatives incorporated into the budget and then it's just these smaller changes at the end of the May meeting. So what we've done in the past, we've done a study session at the beginning of April to get guidance and then at the beginning of May we've gotten the bigger, substantive changes that you've wanted, gotten direction on those, and then at the last meeting in May we have approved an interim budget, and then we come back in June, typically the first meeting in June for any additional changes and then you give final approval at the end of June meeting so we can just send it straight over to DFA.

COMMISSIONER STEFANICS: So, Mr. Chair, I don't mind working on the budget with the whole group or in committee, but my budget mind is in the morning; it's not in the evening. The second thing is on May 26th is our last meeting in May and I

will be participating by telephone, because I'll be out of state. So in terms of the committees that you set up for the representation, I had the opportunity to see the Mayor recently, just in passing, and he has not appointed any of the Councilors to anything. Because I said Commissioner Holian and I were going to be working on water issues, and he said, oh, I haven't done anything about that yet. I said, well, if you did, you might get some money. So just to let you know.

CHAIR ANAYA: And actually, Commissioner, I'm glad you said that on the record. The Manager and I had that conversation. One of the things that we all agreed as governing bodies on both sides is that we would be diligent in our efforts to try and come to the table and try and garner some resolution. So what Councilor – and I don't know, I think you were – you might not have been there. You weren't there. Councilor Dominguez in the actual meeting that we had, and I think the Mayor helped us in the beginning and then he had to step out. But Councilor Dominguez suggested to us that there is an existing committee structure within the City that might be helpful as part of a placeholder for some dialogue where we would coordinate and communicate with them with some of their existing committee structure.

So on Public Safety, we agreed to do the white papers, and that's what we're doing, and we're going to have those white papers. They're going to articulate what the issue is and what the potential resolutions are to a particular issue, and then we're going to provide those to both governing bodies. So as way to kind of springboard and continue the dialogue Commissioner Roybal and Katherine and I were just going to go to that Public Safety meeting and provide the white paper to be distributed to all Councilors, and then continue the dialogue. And then hopefully, as you've said, and I think you will, the Mayor will follow suit and make other recommendations as to how they might work, but what I understand was the suggestion from the Councilors was going to be utilize the structure that they already have in place. Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, you jogged my memory just a bit and others can correct me if I'm wrong. Related to the committee structure that the City already has, I think there were possibly three committees that were identified as a forum to share information between the County and the City. They would be the Finance Department, Public Works and Public Safety. And I think Councilor Dominguez chairs Finance and Councilor Trujillo chairs Public Safety. No? Dimas. So then Public Works, Councilor Trujillo. Thank you for correcting me there.

So I think that the chairs of the two committees offered that as a forum to maybe condense or at least manage our time maybe in a better way.

CHAIR ANAYA: And so following suit, Commissioner Chavez, we're going to try – we're going to go visit with them and keep those items on the discussion front and center so that hopefully we can come to resolution. And so Ms. Miller, do you want to comment for the full Commission when we might see the white papers come back for our review as well as review by the City Councilors?

MS. MILLER: Mr. Chair, Commissioners, actually I was going to make sure I get with the directors tomorrow and we'll set a deadline to get those done and each one of them has been working on their respective areas but I hadn't set a deadline for them yet, so tomorrow at the directors meeting I'm going to set a deadline out for us to

get them back. And then also, I had talked to the City Manager previously about they were kind of do their side of it, because we both have different positions on a lot of these issues and see if there's a format that we could then merge them together so that either they're identical format or that we merge them into one white paper that puts the County's position on an issue from the historical perspective and then the City's so that most everybody can see where each side is kind of coming from on particular issues and concerns.

CHAIR ANAYA: I guess I missed that. When do you think?

MS. MILLER: Mr. Chair, I don't have a specific date. I wanted to make sure that – because it could be as early as this Friday if all the directors are ready but I need to talk to them about where they stand on it. I don't want to say this week if they've got some more work to do on them, but I want to get at least a draft back from everybody, and then set a deadline for each one depending – some are more complex than others. The water issues, those are quite a bit more complex but I want to start setting specific deadlines on each one of them.

CHAIR ANAYA: Okay. And so I think the message is that we want to try and continue to keep it on the burner. And so if we could have updates as to status at each meeting then we could continue to develop our plan, I guess, as a Commission as to how we might continue to approach it, but that could be dynamic and we could change it as we need to, if that sounds okay.

Relative to the study session, it sounds like there's a consensus of the Board to go ahead and have that study session. I will work with Commissioner Roybal and maybe we can find an alternate time that we can have an update as well, but if three of the Commissioners, Chavez, Holian and Stefanics will be here, we can go forward with that study session and then Commissioner Roybal and I will work with you on an alternate date. Does that sound okay?

MS. MILLER: Okay, Mr. Chair. We'll do that. And then my last item, just real quick. As you know, the Santa Fe Brewing Company was approved by the Board of County Commissioners in Ordinance No. 2015-1 for a Local Economic Development Act project, and I was directed under that to actually go execute the agreement. I just wanted to give you kind of a heads up and I don't think it's a substantive change but it was something that came up in the course of trying to put the security agreement together with the state of New Mexico, the Economic Development Department. As you know the state put in \$250,000 and we put a – we waived permitting fees equivalent to about \$14,000. But we want to make sure in the security agreement, in discussing it with the state that we all have a position of security in the grant, in the project.

So what's going to be revised is that the state and the County have a co-equal position and the bank, New Mexico Bank and Trust with respect to the Brewing Company's account should any default happen. I just wanted to make sure that the Board was aware that that was a change from the agreement that came forward but both the County Attorney and I don't think it's a substantive change that I would be allowed to do based upon the direction by the Commission. So I just wanted to provide that update and unless there was any concern by the Commission I'd move forward.

CHAIR ANAYA: Any questions or comments? Seeing none.

MS. MILLER: Okay. So those were all of my updates unless there's any other questions.

CHAIR ANAYA: Commissioners, I think let's go and take a ten-minute break, and then relative to executive session –

MS. MILLER: Mr. Chair, it will be very quick. I talked to Greg earlier. He thought maybe ten, fifteen minutes was all we would need.

CHAIR ANAYA: Okay then.

VI. MATTERS FROM COUNTY ATTORNEY

A. Executive Session

- 1. Threatened or Pending Litigation, as Allowed by Section 10-15-1(H)(7) NMSA 1978**
 - a. *Buena Vista Estates, Inc. and Rockology, Inc. v. the Board of County Commissioners of Santa Fe County, State of New Mexico, County of Santa Fe, First Judicial District Court, No. D-101-CV-2014-02281***
 - b. *Buena Vista Estates, Inc. v. Santa Fe Solid Waste Management Agency and Santa Fe County, United States District Court, District of New Mexico, Case No. 1:15-cv-00217-WPL-KBM***
 - c. *Robert Seigel, et al., v. Board of County Commissioners of Santa Fe County, First Judicial District Court, State of New Mexico, Santa Fe County, Cause No. D-101-CV-2015-00586***

CHAIR ANAYA: Why don't we go ahead and entertain a motion to go into executive. We'll take a ten minute break and then go into a brief 15 minute executive session, so we'll be out maybe 25 to 30 minutes. Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, I move that we go into executive session where we will discuss threatened or pending litigation as allowed by Section 10-15-1(H)(7) of the NMSA 1978 on the three cases that are itemized on our agenda.

COMMISSIONER ROYBAL: I second.

CHAIR ANAYA: There's a motion from Commissioner Holian, a second from Commissioner Roybal. Roll call, Madam Clerk.

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (7) 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

CHAIR ANAYA: One other announcement I would make is I would ask

Mr. Shaffer and Ms. Miller if you'd put on the next agenda limited personnel matters. We're in the process right now of gathering the necessary documents to do the annual review of the Manager, and so I wanted to provide the heads-up to the Commission that we're working on that. Ms. Salazar has already started working on that and so we'll have a brief discussion on that at the next meeting to get that process in motion.

[The Commission met in closed session from 6:05 to 6:50.]

COMMISSIONER STEFANICS: Mr. Chair, I move we come out of executive session, having present the five County Commissioners, the County Manager, the County Attorney, the Deputy County Attorney and in which we discussed the threatened or pending litigation as listed under VI. A. 1a, 1b, 1c.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Motion by Commissioner Stefanics, second by Vice Chair Chavez. Any further discussion? Seeing none.

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

VII. PUBLIC HEARINGS

A. Proposed Ordinance

1. Ordinance No. 2015-03, an Ordinance Adopting a County Hold-Harmless Gross Receipts Tax (First and Only Public Hearing)

MS. MILLER: Mr. Chair, Commissioners, in our February study session on February 10th we discussed at the study session potential financing options for a variety of projects, one of which was the development of the Catron Street facility. In addition we also discussed what was happening in the legislature relative to hold-harmless distributions that come to the County from the State to make up for legislative action in the 2003/2004 timeframe which took the Gross receipts tax off of food and medical services. Santa Fe County currently receives approximately \$3.5 million a year in our different Gross receipts tax revenues in hold-harmless distribution.

Kind of an update to what happened in the legislature, there were several bills that went around in the legislature relative to ideas of how to change the hold-harmless distributions but ultimately none of them passed and so the status quo is in place. And what that is is that beginning July 1 Santa Fe County will start to lose distributions from the hold-harmless provision in the state law that makes us whole for that \$3.5 million. We will lose about \$250,000 a year, roughly. \$230,000 to \$250,000. It totally depends on the actual total Gross receipts tax on food that would have been provided had the state kept that tax in place.

But it total it's closest to about 1/8 percent of the tax. The state actually authorized counties and municipalities up to the one-eighths and many counties have imposed at least one or more of those eighths. Santa Fe County has waited to – we actually got to the place of needing to look at that lost revenue which happens July 1st. So

what we have before you is a proposal to enact one of the hold-harmless Gross receipts tax increments, one-eighth of a percent. One of the things that we also discussed was because the way the current statutes read they don't take it all away at once. We would actually experience a little more revenue than what we will be losing for the first few years of their reductions. And one of the things that we want to make sure that we do is address some of the needs that the County has.

As you know we have – statutorily we're required to provide district court and DA's buildings and other facilities, public health facilities, and we've done that in the new courthouse. But we have an empty courthouse that we actually need to tear down and build a new facility for County administration.

So one of the proposals was making sure that during that timeframe that we're actually receiving more revenue than we're losing to the hold-harmless distribution is to bond for that and actually put \$30 million into the facilities downtown with that excess revenue. So in front of you, the proposed ordinance would impose on any person engaging in business in Santa Fe County an excise tax equal to one-eighth of one percent or 12 ½ cents on \$100 of the gross receipts reported or required to be recorded by the person pursuant to the New Mexico Gross receipts tax and compensating Tax Act as it now exists or as it may be amended.

The proposed ordinance would dedicate the hold-harmless Gross receipts tax revenue to capital and maintenance expenditures for facilities and infrastructure wholly or partially owned by Santa Fe County including but not limited to roads, buildings, water and wastewater systems as well as the acquisition of real property and water rights for such facilities and infrastructure. And the payment of the principal and interest and on other costs, including costs of issuance related to revenue bonds issued for any of the purposes specified in paragraph A. The hold-harmless GRT would be effective, if the Board were to approve it, it would be effective July 1, 2015, or if it doesn't get approved this evening it would be January 1, whichever date occurs first after the expiration of three months from the date of the proposed ordinance as adopted.

Consequently, for the hold-harmless to be effective July 1, 2015, the BCC would have to adopt the ordinance and submit it to Tax & Rev Department on or before March 31, 2015. So with that I stand for questions, but Santa Fe County staff's recommendation is to take final action on the proposed ordinance so that County staff knows whether to include the estimated revenue in its 2016 budget.

CHAIR ANAYA: Thank you, Ms. Miller. This is a public hearing. I'm going to go to public hearing first and then the Commission. Is there anybody here that would like to speak on this ordinance adopting a hold-harmless Gross receipts tax? Is there anybody here present that wants to speak on this matter? Seeing none, Commissioners.

COMMISSIONER STEFANICS: Mr. Chair, I would like to ask Ms. Miller, could you – one of the emails and I received about three emails today and maybe one other another time, querying whether we had enough public notice and I went back and went over that. And we actually had public notice February 10th, February 24th, it's on our website, March 24th, March 7th, as well as in the newspaper and on TV. But what I'd like to ask you is the money that would be raised by this tax, could you describe how

it would benefit the community?

MS. MILLER: Mr. Chair, Commissioner Stefanics, initially what staff proposed was going to issue bonds of about \$25 to \$30 million to invest directly in downtown renovation of the Catron Street complex. That immediately would provide jobs for consultants, jobs for architects and engineers, and then the jobs for construction workers. That would be initially – about half of the revenue received out of that would go to the debt service, and then the other half would go towards maintaining and fixing our other facilities per our condition facility index, which as you know we showed that we have several millions of dollars of deferred maintenance and improvements needed on our facilities. All of those facilities are located within Santa Fe County so those would be direct jobs in Santa Fe County and many of them are located in and around the city limits as well, so it would be used to create jobs in the same way – construction jobs, consulting jobs, engineering and design jobs, and we have a preference, by the way, for Santa Fe County businesses, so I would anticipate a great deal of those revenues would be spent locally on local businesses that would be providing those services to Santa Fe County.

COMMISSIONER STEFANICS: Thank you very much.

CHAIR ANAYA: Thank you, Commissioner Stefanics. Mr. Vice Chair Commissioner Chavez.

COMMISSIONER CHAVEZ: County Manager Miller, could you also expand on the notion that if the County did follow through with the new administration building in the downtown area, one, there seems to be a pretty strong public support for that. I think we were very clear on that. Number two, in doing that we will realize a savings in downtown rentals, so maybe you could touch on those two points.

MS. MILLER: Mr. Chair, Commissioner Chavez, actually yes. We did a survey and we had it on our website. We sent it out and we had it available in all our County facilities about whether the public wanted us to maintain our County administration downtown and redevelop that site. I believe that it was something like 65 to 70 percent of the responses were in support of keeping our County administration downtown.

Additionally, we do by state law have to keep our County elected officials as well as County main offices and the County Commission within the county seat. So we do need to be inside the city limits of Santa Fe. So we believe we have to stay in Santa Fe and then from a public support perspective, there was strong support for staying downtown. Additionally, I just want to note that one of the top things for keeping a city vibrant is making sure that there is a strong daytime presence within the downtown area and one of the ways that's done is making sure that government businesses and businesses that operate during the day stay downtown. And as you know the public support was very strong for keeping the County courthouse down. So part of the reason of trying to redevelop our facilities downtown is making sure that there's a strong business and government presence in downtown during the business day.

The other thing, Commissioner Chavez, that you mentioned was how much we spend in rent. Unfortunately, we spend quite a bit of money in rent in different facilities and we're spread out throughout probably five or six different campus instead of our goal of having three main canvases, which was an administrative campus here downtown,

having Public Works out 599 and Public Safety off Highway 14. We experience quite a bit of inefficiency with staff having to constantly drive to get to the Personnel Office, to get to the Finance Office, to get to the Legal Office and to get to the various meetings. So we want to only experience several thousand dollars in savings in leases of office space. We will also experience a great deal of operational efficiency.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. If it's appropriate, Mr. Chair, I'd like to go ahead and make a motion to adopt this ordinance adopting a County hold-harmless Gross receipts tax.

COMMISSIONER HOLIAN: I'll second that.

CHAIR ANAYA: There's a motion by the vice chair, Commissioner Chavez, second by Commissioner Holian. Under discussion, I have a few comments and some questions and I'd like to ask Mr. Flores if he'd come forward. It pertains to capital outlay and I want to ask him some questions that pertain to what happened in the recent legislative session in addition to the comments that Ms. Miller already made. The first question that I have, Mr. Flores – I know you and the legislative team was tracking everything that was happening at the legislature and that the capital outlay bill is one of the things that local governments across the state watch closely as well as state entities. The first question is what happened to the capital outlay of bills this legislative session?

MR. FLORES: The capital outlay bill or bill known by its legal term of Senate Bill 159 made it through the Senate side. Senator Sisneros was the sponsor of the capital outlay bill. It went through committee. It was referred over to the House. It was assigned to the House Ways and Means Committee. Representative Harper chairs that committee, and during the presentation of the bill on Friday there was a lot of debate back and forth about statewide projects, road projects and other projects. The bill was amended in House Ways and Means, sent back down to the House floor. A lot of discussion going on on Saturday morning. Ultimately the bill was through the House on a party line vote and it never made it back to the Senate for concurrence.

CHAIR ANAYA: So one of the things I want you to do and I want you to go off of the assumption that you're talking to somebody that maybe doesn't understand at all what the capital outlay package is. I want you to just briefly summarize what is the capital outlay package for the State of New Mexico and generally speaking what types of things does the capital outlay bill fund in the State of New Mexico.

MR. FLORES: Mr. Chair, in a very general sense, the capital outlay bill is intended to put funding back into local communities for local projects. For instance, senior center equipment, new facilities for senior programs or community centers, water/wastewater systems, in some cases utility infrastructure for some of the western counties or communities specifically along the Navajo Nation. So the myriad of capital outlay requests is very broad, but the goal of capital outlay or the intent of capital outlay is to put dollars back in communities to reinvest upon themselves for necessary projects.

CHAIR ANAYA: And so you mentioned local government but the capital outlay bill also encompasses all state capital outlay projects that include educational institutions and other state capital needs, state-funded hospitals or state other needs, correct?

MR. FLORES: Mr. Chair, that's correct.

CHAIR ANAYA: And so essentially the bill died and there is no capital outlay that is in a position to come forward unless the Governor would call a special session to bring back the legislators to essentially work on capital outlay. Correct?

MR. FLORES: Mr. Chair, that's correct.

CHAIR ANAYA: Okay.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR ANAYA: I'll defer to you, Commissioner Chavez.

COMMISSIONER CHAVEZ: I appreciate that because I think this might be important. Mr. Flores, do you have a dollar amount on that Senate Bill 159? A dollar amount for that bill, because I think, because as the Chair pointed out, this was for statewide projects, not only for local governments but for all state facilities and institutions.

MR. FLORES: Mr. Chair, the total capital outlay bill as presented was over \$260 million. I don't have the exact to the penny but it was over \$260 million. That was whittled down, if I channel Representative Sandoval, of a couple billion dollars in requests. So the requests come in very large and then it's tamed down to see what's actually realistic projects that go forward.

COMMISSIONER CHAVEZ: Right. So I appreciate that because I think that for those listening, I think it tells us that the need and the dollar amount are far apart. We have needs that have not been met and the \$260 million will just get us the top priority projects.

MR. FLORES: Mr. Chair, Commissioner Chavez, I would not be in agreement on that latter part that this does actually effectuate projects. If capital outlay is true to form it's to fund a shovel-ready project. However, some of the items that were in the legislation were very small amounts of funding – \$10,000 or \$20,000. So I would be taking a guess that we could actually complete a project or that was the money that was needed to fill a gap at this time.

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

CHAIR ANAYA: So Mr. Flores, following that same vein of thought, I want you to tell the Commission the total amount of dollars that were put in the hopper – requested – by Santa Fe County for capital projects of the legislature and then tell me that total number. I don't want to get into the specific projects on that portion of the bill. And then tell me the projects that actually made their way into the bill before it ultimately died.

MR. FLORES: Mr. Chair, based upon the infrastructure capital improvement plan that the Board approved last September and the prioritization by the Board, we submitted capital outlay requests for Santa Fe County, that's for our government entity, of \$11 million. The amount of funding that was included within Senate Bill 159, what was turned back of that total, \$450,000. So those projects that were included in the legislation, \$20,000 – if I can, Mr. Chair, \$20,000 for the Glorieta Mutual Domestic phase 3 water project, which had a need of a little over \$1.2 million, the bill included \$20,000 for that. So it was way short of filling that gap.

Ken and Patti Adam Senior Center van, that received funding or would have received funding. The Agua Fria Utilities Corridor Plan was included within the

legislation. The Santa Fe County Cundiyo Fire and Community Center was included in the legislation, as was the Santa Fe County Pojoaque Recreational Complex and Fields included in part of the legislation.

CHAIR ANAYA: Is that the total? We started out with \$11 million of requests. We ended up with \$450,000 that might have made it. And so the operative point there is in recent – in the last decade in particular, there has been less capital available for entities outside of state government than there used to be and that more and more local governments like ours are put in a position where we need to be analyzing our own opportunities to create revenue to be able to do projects that the community has requested, that communities across the county.

So that being said I want you to give one other number if you have it. We carved out \$11 million to request assistance with, but that's part of a larger, long-range plan that the County has for requests far greater than the \$11 million. What is that? I know Ms. Miller provided a good snapshot and a good overview relative to some of the immediate needs in County facilities, but what's our ICIP look like right now?

MR. FLORES: Mr. Chair, on the current ICIP, which we need to retool this year, has over 460-some projects, a total request is in the hundreds of millions of dollars. I can tell you that if we look at just a snapshot in time today, based upon what Manager Miller indicated in these other needs, our realistic request would be probably close to \$100 million, without vetting some of those other smaller projects as it ends up on the ICIP.

CHAIR ANAYA: Thank you, Mr. Flores. I think that is helpful information for the Commission and for the public as well, so I appreciate that. Is there any other questions from the Commission? Seeing none, we will go to Madam Clerk for a roll call please.

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

CHAIR ANAYA: Thank you, Madam Clerk. So, Ms. Miller, we were going to submit this for the March 31st timeline?

MS. MILLER: Mr. Chair, yes. We'll submit this for the March 31st deadline and it would become effective in July. We wouldn't actually experience revenue till the end of the first quarter.

CHAIR ANAYA: Thank you, Ms. Miller. The last thing I would say on the record, to restate, capital and maintenance needs for the County, including roads, buildings and infrastructure, water and wastewater are the primary focus. So thank you, Commissioners.

VII. B. Land Use Cases

1. **BCC CASE # PCEV 14-5480 Homewise Inc. Vacation of Easements. Homewise, Inc. Applicant, (Cornerstone Land Surveying), Jeffery Ludwig, Agent, Request Approval to Vacate Three (3) Private Access and Utility Block Easements Totaling 0.31 Acres +/- The Block Easements are Located in the Tessera Subdivision, Phase One, Within Section 17 & 20, Township 17 North, Range 9 East (Commission District 2)**

CHAIR ANAYA: Before I let you go, Mr. Romero, Mr. Shaffer, we've had some discussion relative to vacation of easement in the past and there's been quite a bit of comments that have come back to us as to us being one of the only counties if not the only county that does this vacation of easement. Before we meet again as a land use Board for land use cases, if you could get us some background from the Class A counties, maybe, that speaks to vacation of easement and whether or not they're doing this process and whether or not we might look at other alternatives if there are any, if you could.

MIKE ROMERO (Case Manager): Good evening, Commissioners. . Homewise, Inc. applicant, (Cornerstone Land Surveying), Jeffery Ludwig, agent, request approval to vacate three (3) private access and utility block easements totaling 0.31 Acres +/- The block easements are located in the Tessera Subdivision, Phase One, within Section 17 & 20, Township 17 North, Range 9 East, Commission District 2.

The subject block easements were created through the Tessera Subdivision Phase One Residential Subdivision Plat on April 5, 2007. The applicant acquired Lots 1-10, 21-24, 26-34, 36-53, 55-69 and 71-88 of Phase One of the Tessera Subdivision by warranty deed recorded as instrument No. 1683091 in the Santa Fe County Clerk's Office on the 28th day of September 2012. The applicant acquired an additional three lots – lot 25 as instrument No. 1754051, lot 54 instrument as No. 17544052 and lot 70 as instrument No. 1754053 all recorded in the Santa Fe County Clerk's records on the 30th day of December 2014.

The Applicant stated upon approval of the easement vacation, Homewise Inc. will then be submitting an application for a Lot Line Adjustment, which will incorporate the land from the vacated easements into the adjoining affordable lots. The applicant owns all lots adjacent to the utility easement to be vacated and has verified that there are no lots with existing homes in the area where the private access and utility easement blocks are located.

The Applicant has contacted all the appropriate utility companies that would have utilities within the easement blocks or in the area of the easement blocks. The applicant has provided correspondence from Century Link, NM Gas Company, PNM, Comcast Cable, Tessera Sewer Cooperative and Santa Fe County Utilities regarding the proposed vacation of the easement blocks. All utility companies have consented to the vacation of the utility easements blocks. The applicant has also provided correspondence from the Tessera Homeowners Association acknowledging that they are in receipt of the proposed easement vacations. The applicant states that no property owners or utility companies will be adversely affected by this proposed easement vacation.

The Applicant has provided sufficient noticing by providing notice to the *New Mexican*, which was published on February 17, 2015. The applicant has also provided certified mail receipts dated February 11, 2015, and certification of posting acknowledging that the public notice has been posted for 21 days on the property.

Staff recommendations: Approval to vacate three private access and utility easement blocks on 0.31 acres +/-, within the Tessera Subdivision Phase 1, subject to the following condition. May I enter this into the record?

[The condition is as follows:]

1. The Applicant shall file the portion of the Final Plat affected by the vacated easements with the County Clerk's Office (As per Article V § 5.7.3).

I stand for any questions.

COMMISSIONER CHAVEZ: Any questions of staff. Thank you, Mr. Romero. This is a public hearing and I want to provide an opportunity now for anyone here to speak on this item. Seeing none, the public hearing portion is closed.

COMMISSIONER STEFANICS: Mr. Chair.

COMMISSIONER CHAVEZ: Yes, Commissioner Stefanics.

COMMISSIONER STEFANICS: I move for approval.

COMMISSIONER CHAVEZ: There's a motion. Is there a second?

COMMISSIONER ROYBAL: A second. Any further discussion? Seeing none.

The motion passed by unanimous [3-0] voice vote. [Commissioners Anaya and Holian were not present for this action.]

MR. SHAFFER: Mr. Chair, if we could just clarify before we move off that item that it was to approve with staff conditions?

COMMISSIONER CHAVEZ: Okay. Does the maker of the motion –

COMMISSIONER STEFANICS: Yes. There was one staff condition.

COMMISSIONER CHAVEZ: So the motion includes staff recommendations then? Thank you. And conditions of approval.