

**SANTA FE COUNTY**

**REGULAR MEETING**

**BOARD OF COUNTY COMMISSIONERS**

**May 12, 2015**

**I. A.** This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:10.m. by Vice Chair Miguel Chavez in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

**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 [4:06 arrival]  
Commissioner Miguel Chavez  
Commissioner Kathy Holian  
Commissioner Henry Roybal  
Commissioner Liz Stefanics

**Members Excused:**

None

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

The Corrections Department Honor Guard presented the colors. The Pledge of Allegiance was led by Molly Archuleta, the State Pledge by Dora Spivey and the Moment of Reflection by Peter Roybal of the Public Safety Department.

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 Tabled or Withdrawn Items**

KATHERINE MILLER (County Manager): Mr. Chair, on the first page of the agenda, under Consent, Miscellaneous, approval of a letter of support for La Familia's application for a HRSA grant was added. Also, under Matters from the

County Attorney on page 3, Executive Session, items 2. a b, c, d, and e were added. In addition to those items, when you come out of executive session, items C and D for possible action, depending on your discussions in executive session were also added. Those are the changes that I have to the agenda, Mr. Chair.

COMMISSIONER HOLIAN: Mr. Chair.

COMMISSIONER CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: I would like to request that we hear III. C. 4 as close to 6:00 pm after the budget presentation as possible.

COMMISSIONER CHAVEZ: Okay, and do you have any idea more or less of how much time you would need to budget for that presentation?

COMMISSIONER HOLIAN: About 30 minutes, max.

COMMISSIONER STEFANICS: Mr. Chair.

COMMISSIONER CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'd like to have item III. C. 3 as far up the agenda under III as possible, since I have some nurses here.

COMMISSIONER CHAVEZ: So why don't we do that first then, Commissioner Stefanics?

COMMISSIONER STEFANICS: Under III?

COMMISSIONER CHAVEZ: Yes.

COMMISSIONER STEFANICS: Thank you.

COMMISSIONER CHAVEZ: Okay, and then I have a presentation to the Santa Fe Girls School and I need to move that up on the agenda closer to 2:30. We'll have to watch for the teacher when she gets here.

COMMISSIONER HOLIAN: Mr. Chair.

COMMISSIONER CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval of the agenda as modified.

COMMISSIONER STEFANICS: Second.

COMMISSIONER CHAVEZ: Okay, there's a motion and a second for the amended agenda. Any further discussion?

**The motion passed by unanimous [5-0] voice vote.** [Chair Anaya registered his affirmative vote upon his arrival.]

**I. G. Approval of Minutes**

**1. Approval of April 14, 2015, FY 2016 Budget Study Session Meeting Minutes**

COMMISSIONER STEFANICS: Mr. Chair, I'll move for approval of the April 14<sup>th</sup> budget study session meeting minutes.

COMMISSIONER HOLIAN: Second.

COMMISSIONER CHAVEZ: There's a motion and a second to approve the minutes of April 14<sup>th</sup>.

**The motion passed by unanimous [5-0] voice vote.** [Chair Anaya registered his affirmative vote upon his arrival.]

**I. G. 2. Approval of April 14, 2015, BCC Meeting Minutes**

COMMISSIONER HOLIAN: Mr. Chair, I'll move for approval of the April 14<sup>th</sup> BCC meeting minutes.

COMMISSIONER STEFANICS: Second.

COMMISSIONER CHAVEZ: There's a motion and a second for the approval of the minutes for April 14<sup>th</sup>.

**The motion passed by unanimous [5-0] voice vote.** [Chair Anaya registered his affirmative vote upon his arrival.]

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

COMMISSIONER CHAVEZ: We have four certificates to read out today and I do have bios on each one of them. So first I'll start with Michael Schweiz. He has a bachelor of science in nursing, a registered nurse. Was born in Okinawa, Japan, to a military family. His father was a fighter pilot first class from the United States Air Force Academy. Mike spent 12 years – 1982 to 1994 – in the United States Air Force as a survival master instructor. He left military service to obtain his bachelor of science in nursing degree. He has spent four years working in an ER in Albuquerque and has worked at Santa Fe County Corrections for 12 years. Michael, would you please come forward?

Next on the list we have Lisa Leiding. Lisa has a bachelors of science in nursing, registered nurse, certified correctional healthcare professional. She comes from a long line of military service dating back to the Revolutionary War. Lisa joined the 22291 First United States Army Reserve after completing her RN degree and spent eight years in reserve service – 1995 to 2002. Lisa has been a 20-year nurse this September. She is currently the only certified correctional healthcare professional at Santa Fe County. In October she will have completed ten years working for Santa Fe County Corrections. Lisa, would you please come forward?

The next recipient of the certificate of recognition is Captain Wade Ellis. Starting in 1998 Captain Wade Ellis served four years active duty in the 1<sup>st</sup> of the 75<sup>th</sup> ranger regiment. During this time he had several deployments that sent him to every continent with the exception of Australia and Antarctica. Once Capt. Ellis had completed his active duty contract he continued his service in the US Army Reserves. While in the US Army Reserves Capt. Ellis was deployed two times spanning three operations. Currently he is serving in the US Army Reserves where he is an instructor for non-commissioned officer schools. Capt. Ellis' total years of service are 17 and growing. Capt. Ellis, please come forward.

And then the next recipient is Mark Currier. Both of Mark's parents served in the Marine Corps during Desert , his parental grandfather in Vietnam. Both great-grandparents in World War II and his great-great-grandfather in World War I. In 2007 at

the age of 17 Mark enlisted in the New Mexico National Guard as a military police officer and is currently still serving. Mark has also served in Iraq. He is now employed with the Santa Fe County Corrections and he's been there since September of 2014. Mark is a certified NRA firearms instructor in handgun, shotgun and precision rifle. He has also worked in the field of firearms manufacturing in Raton, New Mexico. Mark, just come forward.

So I want to say just congratulations to each and every one of you. I know that your service to the country and now to Santa Fe County, I don't think we can put a price tag on and I can only hope that you will be able to continue to serve in your capacity here at Santa Fe County for us to be able to provide the services that we provide to our residents. So again, my personal thank you for all that you've done. Commissioners? Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I would like to thank you all for your service to your country and to protecting our rights and our freedoms and I appreciate all of you being here in Santa Fe County. Thank you.

COMMISSIONER CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I too want to say thank you, Michael, Lisa, Wade and Mark, for your service to the county. I think that our young men and women sign up for the military because they want to help protect our country and I think that specifically, often they're thinking of their community and their family and their friends and this is what they're doing to help protect them and keep them safe. And I think that they often don't know when they sign up exactly what they are risking and what kind of sacrifices that they are actually going to be making, and they sacrifice a lot in many cases. At the very least they sacrifice time with their family; they're away from their family a lot. And sometimes when they're in combat they sacrifice their health, and it's important I think also to recognize that they're families sacrifice as well. So it's important for us to say thank you to you for your service but also thank you to your families for the sacrifices they have made.

COMMISSIONER CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: I want to say thank you all for your service to our country and for your continued service for Santa Fe County. We are fortunate to have you.

COMMISSIONER CHAVEZ: If we could, a group in front and we'll take a photograph before you leave. And actually, if I could have the color guard be put in the photograph as well.

[Photographs were taken.]

## II. CONSENT AGENDA

### A. Resolutions

1. **Resolution No. 2015-67, a Resolution Authorizing the Donation of Fixed Assets in Accordance with State Statute. (Finance Department/Carole Jaramillo)**
2. **Resolution No. 2015-68, a Resolution Authorizing the Donation of Fixed Assets in Accordance with State Statute. (Finance**

**Department/Carole Jaramillo)**

**B. Miscellaneous**

**1. Approval of Letter of Support for La Familia's application for a Health Resources and Service Administration (HRSA Infrastructure Grant)(Commissioner Stefanics) [Exhibit 1]**

COMMISSIONER CHAVEZ: We have two resolutions. Is Ms. Jaramillo here? On these two resolutions, Ms. Jaramillo, I just wanted to mention for the record, I don't think we need to spend a lot of time on them, but I wanted to mention for the record, the first resolution is a resolution authorizing the donation of fixed assets in accordance with state statute. And so I just wanted for the record to note what surplus was being donated and to whom.

CAROLE JARAMILLO (Finance Director): Mr. Chair, Commissioners, both of these resolutions are for the donation of fixed assets, the first of these would be for the donation of six fireproof file cabinets to be donated to Otero County, Sierra County and Roosevelt County. And then the second item is the donation of a vehicle to Los Alamos County.

COMMISSIONER CHAVEZ: Okay, and that's the first resolution.

MS. JARAMILLO: The first one was for the fireproof filing cabinets and the second donation resolution is for a vehicle.

COMMISSIONER CHAVEZ: Okay.

COMMISSIONER HOLIAN: Mr. Chair.

COMMISSIONER CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval of the Consent Agenda.

COMMISSIONER CHAVEZ: There's a motion.

COMMISSIONER STEFANICS: I'll second.

COMMISSIONER CHAVEZ: And a second for the Consent Agenda.

**The motion passed by unanimous [5-0] voice vote.** [Chair Anaya registered his affirmative vote upon his arrival.]

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

**III. ACTION ITEMS**

**B. Appointments/Reappointments/Resignations**

**1. Appointment of Trustee for Stanley Cyclone Center**

ANNA BRANSFORD (Community Services Department): Good afternoon, Commissioners. Back in January we amended the current community center resolution add two new community centers, which was the Max Coll Community Center and Eldorado Senior Center, as well as the Stanley Cyclone Center. So this memo that we

bring before you today is to appoint a trustee for our Stanley Cyclone Center. The person who we would like to be approved today is Kim Anaya. She lives down in Stanley. She's a graduate from Capital High School. She's worked at the Department of Transportation for over 20 years. She currently attends the Santa Fe Community College. She's also the co-chair for the Stanley Spurs 4-H Club and so we would like to get your approval today, and with that I will stand for questions.

COMMISSIONER STEFANICS: Mr. Chair.

COMMISSIONER CHAVEZ: Yes.

COMMISSIONER STEFANICS: I do have a question. I think it's admirable for any person to apply to assist Santa Fe County, but I need to ask is this a family member of our sitting Commissioner?

MS. BRANSFORD: Mr. Chair, Commissioner Stefanics, it is his sister-in-law.

COMMISSIONER STEFANICS: Okay, so, Mr. Chair, Ms. Miller, Ms. Brown, do we have any policies about appointing relatives to our committees and task forces? And please, Ms. Anaya, I'm really pleased that you've applied. I just need to know our policy for other Commissioners.

RACHEL BROWN (Deputy County Attorney): Commissioner Stefanics, I am not aware of anything in the Code of Ethics that would govern this but I would prefer not to give a spontaneous guidance on that and look into it and provide you feedback later in the meeting or at a future date.

COMMISSIONER STEFANICS: Okay, so Mr. Chair, I have no problem moving approval of this. In the event that there is something that's considered a conflict that the applicant would understand our County standing.

COMMISSIONER CHAVEZ: So there's a motion. Do I hear a second?

COMMISSIONER HOLIAN: Mr. Chair, I'll second that but I have a question. Do we want to wait until we hear from our Attorney?

COMMISSIONER STEFANICS: I think it would be fine to wait as well. I'll withdraw my motion.

COMMISSIONER HOLIAN: Okay. And I'll withdraw my second.

MS. BRANSFORD: Mr. Chair, we did ask Legal and we did look at the ethics resolution, and it did say as long as the family is not supervising that volunteer, is what we did see in that ordinance.

COMMISSIONER HOLIAN: Mr. Chair, I'm sorry, Anna. I didn't quite understand what you said.

MS. BRANSFORD: I'm sorry. We did consult with Legal and were directed to the ethics ordinance. And what the ethics ordinance does say is that as long as the family member is not supervising that person.

COMMISSIONER HOLIAN: In other words, as long as the Commissioner is not supervising, correct?

MS. MILLER: Mr. Chair, Commissioners, that's also the same as our HR policy. We do have relatives of elected officials and management in the County but they cannot be in their direct line of supervision.

COMMISSIONER STEFANICS: So, Mr. Chair.

COMMISSIONER CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. So, Ms. Miller, Ms. Brown, what I'm hearing then is Ms. Anaya could never have any contact with Commissioner Anaya in that center for any direction. Is that correct?

MS. BROWN: Commissioner Stefanics, that is correct, and I'm not aware that any role that a Commissioner would serve where they would be giving direction to a trustee. That is generally overseen by the Community Services Department.

COMMISSIONER STEFANICS: Well, Mr. Chair, I would disagree with you. I think that a Commissioner could easily call up somebody who's a trustee and say I want you to unlock the door for this group; I want you to let this person in, etc. So I think that we are talking about having a clear boundary here and Ms. Miller, I'm wondering how we're going to establish that clear boundary.

MS. MILLER: Mr. Chair, Commissioner Stefanics, Commissioner Anaya isn't here for me to have that discussion with him at the moment but I can certainly have that discussion with him as to whether that would be a problem or an issue as well as with the trustee, that they need to know that that is a part of the provisions of that appointment. If they're not willing to do that or they think that would be a problem then we should probably have a different trustee.

COMMISSIONER STEFANICS: So, Mr. Chair.

COMMISSIONER CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: So, Anna, could you clarify what the role of the trustee is and who the trustee responds to and takes direction from?

MS. BRANSFORD: Yes, Mr. Chair and Commissioner Stefanics, the trustees actually do report to me. We have a trustee meeting every couple of months and their responsibilities are to assist the Community Services Department with the opening of the center. They also have a trustee board. Our first step in this one was getting this initial trustee and we hope to get a couple more people for the trustee board who will have keys to the center and when people go to rent the center they must first check with the trustee to make sure that those dates are available. The trustee then signs off on that application and a renter will then bring it to the department for a payment and then it is put on the master schedule. So they serve sort of as our assistants in getting the center rented, ensuring that once somebody has finished with their rental that the facility is clean, that there is no damage, and then they also let me and my staff know that there is no damage so that we can refund the cleaning deposit.

COMMISSIONER STEFANICS: Thank you.

COMMISSIONER CHAVEZ: So there was a motion. The motion was withdrawn. I think we're at a stalemate right now but I think the consensus is that we bring this back for discussion at a later meeting.

COMMISSIONER HOLIAN: Mr. Chair, I would make a motion to bring this back to our next meeting so that all five Commissioners could be here to discuss this.

COMMISSIONER CHAVEZ: There's a motion. Do I hear a second?

COMMISSIONER STEFANICS: I'll second it.

COMMISSIONER CHAVEZ: There's a motion and a second. Any further discussion?

**The motion to table passed by unanimous [5-0] voice vote. [Chair Anaya**

registered his affirmative vote upon his arrival.]

**III. B. 2. Appointment of Member to the County Fair Board**

MS. BRANSFORD: Thank you. Commissioners, back in January we brought several names to the Commission meeting to appoint to our Fair Board. At that time it was requested that we get a Fair Board member for District 1 as well as District 4. Back in March we brought Karen Paige for District 4 and Commissioner Holian had requested that we try to fill the position for District 4. We did have someone volunteer for that. Her name, to represent District 4 is Karolyn Wilson. She lives in the La Joya area of Glorieta and has for over 25 years. Her husband was the postmaster there for 20 years. They raise dairy goats, chickens and honeybees and her honey has actually won best of show at the County Fair one year. She is very interested and would like to have an active role on the Fair Board so with your permission and approval we'd like to ask that Karolyn Wilson be approved and at this point I will stand for questions.

COMMISSIONER HOLIAN: Mr. Chair.

COMMISSIONER CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. She certainly sounds like she's been involved with the fair now for quite a while and that she would be an excellent addition to the board. So I move for approval of this appointment.

COMMISSIONER ROYBAL: Second.

COMMISSIONER CHAVEZ: There's a motion and a second. Any further discussion?

**The motion passed by unanimous [5-0] voice vote.** [Chair Anaya registered his affirmative vote upon his arrival.]

**III. C. Miscellaneous**

**3. Approval and Presentation of a Proclamation Proclaiming the Week of May 6<sup>th</sup> to May 12<sup>th</sup> to be Santa Fe County Nurses Week**

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I would first of all move the Santa Fe County proclamation for the Santa Fe County Nurses Week and ask for a second.

COMMISSIONER HOLIAN: Second.

COMMISSIONER CHAVEZ: There's a motion and second to approve the proclamation proclaiming the week of May 6<sup>th</sup> through 12<sup>th</sup> Santa Fe County Nurses Week. Commissioner Stefanics, do you want to start the proclamation?

COMMISSIONER STEFANICS: Yes, thank you. Could I ask all the nurses to please come to the front row, that are here today? Regardless of your current status, your walk of life, where you work, I'd love to have all the nurses come forward

please. Just have a seat for a few minutes. There's enough room for everybody it looks like. I'd like to mention, Commissioners, that this is the last day of the Nurses Week so I'm glad we got in under the deadline.

Whereas, nearly 3.1 million registered nurses in the United States comprise our nation's most trusted health profession ranking 15 points higher than any other profession according to a 2014 Gallup poll;

Whereas, a variety of roles have emerged within nursing, such as nurse consultant, nurse informatics specialist, researcher, executive, facility nurse, primary care provider, home health care provider and case manager for chronic disease management;

Whereas, advanced practice nurses, such as nurse practitioners, clinical nurse specialists, certified nurse midwives and certified registered nurse anesthetists, fill the gap in access to healthcare and provide quality, safe and effective care throughout New Mexico;

Whereas, the depth and breadth of the registered nursing profession meets the different and emerging healthcare needs of the American population in a wide range of settings including long-term care facilities, homes, correctional facilities, schools and occupational settings;

Whereas, as the voice for the registered nurses of this state, the New Mexico Nurses Association is working to chart a new course for a healthy state that relies on the ethical delivery of primary and preventive healthcare;

Whereas, professional nursing has been demonstrated to be an indispensable component in the ethical and safe delivery of quality nursing care of hospitalized patients;

Whereas, the demand for registered nursing services will be greater than ever because of the aging of the American population, the continuing expansion of life-sustaining technologies and the explosive growth of home healthcare services;

Whereas, the cost effective, safe and quality healthcare services provided by registered nurses will be an ever more important component of the US healthcare delivery system in the future; and

Whereas, along with the American Nurses Association the New Mexico Nurses Association has declared the week of May 6<sup>th</sup> through May 12<sup>th</sup> as National Nurses Week with the theme: ethical practice, quality care, in celebration of the ways in which registered nurses strive to provide safe and high quality patient care and map out the way to improve our healthcare system.

Now, therefore, be it proclaimed by the Board of County Commissioners of Santa Fe County that May 6<sup>th</sup> through 12<sup>th</sup> is Santa Fe County Nurses Week.

Be it furthered proclaimed that the residents of Santa Fe County are encouraged to honor and celebrate the accomplishments and efforts of registered nurses to improve our healthcare system and also to show our appreciation for the nation's registered nurses, not just during the week of May 6<sup>th</sup> through May 12<sup>th</sup>, but at every opportunity throughout the year.

Approved, adopted and passed on this 12<sup>th</sup> day of May 2015, signed by all five County Commissioners, our County Clerk, our County Manager and our County

Attorney. Mr. Chair, after we vote I'd like to allow the nurses to speak for a minute.

COMMISSIONER CHAVEZ: That'd be great, and I want to thank you for bringing this to our attention and I want to personally thank the nurses that are here for your dedication to your field. I know it's not an easy field. I know that your hours sometimes are long and not always easy. But we do appreciate you and I hope this proclamation at least demonstrates that. So thank you again. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I just want to thank you for all your service. I know that nurses have more varied roles these days than they ever had before in this country but I think most of us have had contact with nurses when we've been in the hospital when we've had loved ones in the hospital and I have to say that in a way, nurses are much more important for your comfort and care when you're in the hospital than the doctor is. And I know this first-hand. I had a horseback riding accident about three years ago and I was in the hospital. The nurse who was in charge of my ward was really my advocate. I was sick to my stomach because of the medications that they had given me and this was really not a good thing because I also had four broken ribs.

So it was the nurse who called up the doctor and say, number one, she's not ready to go home. You're not going to discharge her, and you better get those meds right. So my brain wasn't working too well because I also had a concussion but I was very, very grateful to the nurse for being my advocate and helping to see that I really got the care that I needed.

So I am really pleased to be able to take this opportunity to recognize and thank the nurses in our community.

COMMISSIONER CHAVEZ: Commissioner Roybal, did you want to add anything?

COMMISSIONER ROYBAL: Yes. I also am proud and honored to be here today to present this proclamation. Commissioner Holian is exactly right; the nurses are in the forefront and you guys are the first ones that are there that actually spend the most time with the patients. So I thank God for you and God bless you all.

COMMISSIONER CHAVEZ: So there's a motion and a second.

**The motion passed by unanimous [5-0] voice vote.** [Chair Anaya registered his affirmative vote upon his arrival.]

COMMISSIONER STEFANICS: So if one or two nurses would like to speak we'd appreciate that.

DEBORAH WALKER: Good afternoon. I'm Deborah Walked. I am a registered nurse. When I was in practice I was a family nurse practitioner and 20 years ago ran the student health services for the then College of Santa Fe and also St. John's. I have not been a real nurse now for a couple of decades but I am currently the executive director for the New Mexico Nurses Association and we thank this County in particular. You as County Commissioners have been very active in looking at some of the nuances of the health needs here in Santa Fe County. You're acutely aware of the census data that

came out a couple years ago showing that Santa Fe County was ahead of the curve in this state as well as nationally in terms of our aging population and we've been in the forefront when it comes to looking at the needs outside of the City limits and we thank you very much for that.

We thank you for going to the mat to make sure that we had a nurse who was out in the county delivering care. We hope that that will continue. We were all frustrated that we could not find an advanced practice nurse to fit the County needs but we cannot thank you enough for what you have done for the healthcare delivery system here in our county. So thank you for not only recognizing nursing but thank you for what you do on healthcare delivery here in the county. Thanks.

COMMISSIONER STEFANICS: Thank you. So, Mr. Chair, I'm going to suggest that all the nurses come forward and that we have our pictures taken up above again so that they can have a memento for later.

COMMISSIONER CHAVEZ: There's a proclamation – you'll have to share it somehow but one of you can be the lead on that. So please come up and we'll take a photograph. Mr. Sedillo would like to make a few comments before we take photographs, but you're going to have to be in the photograph, Mr. Sedillo.

PABLO SEDILLO (Public Safety Director): Good afternoon. My nurses are pretty shy so I wanted to say a few words for them on behalf of the nurses. They do an excellent job with the County Corrections Department for the Santa Fe County. I tell you, they deal with a lot of different individuals, personalities, that come into the facility. They're the first persons that they see and they triage them right then and there, both with mentally ill and medical issues. The men and women of our nursing department for the County of Santa Fe Corrections Department are the best that we have and I personally want to thank them. I do that as much as possible every time I go down there to see them. I do thank them. And they just do an outstanding job and I know that they're a little shy and didn't want to speak. And I'm shy too but I wanted to thank them personally, the entire staff. Lisa, would you please pass that on to everybody? I sent an email in regards to that and I talked to them all last week as well. Molly, the same thing. Mike, thank you very much for everything that you do. So thank you.

[Photographs were taken.]

#### **IV. PRESENTATIONS**

##### **A. Presentation of Certificate of Recognition to Santa Fe Girls' School Project P.R.E.S.E.R.V.E Participants [Exhibit 2]**

COMMISSIONER CHAVEZ: Do you have an introduction for us that you can start while our IT is preparing the video. We have I think about a 10- or 15-minute video presentation on some of the work that the Santa Fe Girls School has done during the last school year.

LEE LEWIN: Good afternoon. My name is Lee Lewin and I'm the founder and director of the Santa Fe Girls School which is a non-profit all-girls middle school in Santa Fe. It's on the corner of Zia and Botulph. The school owns nine acres of land on the Santa Fe River in the La Cieneguilla area and this nine acres serves as an

environmental science laboratory for our science program. And 40 students every week go out to the preserve and they practice environmental science, and I will describe that to you in more detail later.

Right now, what you're seeing is a very brief slide show of the girls on the property. After the slide show I will describe to you what it is that they are doing down there and then there will be a five-minute film which is about some of the science that they are conducting and then hopefully there will be a little bit of time for Q and A if you have any questions.

So these girls are 12 years old, 13 and 14 years old. The school has owned this property for ten years and we have had this program going for ten years and the girls have been collecting scientific data during this whole process. The land is bordered – it's two miles downstream from the wastewater treatment plant. It's bordered by the BLM on the north and west. There's a private landowners immediately to the south and then La Cieneguilla is to the east. We have – the girls have, in fact, worked to restore this land to its natural state. What they have done is removed over 14,000 non-natives, mostly Russian olives, quite a few Siberian elms, and planted cottonwood, black willow, coyote willow, grasses, sedges, and milkweed. And now the monarch butterflies are starting to come feed, so we're really excited about that.

There is a small upland area which includes cholla and juniper. The animal and critter life is pretty diverse. It includes water birds, songbirds, raptors, beaver, raccoon, bobcats, muskrats, coyotes, deer. There have been elk down there recently. Rodents, amphibians and of course reptiles. The students go down there every Thursday and spend the day there and they collect data on the health of the river as well as collecting their observations on biodiversity. We share this data and collaborate with the Wild Earth Guardians, who by the way, have a willow nursery on our property and we raise the willows and give them to Wild Earth Guardians who then take them and plant them in areas where they are working to restore the riparian habitat.

We also work with the Recycling Coalition, the Santa Fe Watershed Association and the New Mexico Watershed Watch. All of our data is available on the New Mexico Watershed Watch.

The data that the girls have been collecting over the years include the pH of the water, the total dissolved solids in the water, the streamflow, which is the volume of water that flows. The total dissolved oxygen in the water, the temperature, the depth at which you have to go to find groundwater, and the phosphates and nitrates in the river. All of these are indicators of the health of our river, which was not very many years ago named one of the most endangered rivers in the United States. I think that was like three years ago.

The phosphates and the nitrates as a heads-up are unregulated and the film that you are going to see is a film made by the students about the phosphates and the nitrates in the river. They are unregulated by the federal government. They are unregulated by the state. They could be regulated if the policy makers and legislators so desire and one of our students told me that she has been doing research and some of the states in the Midwest where they have such a high runoff of fertilizer are now beginning to regulate phosphates so we might look at the legislation that those states have passed.

So this might be a good time to just look at the film and hear what they have to say and then I'd be happy to answer any questions.

COMMISSIONER STEFANICS: Mr. Chair.

COMMISSIONER CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: I don't have any questions. I just want to commend the school for being involved in these environmental activities.

[A slide show and video were shown.]

MS. LEWIN: The kids made it.

COMMISSIONER CHAVEZ: While they are having fun they are learning, right?

MS. LEWIN: Yes, they are. Absolutely. So that's all that I have. In case I could answer any questions if anybody has any.

COMMISSIONER CHAVEZ: I think has a question or a comment maybe.

COMMISSIONER HOLIAN: Thank you, Lee, for your presentation and for the movie that the kids made, and I also want to thank Commissioner Chavez for bringing this item forward on our agenda and I also want to thank Penny Ellis-Green for inviting me to the open house last Friday where the poster presentations were presented by the girls. And I have to say that I was really, truly blown away. I've attended a lot of poster presentations at scientific meetings in my time when I had my former life up at Los Alamos Lab and these poster presentations were every bit as professional as the ones that I've ever seen.

I think it's really impressive what the girls have done as far as the restoration that has been accomplished in removing non-native species and in planting more native species and you can see. You can see from the film what a beautiful place it is now and how natural it looks. I think I heard at the time that the beavers were removed. You had mentioned that there were beavers there, and I hope that somehow, if they were removed that you get beavers back because I think that that can be a real teaching tool for the community because it's important for people to understand that when beavers build their dams they actually cause water to be collected which makes its way into the aquifers and it actually is healthy for the ecosystem in the long run to have beavers. It's not a bad thing.

So in any event, I just think that what the girls have accomplished is truly remarkable and I think it's only going to get better as they continue with their research and their restoration efforts. So again, thank you to you for the presentation and thank you to the girls. And I hope that they can come back here next fall to give us an update.

MS. LEWIN: Thank you. I hope that they can too. The girls are not here today because it's the last week of classes and it's chaos so it's not a good time but perhaps in the fall we could return and they could give you a more complete and direct from their mouths understanding of what they're doing. I would like to mention that there are beaver on the land. The beaver were removed at one point. The beaver have returned. There are active beaver dams and we have data that demonstrate the depth of the groundwater when the beaver come and then the depth of the groundwater when the beaver leave, because that has happened over a ten-year period. It's about a 17-inch

difference. So we're continuing to monitor that and beaver are acting as nature's engineers for sure. Thank you.

COMMISSIONER HOLIAN: Great. And thank you. I want to put in a plug for them to mention the beavers when they come back.

MS. LEWIN: Okay.

COMMISSIONER CHAVEZ: So, Lee, you know that there are certificates of recognition for the 7<sup>th</sup> and 8<sup>th</sup> graders that just completed the 2014/15 school year. And I know that we're pushing the envelope a little bit, but I did want to give at least this graduating class, the eighth graders, and certainly the 7<sup>th</sup> graders a certificate for this school year. And if the students could come back in the spring I think that would be good, and then I would still look forward to doing something at the end of the school year next year so that we can issue some certificates of recognition at that time as well.

MS. LEWIN: Thank you so much.

COMMISSIONER CHAVEZ: So these are for you and the students. They're all signed by all of the Commissioners, by the Manager and so they're official now; they're all signed by all of us and I hope that the girls appreciate them. Thank you. What I might mention too in closing that may have been overlooked in the presentation, when the girls are doing the work on the preserve or when they're working on some of their special projects they're incorporating all subject matter – math, social studies, science. They're delving into civics, trying to track what the County is doing legislatively regarding mining permits and things like that so they're very well in tune, or trying to tune into what's happening on a higher level. Do you want to respond to that?

MS. LEWIN: Thank you. The 8<sup>th</sup> grade students do have a pretty in depth government course during which they learn about how our political system works both at the federal, regional and local levels. And they usually choose an initiative every year to get involved in as informed advocates. And this year our students went to the Roundhouse and spoke to a committee in the House that was considering a bill that would eliminate local jurisdiction over drilling and fracking. So our students studied the issue in depth. They spoke and they were very clear and very impressive. In the end the bill did not make it to the Senate and I'd like to think that our students were helpful in that process. So every year they do take an initiative. Thank you.

COMMISSIONER CHAVEZ: Thank you. Thank you to the students, Lee.

**III. C. 2. Approval and Presentation of a Proclamation Honoring National Correctional Officer, Correctional Nurse and National Teacher Appreciation Week**

CHAIR ANAYA: I want to ask Pablo Sedillo to come forward again on this item because this is something that Commissioner Anaya initiated but I did want to have Pablo Sedillo here for this part of it. But if you want to, Commissioner Holian, if you want to go ahead and read that in we can start with that.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. A proclamation

honoring National Correctional Officer, Correctional Nurse and National Teacher Appreciation Week.

Whereas, correctional infrastructure, facilities and services are of vital importance to sustainable communities and to the health, safety and well-being of the people of Santa Fe County;

Whereas, such facilities and services could not be provided without the dedicated efforts of correctional professionals and employees in both government and the private sector, who are responsible for and must operate and maintain safe, secure, and humane correctional facilities in an honorable, ethical, safe, secure, and fiscally accountable manner, whether it be providing security, teaching or lifesaving medical interventions;

Whereas, it is in the public interest for citizens, civic leaders and children in Santa Fe County, the State of New Mexico, and elsewhere in the country to gain knowledge of, and maintain a progressive interest in, the importance of corrections, and corrections programs in the respective communities;

Whereas, the National Correctional Officers Week and National Teacher Appreciation Week is celebrated the first full week of May, and National Correctional Nurses Week is celebrated May 6<sup>th</sup> to May 12<sup>th</sup>;

Whereas, these professionals are key members of the County's public safety team and play a vital role in our criminal justice system.

Now, therefore, be it resolved by the Santa Fe County Board of County Board of County Commissioners that May 6 to May 12, 2015 is hereby proclaimed Santa Fe County National Correctional Nurses Week and the first full week of May as National Correctional Officers and National Teacher Appreciation Week. Citizens and civic organizations across the county are called upon to acquaint themselves with the issues involved in providing public services and to recognize the contributions that correctional professionals and teachers make every day to our health, safety, comfort and quality of life.

This is approved, adopted and passed on this 12<sup>th</sup> day of May 2015, signed by the five County Commissioners, the County Manager, the County Attorney and our County Clerk.

COMMISSIONER CHAVEZ: Thank you, Commissioner Holian.  
Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you very much, Mr. Chair, and thank you, Commissioner Holian, for brining that forward for Commissioner Anaya. We all support our correctional officers, our nurses, our teachers. I've had the opportunity not just to tour but to be at some of the graduations. I'm really proud of how the infirmary and the medical program is advancing. I will continue to advocate anyway I can to get us on electronic records so we can move out of the paper records, but I'd like to thank you all for the work that you do. The last time I spoke at a corrections graduations there had been a death, and one of the comments I made was you never know what you're going to encounter and it's up to you all and your training and your professionalism to manage whatever crisis is at hand. And thank goodness we are not in the limelight like many other communities about some of the violence that's going on, and I thank you all for your commitment to your professionalism.

COMMISSIONER CHAVEZ: So, Mr. Sedillo, I wanted to present this proclamation to you and your department on behalf of the Board of County Commissioners and Commissioner Anaya. I thought it was interesting that both the proclamation we've mentioned, this one and the one before, we mentioned nurses, which are very important, and then this is focusing on corrections as well, so I wanted to present this to you.

MR. SEDILLO: Commissioner, if I may, I just wanted to tell you that you all have a little bit of packages in front of you and it was made with a lot of TLC from our corrections staff. They wanted to share their support on the County Commissioners, County Managers and all the County staff for their support of the Corrections Department. Without your being supportive of them it would be a very difficult job so thank you very much. County Manager Miller, your staff as well, so thank you very much for all your support.

COMMISSIONER CHAVEZ: Commissioner Holian, you have some comments?

COMMISSIONER HOLIAN: Yes, thank you, Mr. Chair. The United States incarcerates more people in the world than any other nation and that's not just on a per capita basis. That is on an absolute basis. We incarcerate more people even than China does. So I have to conclude that jail is really an important part of our culture in some way, and I think it's really important to note that actually for some people in our community that jail is the only place that they actually get medical care or help with addiction problems. So jails provide a lot more services than I think people really realize are being provided in our community, and it may not be entirely the most appropriate place but that's the way it is and I just have to say that I think that our jail does a very good job and I am really, really proud of the way that our County jail is run. And I want to say a big thank you to the officers and the nurses who work there. I know that you deal with all kinds of problems, all different kinds of people, and it's important to note that you are completely responsible for their safety and their well-being when they are incarcerated. That is a huge, huge responsibility.

So I just want you to know how much I appreciate all you do to make sure that our jail is probably the best run in the state, or at least I think so. Thank you.

COMMISSIONER CHAVEZ: Commissioner Stefanics? Commissioner Roybal?

COMMISSIONER STEFANICS: The only other comment I would add besides what I said before is the National Association of Counties is working on a Stepping Out initiative and I know that Pablo and Mark are very familiar with this because it really deals with keeping our mentally ill out of jails and we passed a resolution at our last meeting so that we could join in with the New Mexico Association of County and the National Association of Counties as they lobby Congress on this issue.

But as many of us know, it's about having services and it's about having other venues for our mentally ill. So I hope that the contract that we did between our Community Services Department and Presbyterian with the crisis response might assist in this, but it will also not just take the cooperation of our jail but also of our City police and our County Sheriff and I hope that they will get on board with this as well. Thank you.

COMMISSIONER CHAVEZ: Thank you, Commissioner Stefanics.  
Commissioner Roybal.

COMMISSIONER ROYBAL: I too want to say thank you guys for your commitment and your hard work. I know that in the department that you guys work you guys probably go through a lot of different stressful situations and you guys handle it really well. I've toured the facility twice and it's really well run. You guys all do a great job and I couldn't be prouder. Thank you.

COMMISSIONER CHAVEZ: So again, thank you, and congratulations to you and your staff.

COMMISSIONER STEFANICS: Mr. Chair, did we vote on that?

COMMISSIONER CHAVEZ: Maybe not.

COMMISSIONER HOLIAN: Oh, yes. Mr. Chair, I move for approval.

COMMISSIONER STEFANICS: Second.

COMMISSIONER CHAVEZ: There's a motion and a second.

**The motion passed by unanimous [5-0] voice vote.** [Chair Anaya registered his affirmative vote upon his arrival.]

**IV. A. 1. Approval and Presentation of a Proclamation Recognizing  
May 17-May 23, 2015 as Santa Fe County Public Works Week**

COMMISSIONER CHAVEZ: And this resolution, I'm honored to introduce this resolution on behalf of our Public Works staff, who I know works very hard, day in and day out. I was willing to bring the proclamation and place it on the agenda. Commissioner Roybal has co-sponsored with me but I would like to ask all of us to read the proclamation because I know Public Works is very important to all of us and to each of our prospective districts. So the proclamation reads: Santa Fe County proclamation to recognize May 17<sup>th</sup> through May 23<sup>rd</sup> as Santa Fe County Public Works Week.

Whereas, public works infrastructure, facilities, a services are of vital importance to sustainable communities and to the health, safety and well-being of the people of Santa Fe County;

COMMISSIONER ROYBAL: Whereas, such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers, managers, technicians, and employees in both government and the private sector, who are responsible for and must plan, design, build, operate and maintain the transportation network, water supply treatment systems, solid waste systems, public buildings, parks and open space; and other infrastructure and facilities essential to serve our citizens;

COMMISSIONER HOLIAN: Whereas, it is in the public interest for citizens, civic leaders, and children in Santa Fe County, the State of New Mexico, and the United States of America to gain knowledge of and to maintain a progressive interest in the importance of public works and public works programs in their respective communities;

COMMISSIONER CHAVEZ: Whereas the National Association of Counties recognized the importance of public works when it declared the theme of 2015 National County Government Month – Infrastructure and Transportation;

COMMISSIONER ROYBAL: Whereas, The year 2015 marks the 55<sup>th</sup> annual National Public Works Week sponsored by the American Public Works Association, with the theme of Community Begins Here.

Now, therefore, the Board of Santa Fe County Commission of Santa Fe County hereby proclaims that we recognize May 17 to May 23, 2015 as Santa Fe County Public Works Week.

COMMISSIONER HOLIAN: Citizens and civic organizations across the county are called upon to acquaint themselves with the issues involved in providing public services and to recognize the contributions that Public Works officials make every day to our health, safety, comfort and quality of life.

COMMISSIONER CHAVEZ: Passed, adopted and approved on this 12<sup>th</sup> day of May 2015. So Adam, congratulations to you and your staff. Robert Martinez, would you want to come front and center, because I know you're also a part of Public Works. Any other Public Works employees here this afternoon? Adam, the floor is yours.

ADAM LEIGLAND (Public Works Director): Mr. Chair, Commissioners, first of all I'm pleased and honored that it was co-sponsored by two and read by all. I had wanted – I had asked that a number of employees come today to be recognized and almost across the board they said, no. We're too busy. We have work to do. And I don't know if it's a good thing or a bad thing that the only ones who could show up are my division directors. I don't know if that means that there's no work for them to do. But I think that that reflects the real measure of success of a Public Works organization which is all the work that's going on that we don't hear about, all the work that's going on behind the scenes that maybe even goes unrecognized.

Just to give you an example, I know just last month alone we closed out 450 work orders from pot hole repair to fence repair. We hauled over 1,000 tons of solid waste. We had 175 fleet vehicle repairs. We delivered thousands and thousands of gallons of water and treated thousands and thousands of gallons of wastewater, and we processed about 500 invoices. So that's just an ideal of the work that's going on. We even managed 78 capital projects. So that's just an idea of the work that goes on every month that's happening behind the scenes. We only hear a little bit about it in this room, usually, but that's all going on behind the scenes.

I also wanted to take this opportunity to announce the winners of the snowplow contest. So one of the goals of Public Works Week is to go out to the schools and get the students interested in Public Works, both as future citizens but also hopefully as future Public Works employees. And we did that. We went out to three schools. We went out to one school in each of the three school districts in the county and went to a fourth grade class. We took a presentation. We had someone talk about road repair and snow removal and all the different things that we do. We presented to these classes and then we left a snow plow there for them to paint for a period of two weeks, and they had to as a class come up with a mural and then paint the mural, and we picked them up on Friday, took some photos and delivered those photos to you yesterday.

So it was a great experience all the way around. I think actually maybe my staff got more out of it than the students did. But I can tell you that the students really asked a lot of really interesting and engaged questions. It was really pleasing to be out and I know actually two students happened to live in the county and live on County roads and they both told me afterwards that they learned a lot about some of the activities that they see around them. So it was a good thing.

So we got the paintings. I sent out something to each one of you. I got the results back and so the three schools were Pojoaque Intermediate in the Pojoaque Valley School District, the Atalaya in the Santa Fe School District, and South Mountain Elementary in the Edgewood-Moriarty School District. And again, it was fourth grade classes. And so the results came in. I thank you for voting and the winner was the Atalaya, was school C on the reports. So Atalaya School.

But I did talk to all the teachers today and they said they really appreciated it. So thanks for that and we hope that that continues. We're spreading the Public Works message.

COMMISSIONER CHAVEZ: Well, I thought that was a good way to spark their interest by them being able to paint on a snowplow. It's a big piece of equipment so I'm sure it was probably at one point a little intimidating, but I can only imagine that in the end they had fun doing it because I could see in the work that they had produced.

MR. LEIGLAND: Mr. Chair, the plows are about ten feet long, five feet tall and when we dropped it off at South Mountain the students swarmed all over it like ants. And I'll assure you that that's water-based paint and so we anticipate that one season of snow removal will wear it off and we can start the cycle again next year.

COMMISSIONER CHAVEZ: Thank you, Adam. Any other comments? Yes, Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, I actually didn't vote because I really couldn't decide between all of them. They were all great really. I was really impressed with how much work they went to and how colorful they were. Anyway, I always take every opportunity I can to remind my constituents that local government affects their lives in so many different ways on a day to day basis, and they better appreciate that. And I think that it's important to point out that Public Works, as the name implies, is part of our County government and it's so important for providing services that people use every single day – roads, water systems, solid waste, and also for services that really improve the quality of people's lives, like with open space and parks and where people can go bicycle riding or horseback riding or hiking. And so I want to say a big thank you to all of our Public Works employees, not only from me but on behalf of all of the citizens of Santa Fe County. And I want you to know that I brag about you guys all the time.

MR. LEIGLAND: Thank you.

COMMISSIONER CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: I too would like to say thank you to Adam and the Public Works Department. You guys do a great job. Any time I call and ask you for something you're always responsive, so I appreciate that. And you guys are the ones

that are out there that interface with the community. So you have to have a lot of patience I think sometimes when you're out there and you guys have always been professionals so I appreciate that. Thank you.

COMMISSIONER STEFANICS: Thank you, Mr. Chair, and I want to ditto what's been said but in particular, County Road 42 had a really responsive work crew working on it for several days and I understand there's still more damage to look at and to maybe consider fixing. But I've enjoyed working with all of your staff. I don't know everyone. Everyone from solid waste to working on playgrounds to working on roads, to the water issues that we have. Everyone has been very professional and I truly enjoy working with everybody in Public Works. Thank you.

COMMISSIONER CHAVEZ: So I don't think we have a motion on this yet.

COMMISSIONER STEFANICS: Mr. Chair, I move approval.

COMMISSIONER HOLIAN: Second.

COMMISSIONER CHAVEZ: Okay, there's a motion and a second.

**The motion passed by unanimous [5-0] voice vote.** [Chair Anaya registered his affirmative vote upon his arrival.]

COMMISSIONER CHAVEZ: Adam, before you all leave would you come forward? I'll present this to you and we can take a photograph.

[Photographs were taken.]

**IV. A. 5. Approval and Presentation of a Proclamation Honoring the Town of Madrid and the Restored Oscar Huber Memorial Ballpark Grandstand**

COMMISSIONER CHAVEZ: We have another proclamation. This proclamation is honoring the Town of Madrid and the restoration of the Oscar Huber Memorial Ballpark grandstand. This was also brought forward by Commissioner Anaya and on this one, if I could ask the County Commission, the members, to also read this into the record for me. I'll start and then we'll go around as we did before.

COMMISSIONER STEFANICS: Mr. Chair, I just wondered. Do we have people here from –

COMMISSIONER CHAVEZ: No, we don't. I'm glad that you brought that to my attention. There was someone here earlier who had to leave and so I guess we'll go ahead and read it and then we'll get the official proclamation to – Tracy Reagan was here earlier. She had to leave to attend to other matters. She's the Madrid Landowners Association. She's actually the chair of that landowners association. She was hoping to take this back with her. So we'll have to read it into the minutes and then Commissioner Anaya, hopefully can deliver it to her. So the Board of County Commissioners of Santa Fe County, a proclamation honoring the Town of Madrid and

the restored the Oscar Huber Memorial Ballpark grandstand.

Whereas, Memorial Day is traditionally the day in Madrid, New Mexico, on which the season's opening baseball game between the East Mountain Riff-Raff and the Madrid Miners is held;

COMMISSIONER ROYBAL: Whereas, this year will mark the 33<sup>rd</sup> year for the season's first annual baseball game and the completion of the replica baseball park grandstand and bleachers;

COMMISSIONER STEFANICS: Whereas, the grandstand and bleachers at the Oscar Huber Memorial Ballpark, hereinafter the Oscar Huber Memorial Ballpark Grandstand, has been restored to its 1920s glory and is believed to be the first electrically lit ballpark west of the Mississippi;

COMMISSIONER HOLIAN: Whereas, Santa Fe County, the townspeople of Madrid, and residents in surrounding areas are all extremely proud to see the completion of the Oscar Huber Memorial Ballpark Grandstand, its quality construction, and how the grandstand reflects the consideration given to the needs of the community;

COMMISSIONER CHAVEZ: Whereas, Santa Fe County acknowledges and gives thanks to the Santa Fe County delegation and its staff for their hard work and dedication to the restoration of the Oscar Huber Memorial Ballpark Grandstand in Madrid, Santa Fe County, New Mexico;

COMMISSIONER ROYBAL: Whereas, Santa Fe County would like to proclaim May 25, 2015, Memorial Day, as inauguration day of the restored Oscar Huber Memorial Ballpark Grandstand of 1920 and acknowledge and recognize the grandstand's continued stewardship by the Madrid Landowners Association.

COMMISSIONER CHAVEZ: Now, therefore, the Santa Fe County Board of County Commissioners hereby proclaims May 25, 2015 as the opening day of the Oscar Huber Memorial Ballpark Grandstand of 1920 in Madrid, New Mexico. Approved, adopted and passed on this 12<sup>th</sup> day of May 2015. I move for approval.

COMMISSIONER HOLIAN: Second.

COMMISSIONER CHAVEZ: There's a motion and a second.

**The motion passed by unanimous [5-0] voice vote.** [Chair Anaya registered his affirmative vote upon his arrival.]

COMMISSIONER STEFANICS: Mr. Chair.

COMMISSIONER CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: I lived in Madrid – or Mádrid, and Madrid was a company town. The land was purchased. I actually lived in a miner's house for ten years before I moved to another area down in that part of the county, and there are some really good historical books that are written now by some of the local people on the history of this mining town. So I'm sure if anybody is interested we could help them find a copy. Thank you.

COMMISSIONER CHAVEZ: And I've not attended a baseball game there but I bet it's pretty competitive.

**IV. A. 6. Approval of Memorandum of Understanding Between Santa Fe County and North Central Regional Transit District Regarding Mountain Trail Pilot Project**

TONY FLORES (Deputy County Manager): Thank you, Mr. Chair. Today's item is an accumulation of the information that's been provided to the Board on two separate occasions. The latest occasion was March 31<sup>st</sup> when the Board conditioned an approval of the award pending a formal vote once the item was – the negotiations of the item and the MOA in this case were consummated between the County and the NCRTD.

Just as background information, the mountain trail route is identified in the County's economic development plan. The service has been contemplated by NCRTD for probably over a year now. This pilot project is a one-year service. There have been some certain conditions that have been put into the MOU to ensure that the funds are properly spent. There's a pro forma budget and schedule that is provided to us as well as the contributions of the public-private partners that are involved in this endeavor. They're also required to provide us a notice of any service changes and if there's an early termination they would be required to return the unmatched unexpended portion to us.

This funding in the amount of \$25,172 as discussed at the March 31<sup>st</sup> BCC Board meeting will be funded out of the economic development set-aside fund. And with that, Mr. Chair, I'll stand for any questions.

COMMISSIONER CHAVEZ: Mr. Flores, if you could, I think you touched on the public-private partnership, and the effort behind that. I think that's very significant. Would you mention for the record those parties in the public-private partnership that are contributing to this pilot project?

MR. FLORES: Mr. Chair, the partners that are involved in this and the gentleman from NCRTD can correct me if I misspeak, of course Ski Santa Fe, the City of Santa Fe, Santa Fe County, the NCRTD. There's also been some in-kind service I think provided by Taos – and Rio Metro. Thank you.

COMMISSIONER CHAVEZ: Thank you, Tony. I know RTD staff is here. Do you want to add anything to Tony's presentation at this time regarding the pilot project? Do you have a status report on where it is in the planning stage, because I know, hopefully if this passes this will be the last financial piece as far as planning is concerned but logistically, are you doing anything to plan the route and get that initiated?

STACEY MCGUIRE: Sure. Thank you, Mr. Chair, members of the Board. Last week we actually ran our first operational test and we did run one of our buses up through the proposed routing throughout the city and county area, and then there's really only one way up the mountain. So we ran it up the mountain just to ensure that everything functioned as we expected, and it did. I'm pleased to report that it was a

very boring ride and everything went very well, which is what we wanted. And I think the other point that I do want to emphasize as well is this a regional undertaking. From our perspective it is a public-private partnership and it does involve many different municipalities and players in this game. So we really look forward to this moving forward. And you're right; this is the final financial or funding component to be fully tied down and then we will be full steam ahead and really begin engaging in the full-out planning of the route.

COMMISSIONER CHAVEZ: Okay. Thank you, Stacey. Any other questions of staff, RTD staff or our staff?

COMMISSIONER HOLIAN: Mr. Chair, I move for approval.

COMMISSIONER CHAVEZ: We have a motion. Do I hear a second?

COMMISSIONER ROYBAL: Second.

**The motion passed by unanimous [5-0] voice vote.** [Chair Anaya registered his affirmative vote upon his arrival.]

**IV. A. 7. County Assessor's Annual Report and Property Valuation Program**  
**a. Presentation of Annual Report and Property Valuation Program**

GUS MARTINEZ (County Assessor): We're going to be going over the annual report for 2015.

COMMISSIONER CHAVEZ: We have that in our packet, right?

MR. MARTINEZ: I believe, yes, which is mandated by state statute.

Okay, so we'll be going over the annual report and also the valuation maintenance program for our office. So if you go to page 2, it's a taxable valuation comparison which just shows the taxable value for the county for 2014 and 2015. 2014 was roughly around \$6.5 billion, 2015, \$6.6 billion, a change of value of \$136 million. A two percent change there and roughly we brought in, added to the tax rolls about \$67 million. And then the bottom there is just the residential value and the non-residential and commercial values there, which in the commercial portion it changed around 8.1 percent due to a reappraisal of the commercial properties this year.

The second one is a taxable valuation comparison for previous years and it just goes back for 2013 and 2014 which they're slightly – for 2013 was \$6.8 billion and then basically it dropped down for 2014 to \$6.5 billion due to the Tyler review that we did, and then we brought in \$331 million of net new that year.

If you go to page 4, it's the total taxable value history from 2010 all the way to 2015 and you can see the changes of value. Currently we're at \$6.6 billion. The next slide 5 is new taxable value added. You have a big increase for 2014 due to the Tyler review, and for 2015 you roughly have about \$67 million that we brought in roughly for the commercial reappraisal and residential value that we have brought to the tax rolls.

Page 6 is basically the – I'm missing that page, but anyways these are ratios based off our sales that have been provided to our office from January 1<sup>st</sup> of the tax year to December 31<sup>st</sup> of the tax year which is 1,785 sales. Our mean ration is 91 percent. Our

median ratio is 90 percent and our coefficient of dispersion is 9.9, and our PRD – price related differential is basically 101, and those all fall within the standards of IAAO – International Association of Assessing Officer standards throughout the country and the world there.

On page 7 it basically just goes over what the coefficient of dispersion is, the price related differential.

On page 8 is basically an itemized comparison of 2014 and 2015, our parcel counts and valuation of full value, so it just goes through residential and non-residential, the change in value in the parcels, going with personal property, livestock, state assessed, so that's kind of what that goes through. The bottom portion is the veterans' exemptions, the count of veterans' exemptions that we have within the county, the 100 percent disabled veterans and the head of family from 2014 to 2015.

And then the last is the protests, the number that were filed in 2014 and the results prior to scheduling of the previous year and scheduling for hearing. And I just want to say that the numbers are pretty close this year of what's come in so it's a trend that as we get more information out to the public, going out to community outreaches and just explaining what we do more, what's happening is we're getting less protests and our values with our mass appraisal system or CAMA system, we're valuing properties more accurately and also due to the Tyler review, just getting everybody down to market value, so it's kind of happening every year, so it's kind of – the numbers are falling and it's a trend which is good.

The next page, which is 9 through 12, is basically just accomplishments in our 2014-2015 since I took office, after I got the reins in the office probably in July. So these are all the accomplishments that we've made through the office. So we've increased our – we've met deadlines of the 85 notice of values this year and if you guys have received your notice of values we put different – on the front of the notice of values we put for constituents, you may qualify, and we put the exemptions there. So we've got a lot of people asking for those valuation freezes, the head of families, which they never knew. There are people coming into our office that lived in the county over 30 years, they didn't know that they could apply for that. So that kind of helped out with the constituents there.

We've increased our enhanced customer service so basically – I've promoted just going out to the communities, just trying to resolve the problems and just help them out in any way possible. We've taken off the answering machine in our office, the voice mail and so we answer the phone calls there. We've also updated our webpage, new online property search tools. Formal protest hearings. We've done a condo reappraisal. We've resolved mapping issues with putting the map on line. We also did a commercial reappraisal. We've also put computer monitors out in the hallway just to get information out to the public, and we changed one of the office into a training room for our employees to train them, equip them in the process there and we also did a manufactured home review. And we also have purchased additional aerial photographs, which is pictometry, which is going to help us – which we just flew over. They're oblique imageries which help us assess property when people, constituents, don't allow us on their property so it helps us – has a measuring tool on there. Also we have what you call receiving a change finder. What it does is it detects changes from one year to the next so that we just send the appraisers out to the properties that have changed there.

So that's basically on the annual report there. Now, if we can go to the valuation maintenance there and if you go to page 2, which is the indexing. And basically, if you go from 4 to 18, basically just lays out our duties as the Assessor's Office, what we do and the functions that we do and I don't really kind of want to bore you with that. But anyways, it goes step by step and if you need me to sit down with you, one on one, to go over that information I can do so at another time.

But the biggest part there is going to be on page 18, is going to be our door to door reappraisal plan which I will tell you here, I've been here going on 18 years and so this is going to be the first time since I've been here that we're really going to start doing a door to door and e-revaluation plan from the southern part of the county to the northern part of the county, which is going to be about a five-year process. And that is going to be with house staff from now on, so we have the ability now with technology – as long as we get technology with pictometry and change finder we can do that with our own staff which is great, because we did the commercial again with our own staff and the agriculture outreach review with our own staff.

So if we go to page 18, it just kind of goes over basically where we're going to start in the county on our reappraisal plan. By IAAO standards, they say from a five- to six-year we're going to go through the whole county. So we're going to start basically in Edgewood. We're going to start in February of this year. So there's going to be about 8,500 parcels that we're going to review for the first year, which is in AT tax district. So there is – we have 68 workdays excluding holidays and estimated vacation and sick days, appraisal staff totaling 20 total – 16 residential and one chief; 15 appraisers – 4 commercial, one chief and three appraisers and so out of those 8,270 parcels we have 449 manufactured homes, 3,550 single residential homes, and 3,776 vacant land parcels, 114 commercial in that area there, two manufactured homes on permanent and 379 other mixed-use properties.

So we're going to divide that by 68, that's 110 per day, basically, as we go over it, it's about seven per person per day that we're going to review. That's including everything else that they have to do at that time is review the affidavit if it sells, on top of all their duties there. So we've broken it down, basically, each year, and then as you go to the next year we'll move up south of Santa Fe, and basically the property count goes up to 17,914, and then it kind of just breaks it down, and then the per day review is a little bit larger. And then as we go through year three was going to basically in the Espanola area district which is about 15,000 parcels that we'll have to review for the year, and that goes up to about 13. And then year four we're going to go with the city limits of Santa Fe and year five with the city limits of Santa Fe to finish up.

So basically, as we go through this whole process there we will be able to meet the requirement of reviewing the whole county in a five-year period is my goal there to do that. I think – any questions?

COMMISSIONER CHAVEZ: Commissioner Stefanics, and then I'll go to Commissioner Holian.

COMMISSIONER STEFANICS: Thank you, Mr. Chair, and thank you for both reports. I appreciate it very much and your work plan. We had at the last meeting a gentleman come and speak about his property value up in one of the tribal lands. And he was very concerned about the loss of value with the bank and the mortgage company,

and I'd like to hear from you how that corresponds with our office.

MR. MARTINEZ: Okay, so there was probably roughly around 155 people that protested in that area there, the northern part of the county. So we've basically identified all those properties and what we're going to do is have a couple of probably two to three appraisers handling just those issues regarding properties and any issues regarding what's happening up there. So we're going to send appraisal staff out there just to review the properties with the property owner and then gather the information. And then what we're going to do, after we do that, after we gather that information we are going to look at – we've tried to just get as much information around the country regarding issues that has happened with that and we're aware of a couple of places that have issues like that. One's in Arizona with easements. We called up IAAO trying to get some information from them if they have any adjustments or anything that we could use to handle a situation like that. So we're still gathering information. My plan though is after we gather the information – I'm trying to gather maybe somebody from a title company to have a meeting with and also with the Commissioners, if you'd like to be involved. And also the state representative and County Manager and sit down at the table and just go over all the issues there and then basically, after we kind of hear the issues there then come up with something that we can do that makes sense in that area there that we can do within the means of the law.

COMMISSIONER STEFANICS: Well, Mr. Chair and Mr. Martinez, I know Ms. Miller and Tony are listening, but this also is a legal issue, so this has been under discussion quite a bit so I hope that you circle round with any legal discussion and activities that have been going on around this. I'm a little concerned, and I've said this about other departments here, that the right hand and the left hand work together because we are ending up – it is legal. Thank you very much. That's all.

MR. MARTINEZ: And just to refer that question, yes, we are going to get – Legal will be involved in the conversation.

COMMISSIONER STEFANICS: Thank you.

COMMISSIONER CHAVEZ: Commissioner Holian, go ahead.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Mr. Assessor for the presentation. I just have question, I guess about process. Let's say that one of your staff determines from an aerial photograph that a homeowner has constructed an addition on to their home but they have not reported this to the Assessor's Office. What is the process that you go through for updating the valuation of that home?

MR. MARTINEZ: Well, first of all we would look for a building permit, which we review the building permits monthly, so we would look at that first. And then typically, if they pulled a permit we would get that information from them and then we send a letter to the property owner saying that we know that they have pulled a permit and usually we ask for their contact information. And then usually they contact us and then we set an appointment with the property to go review that addition or we get that information over the phone there, and then we calculate it into the next year's value.

COMMISSIONER HOLIAN: Thank you.

COMMISSIONER CHAVEZ: Any other questions? Commissioner Roybal.

COMMISSIONER ROYBAL: Mr. Chair, Mr. Martinez, I had a question.

The 150 people that protested in that community of El Rancho is where I'm assuming all these protests you were talking about. If you guys do determine that there is – and you come up with a number or an amount that you are going to devalue the properties, according to the appraised value in the Assessor's Office, the rest of the properties, the owners, they had up to a certain amount of time to protest their taxes, right? But if there's 150 out there would that affect any of the rest of the properties that didn't protest? Would it bring all of them down since they're all in the situation? Did you determine that?

MR. MARTINEZ: Well, it would be their value, but what would happen is if they missed that protest process, the next step would be having to file in district court or wait for the following year to file an appeal. We were hoping that at that time when people were filing that they would all have filed together and we would have got the majority of people that the properties were affected. But if in case that they missed it they can come talk to me and I can go through that process with them.

COMMISSIONER ROYBAL: Okay. And do you happen to know what the percentage is of the total homes there, how much 150 represents?

MR. MARTINEZ: I think it's roughly right around \$17 million in value and probably – they're protesting basically to cut their value in half is a lot of them there.

COMMISSIONER ROYBAL: Okay, and do you know how many residents are actually there and there's 150 protesting?

MR. MARTINEZ: How many residents? Well, there's some residents that have multiple protests so I didn't really count the residents but some of them had three or four properties but 155 total protested.

[Commissioner Anaya joined the meeting.]

MR. MARTINEZ: I have that number but I don't have that number – I do have it in the office but I didn't bring it.

COMMISSIONER ROYBAL: I was just wondering if it's like 20 percent of the residents in that area protested.

MR. MARTINEZ: I could probably get that number to you.

COMMISSIONER ROYBAL: Okay. Thank you.

MR. MARTINEZ: Commissioner, any questions?

CHAIR ANAYA: Thank you for being here, Mr. Assessor. I apologize. I was a little late today.

COMMISSIONER CHAVEZ: So, Mr. Chair, Mr. Martinez, I have a question. It's probably just for my clarification. You're using digital aerial photographs, and that's Pictometry, International, but then you're using a GIS mapping system. Are those two different tools that you use for keeping track of parcels in the county?

MR. MARTINEZ: Yes, GIS – they work together. GIS has the imagery in there but with parcels inlaid in there. So we're utilizing both, basically. The overlay and the photographs.

COMMISSIONER CHAVEZ: Will both of those save some staff time in going door to door?

MR. MARTINEZ: Yes.

COMMISSIONER CHAVEZ: Or do you still need the door to door?

MR. MARTINEZ: No, it's going to save staff time to go door to door, than having to go door to door.

COMMISSIONER CHAVEZ: But door to door is still a large part of what you do, right?

MR. MARTINEZ: It's a large part but with technology and how technology is changing it's just giving us the ability to do things more efficiently than in the past, having to go door to door to each property, go up a mile, knock on the door. We're looking just for changes in the property. If there's no changes we're not going to bother the property owner; we're just going to note that there's no change to that property for that tax year.

COMMISSIONER CHAVEZ: And does the aerial component help? I guess it must help more where you have property owners that don't want staff on their property, right?

MR. MARTINEZ: Exactly. So it helps us with that so we don't bother the constituent if they don't want us on their property.

COMMISSIONER CHAVEZ: So the pictometry, if that the drone?

MR. MARTINEZ: No, it's just – they're aerial photographs, just at an oblique imagery, a 30 degree angle.

COMMISSIONER CHAVEZ: So just to know, we have a resolution attached to this item that would require a vote, so whenever you're ready.

**III. A. 7. b. Resolution No. 2015-69, a Resolution Approving the County Assessor's Property Valuation Program in Accordance with State Statute [Exhibit 3: Staff Memo and Resolution Text]**

MR. MARTINEZ: So I request for approval of the valuation maintenance program.

CHAIR ANAYA: Commissioner Stefanics

COMMISSIONER STEFANICS: I move approval of Resolution 2015-69.

COMMISSIONER HOLIAN: I'll second.

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: There's a motion to approve, second by Commissioner Roybal and Commissioner Holian. Any further discussion? Seeing none.

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

[The Commission recessed from 4:12 to 4:30.]

**IX. FISCAL YEAR 2016 BUDGET PRESENTATION AND POSSIBLE DIRECTION**

**A. Presentation and Discussion of FY 2016 Budget, Budget Development Process and Cash Reserve Policy [Exhibit 4: Presentation]**

CHAIR ANAYA: We'll get back into session. I want to thank the Commissioners. I want to thank the vice chair for assisting with the meeting and taking care of business. I very much appreciate it.

COMMISSIONER CHAVEZ: Thank you, Chair. It gave me some practice so I appreciate that.

CHAIR ANAYA: I understand you did a fantastic job so thank you for that. Also, I want to let the record reflect that I voted in the affirmative on the previous items that were before us on the Board of County Commissioners. If there was a split vote I would say I cast my vote in the majority. So I wanted to say that on the record.

MS. MILLER: Mr. Chair.

CHAIR ANAYA: Ms. Miller.

MS. MILLER: They were all 4-0, so if you would like to make them 5-0 I think we could do that.

CHAIR ANAYA: Okay. I'd like to have that done. I just want to say on the record that I believe, Mr. Vice Chair and Commissioner Holian requested item III.C. 4 be moved to as close to 6:00 as possible so we'll do that.

COMMISSIONER CHAVEZ: That's correct. Yes.

CHAIR ANAYA: We'll do that as well. And for now we'll go to the budget study session. Ms. Miller.

MS. MILLER: Mr. Chair, since this may take a while I thought Carole might like to sit down rather than stand up there. So I asked Carole to be up here, but I would like Carole to introduce her staff, her budget staff, and we have a new budget director who just started yesterday, so he's gotten thrown right into the mix. Carole, if you would do that I'd appreciate it.

MS. JARAMILLO: Mr. Chair, Commissioners, I do want to introduce my staff. They are definitely the brains behind the operation so I'll ask them to stand as I introduce them. I think everybody is familiar with Sharon Vigil Ramirez. She's been in budget for a really long time and she keeps me straight. And then we do have Adam Johnson. He is our new budget administrator. He just started yesterday. And then Nonnie Ramirez has been in budget for about six months, but she's been around the County for about 11 years. So these are the staff people that keep this whole budget operation going.

MS. MILLER: With that, Mr. Chair, I'd like Carole to go ahead and start with the budget presentation, and what we're actually trying to accomplish today is as you know, the interim budget is required to be submitted to the Department of Finance and Administration by May 31<sup>st</sup>. And our next BCC meeting is May 26<sup>th</sup>. So we'll be bringing back at that meeting the resolution to approve the interim budget but we need some major decisions to be made today in order to actually populate information into the system and to be able to generate the actual final numbers for the interim budget.

And while I'm on the subject I might as well bring up the final budget adoption and get some feedback from the Commission. Final budget is due to the Department of Finance and Administration on June 30<sup>th</sup>. June 30<sup>th</sup> is the last Tuesday of June and when we would normally have a BCC meeting the second and the last Tuesday. When that was realized before we did the meeting resolution it got moved to June 23<sup>rd</sup>. However, it did not get clarified, I think, when the meeting resolution was passed that we had made that change. The reason we did that is we actually had to get approval from the Commission

of the final budget, and then we have to enter it into our accounting system and budget system so it rolls over July 1 and the departments can actually use their budget.

If the Commission – so we currently have it scheduled on the 23<sup>rd</sup> but my understanding is that not everyone can be here on June 23<sup>rd</sup>, so we could move the meeting back to June 30<sup>th</sup> – I don't think that's a problem, as long as the Commission would be okay approving the final budget at the first meeting in June. In other words, if there's any changes needed between the interim and the final budget that we do those at the meeting – I think it's June 12<sup>th</sup> or something like that, or June 13<sup>th</sup>, so that the Finance staff can actually enter the final budget into the system by June 30<sup>th</sup>. So it's completely at the Board's discretion how you'd like to handle that but that's our request, just that we be able to get the final budget approved at the first meeting in June then, and then if there were any other changes that needed to be made to the budget after it's approved, you know we can bring budget adjustment back and we would be able to do those in August if that were necessary. We typically have not needed to do that so I just put that out for discussion by the Commission please.

CHAIR ANAYA: So Ms. Miller, and I apologize if I didn't catch it but I don't have a problem moving the meeting from the 30<sup>th</sup> to the 23<sup>rd</sup>.

MS. MILLER: Mr. Chair, it's the other way around. What happened is we in the meeting resolution had moved it to the 23<sup>rd</sup>, but unfortunately that wasn't discussed when that meeting's resolution was passed by the Board, so it didn't get really talked out as to whether that would be a problem. And so it just got realized that that actually conflicts with some of the Commissioners schedules to have it on the 23<sup>rd</sup>. So we could move it back to the 30<sup>th</sup>, which is our regular meeting date but all I would request is that we do approve the final budget before that.

CHAIR ANAYA: Okay. What's the pleasure of the Board? The 30<sup>th</sup> actually posed a conflict for me but whatever the pleasure of the Board is I'll do. What's the pleasure of the Board?

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I could come on the 23<sup>rd</sup> late. I wouldn't be available for 1:00, 2:00. I could maybe be here by 3:00 or 3:30. That's fine with me if the other Commissioners are okay with that, meeting on the 23<sup>rd</sup>. Mr. Vice Chair? So we'll just have to start time, 3:00? Commissioner Stefanics are you okay if we have the Housing meeting?

COMMISSIONER STEFANICS: I think if other people are coming, able to attend, fine. But Commissioner Roybal has a comment.

COMMISSIONER ROYBAL: I'll be out of town on the 23<sup>rd</sup> and actually that's the day I'm returning. So I won't be able to attend.

COMMISSIONER HOLIAN: Mr. Chair, I'm fine with actually finalizing the budget on June 9<sup>th</sup>.

CHAIR ANAYA: I guess we'll just have the meeting on the 23<sup>rd</sup>. You won't be here at all that day, Commissioner?

COMMISSIONER ROYBAL: It depends on when the flight gets in, but there's a possibility but I couldn't say for sure. I've just got to be on a six-hour flight.

CHAIR ANAYA: We'll just leave it on the 30<sup>th</sup> and maybe I'll just be the

only one absent. How's that?

COMMISSIONER HOLIAN: However, Mr. Chair, I think that we should clarify that we're going to finalize the budget on June 9<sup>th</sup>. We really can't do much fiddling with the budget on June 30<sup>th</sup>.

CHAIR ANAYA: We can always make changes if we need to.

COMMISSIONER HOLIAN: And we can make changes later on as our County Manager pointed out. We always do. I mean we often do make budget adjustments during the year.

MS. MILLER: Mr. Chair, we'll move the meeting back to the 30<sup>th</sup> at 2:00 and we will have our final budget actions on June 9<sup>th</sup>.

CHAIR ANAYA: Let the record reflect that the Chair made concessions for the good of the order. Thank you, Commissioners.

MS. MILLER: Thank you, Mr. Chair. So with that, I'll turn it over to Carole to go through the budget presentation. Part of the – we just handed this out. What this reflects is what we discussed at the budget study session a month ago and then what we are recommending based upon the departments and at the end we will be asking for some specific decisions on new initiatives, cost of living, fixed assets and some of the base increases.

MS. JARAMILLO: Mr. Chair, Commissioners. We handed you out the presentation. If you would turn to page 2 it is a copy of the budget calendar. It just indicates where we are in the process and reiterates what the County Manager just mentioned, that we would be bringing forward the interim budget to you on May 26<sup>th</sup> for approval, and then we will bring forward the final budget – this is reflecting the 23<sup>rd</sup> but as we just decided we would be bringing forward the final budget to you on the 9<sup>th</sup>.

On slide 3 we are just reminding you of what was presented to you on the last budget study session, indicating what the budget priorities that you gave us that have been incorporated into the budget. To go over those quickly, we have open space and trails master planning and maintenance, facilities maintenance, water planning, economic development initiatives, youth programs and summer interns, road maintenance, wildland-urban interface programs, continued investment in employees and professional development, compensation package and union contracts, senior services, energy efficiency and renewable energy programs, and programming and operational funding for new facilities.

To recap on what we are expecting to have for revenue and expense for FY15, the current year, compared to the budget, our FY 2015 recurring revenue budget was about \$106.1 million. That is compared to a recurring expense budget of \$109.1 million, and that leaves us with an expense from budgeted cash of about \$3 million, what we refer to as the budget gap. In actuality, we're anticipating that we will actually bring in recurring revenue of \$110 million, and recurring expense will come in at about \$100.8 million. This leaves us with an estimated \$9.2 million in revenue in excess of our expenses, which we refer to as dropping to cash, and this is as we mentioned to you in the past, this excess is what we use to finance one-time expenses like our fixed assets replacements and capital as well as what we use to fill the budget gap in the following fiscal year.

These revenue amounts, although we have recurring sources such as the capital outlay GRT and the hold-harmless GRT, those are recurring sources, but they're not

included in these figures because they are actually used for non-recurring expenses, so I left those out of the equations just so that we could try and compare apples to apples.

So if you move to slide 5, fiscal year 2016, the recurring revenue and recurring expense that we're expecting – estimates for revenue are \$105.1 million and the requests that we received for recurring expenses are \$109.8 million. This leaves us with a recurring expense that we would need to budget from cash of \$4.7 million. These amounts, the expense and amount we would have to budget from cash are before any increases that you all decide upon for additional compensation for the staff or FTE requests, and all of that would total \$3.5 million if 100 percent of that was funded.

So if we are talking about the revenue, the declines in the revenue that you see for FY 15 to FY 16 in the budget are a net result of a couple of things. They're increases to property tax revenue and gross receipts tax revenue, but that is unfortunately being offset by a potential loss of payment in lieu of taxes and reductions in care of prisoners revenue. So we do see an actual decline in revenue overall, even though some of our primary sources – property taxes and gross receipts taxes – are going up slightly. Excluded again from the amounts above are recurring sources which are associated with debt and those that are restricted to expenses to be non-recurring, the capital outlay and one-time large maintenance projects.

So our revenue assumptions for FY 16 are increase in property taxes of about \$1 million. Increase in gross receipts taxes of about \$1.1 million, which is a three percent increase. That is for both countywide and unincorporated gross receipts taxes, and if you net that against what we're losing in the hold-harmless distribution reduction which takes effect on July 1<sup>st</sup> it actually ends up being an increase of about 2.43 percent.

We left our state shared taxes flat. Our care of prisoners revenue, we are budgeting a decline of \$2.5 million or about 36.3 percent of that amount. Our water and wastewater charges are increasing by \$200,000. Our land use permitting fees, we are estimating a decrease of about \$200,000, and again, we did not count on getting payment in lieu of taxes and that is about \$700,000 in reduction to the general fund.

Also, to remind you that we are working on our transition to performance based budgeting and the Commission passed Resolution 2011-24 back in 2011 and that requires the County departments to a results accountable and performance based budget. We are in the midst of this transition. FY13 through 15 budgets were the early transitional phases and they entail defining division functions and then expanding to department-wide and we are tracking performance measures. All that has been taking place for the last three fiscal years including the one we're in. For FY 16 senior staff consolidated and retooled the County's seven key areas of focus and consolidated them into four Countywide goals and each of these have three to five objectives, and that is building upon the 2011 resolution.

If you look onto slide 8, the basis of our budget recommendations this year, we did request that our departments maintain their budgets flat. Any shortfalls that they were seeing possibly in one division we allowed to be filled by excesses that they may have in another division within the department, so we allowed some reallocation. The net department base increase or decrease is after any reallocation. We looked for the departments, if they were requesting new FTEs, we asked that they try and find budget efficiencies or reallocate or reclassify vacant positions or reduce contractual savings or

some other way to fund their FTE requests.

Expansion requests are broken out separately for purposes of this discussion and we do have prioritized FTE requests and fixed asset requests.

The increases to the base this year include a five percent increase to health insurance, a 25 percent increase to our multi-line and other liability insurances and workers' comp, a 15 percent increase to the low income property tax rebate, and expanding utilities enterprise operation and BDD.

CHAIR ANAYA: Ms. Jaramillo, a couple of items, I wanted to build up some points and then get some feedback from Commissioners if they have any and I surely want to get some feedback from the Manager because I know you attended your first multi-line meeting the other day I believe. So we had a Workman's Compensation last week at the Association of Counties and the Class A counties in particular, specifically Bernalillo County and Santa Fe County, and Dona Ana chimed in as well as Sandoval. We had a discussion about the proposed increases that the board was putting forward, the Workman's Comp board. And there were actuarial – I think I'm saying that right – projections made associated with each county, what their respective payrolls are, and Katherine I want you to get into a little discussion for the Board's edification and understanding as to how actuarials take that information and then project it or estimate it, either decrease, remain flat or a proposed increase.

Based on our payroll, based on those actuarial estimates for Workman's Compensation, and I'll let Ms. Miller comment on multi-line, but on Workman's Comp, our costs are going up quite a bit. And one of the things that Bernalillo County pointed out was that if you take the net – the total increase of expense to counties, between Bernalillo County and Santa Fe we're taking about half that increase. So that's why I started asking expanded questions.

And so the essence of the increase comes down to the overall estimates in our growth in payroll and Ms. Miller pointed out to me that the growth from the new courthouse, as well as the additional deputies – and there was one other. What was the other?

MS. MILLER: Mr. Chair, compensation. All the union agreements and increased compensation.

CHAIR ANAYA: Union compensation agreements is what kicked our payroll up. And so when we actually analyze in the scope of those increases and our total employees it's actually not a net overall increase. It's an increase to us in expense, but when you take into consideration that increased salary and those increased compensations, that's what's calculated as part of the overall calculation. Bernalillo chimed in that they had concerns. Sandoval didn't have so many concerns but they did make some comments. Dona Ana County said that they had some concerns.

So one of the things that we agree upon in Workman's Comp was that NMAC needs to have a policy that has a period of time that they not only reach out to those of us that sit on the board, myself and Ms. Miller, but reach out to the managers so that the managers can reach out to the rest of the Commissions and leave the staff and Finance staff to make sure that everybody's aware before final recommendations come, either Workman's Comp or multi-line. So it was a lengthy discussion. It does result in an increase to us and so that's why I think the discussion was worthy, but I'm going to go

ahead and defer to Ms. Miller now to make some comments.

MS. MILLER: Yes, Mr. Chair, one of the questions you had asked is did we have about a five percent increase in payroll and we did. Our payroll, for insurance purposes I had to look at what they look at in the audit when they do a payroll audit, but I think we had gone from a budget of about \$44 million to – I want to say we did it to about \$46 million, and what that consisted of in that particular time, and we don't use all that but this is a budget, was that we did increases for compensation at the jail. We did increases where we went from \$12.50 to \$15.40 for our starting pay for our corrections officers. We had – and then all the way up the scale, so there were increases there. We had increases in all of our contracts which were at least one percent per year. For employees we did COLA increases and merits across the whole county.

So quite a bit of it – and I want to say that was about a million something, and then we had new FTEs. And you'll see when we get to in this budget the FTE request. It's not just the new employee salary and benefits you have to keep in mind when we add an FTE but it's the increase to our Worker's Compensation as well, because it is based upon increases in payroll.

Now the other side of it too, they do look at our actual payroll and as I said we budget at 100 percent rate in our departments saying that every position will be filled 100 percent of the time, but we know that that's not the case and that's the funding that Carole showed in one slide where we have about \$9 million dropping out of the budget, about \$5 million of that is salaries from vacancies that that falls out of the budget. So even though we budget about \$46 million in payroll this past calendar year we used maybe \$42 million I believe.

So that's one factor. Another factor is the type of employee. Somebody who sits at a desk is less of a Worker's Comp risk than a Sheriff's deputy or a Public Safety employee who's likely to have a higher danger. So firefighters, correctional officers, and Sheriff's deputies, those are factored in the Worker's Comp rate at a higher rate, so they might be like 1.25 versus .8 of a factor. And that's our biggest area of employment as well, is Public Safety, between our career staff at the Fire Department, our correctional officers and our deputies, you're talking over a third of our employees. Maybe even closer to a half.

So that's one of the reasons for the increases in Worker's Comp, and then another factor on multi-line, counties tend to just have multi-line and law enforcement, counties really get hard because of detention facilities and there are lots of lawsuits out there for anything that happens in a detention facility, any interaction with law enforcement. They're just on the rise across the country. In addition, the bigger counties also have – you'll see the same thing in the insurance pools. Now, Worker's Comp goes on a fiscal year basis so that's why they're discussing the increases to Worker's Comp right now. Multi-line and law enforcement goes on a calendar year so we had already factored in that increase. We had an increase of about nine percent in multi-line and I want to say two percent on law enforcement, but we will probably see next January an even larger increase because the pools as a whole have been hit hard and they don't have very high reserves.

So that's what's happening with our insurance and a part of the association but the big drain on the multiline and law enforcement tend to be the issues that jails and

Sheriff's deputies or law enforcement and then there's the Whistleblower Act has also created a large drain on the insurance pools.

CHAIR ANAYA: So where we left it, Ms. Miller, was for the Class A counties, we didn't adopt the increases as they presented them. We recommended and what I would like an engaging discussion on, what the Association of Counties in partnership with our legal staff and whatever else you need to discuss alternates that might be available to us as far as adjusting our deductibles and how we handle our coverage to in essence, try and keep our rate as stagnant as we can. And so I'm going to leave that up to you as to whether or not we can get there, but we do have the window between now and the actual board of directors meeting at the June conference. We're going to have a special meeting of Workman's Comp to revisit the issue so we have a few weeks by which you can work with Mr. Shaffer and whoever else you need to to maybe come up with some modifications.

The other thing I wanted to bring up on slide 6, and I've brought it up a few times before and Commissioner Stefanics had brought it up several months ago is I do want to get us on track for sunseting the low income property tax and I proposed a target date of the end of 16, December 2016 for you to review and provide us some recommendations. Along with that, as being a discussion about utilizing those offsetting revenues to facilitate our own direct program in solid waste as opposed to the program that exists now that we don't have any direct responsibility for.

MS. MILLER: And Mr. Chair, we have been looking at the low income property tax rebate. If we sunset it in at the end of 2016 it's still from a budget perspective wouldn't be available until 2018 because it goes on tax year, so it has a delay because we pay for the previous tax year. So we wouldn't see a budget impact on that until 2018.

CHAIR ANAYA: All the more reason to sunset it as soon as we can.

COMMISSIONER CHAVEZ: So, Mr. Chair.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: So in sunseting that provision then, that would be the citizens who are 65 and older are eligible for a tax refund.

MS. MILLER: Mr. Chair, Commissioner, I can help you out with that. What it is is based upon your income, if you are, say, I believe the cap on it is about \$24,000. It might even be lower than that, but if your income is under a certain level and it's a fairly low income level, and you pay property taxes – you own a property and you pay property taxes, what the County currently does is you get a rebate on your income taxes by showing proof of paying property taxes. And the maximum you can get a rebate on is up to \$250.

So, say – and I believe you have to be in a really low income for that, probably somewhere \$12,000 to \$15,000 of income, on your New Mexico state income tax, then you would, on that actual tax form there is a place to get a credit or a rebate on your income taxes of up to \$250, if you have paid more than that on your property taxes. One of the problems with it is property taxes include everybody's – every entity's, the schools, the state, the City, the County operational and any other taxing entity – higher education, community colleges. And so your full tax bill goes out to numerous entities. The County only receives about a third of that tax bill in Santa Fe.

So we're rebating – we're providing the full rebate out of our general fund to an individual's income taxes. So what happens is, the state, as people file their income taxes, they get up to \$250 back on their income taxes, at the end of the tax year the state sends us a bill that says how much under that rebate program they paid out to Santa Fe County. You don't even necessarily have to be a resident to tell you the truth. If they live in another county but own a property here they would get the rebate. It's just they had to have paid Santa Fe County property taxes and have a low income. And they get it back on their income taxes and then we refund the state.

And that amount started in the first year of about \$300,000. I think our first tax year that it was done was 2010, so on our fiscal year 2011 we rebated about – a little over \$300,000 and now we are estimating for next year's something close to \$635,000, based upon, it's been going up anywhere from 10 to 15 percent per year.

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

CHAIR ANAYA: Thank you. Are there any other comments?

COMMISSIONER CHAVEZ: Oh, I have – I actually had one question on this expanding utilities enterprise operation and BDD, I guess that's two pieces, right? Because the utilities enterprise and BDD are two separate –

MS. MILLER: Mr. Chair and Commissioner Chavez, yes. So utilities, they're an enterprise fund. They actually are trying to get more customers to the water and sewer system so some of the increase in their budget, you see the increase in customers, you'll see an increase in revenue based upon increase in customers and you'll see an increase in expense based upon delivering those services. But the BDD has to do with the expense of the wholesale water from the City. So that, we still need to plan for something there and that will be a future determination of exactly what that is based upon the decision with what we're going to do with the City's interpretation of the water resources agreement and with ours, but we are planning at a minimum of some cost for that.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair.

CHAIR ANAYA: Thank you. Continue, Ms. Jaramillo, unless there's other questions. Thank you for those clarifications. I think they're prudent and important to our budget. So thanks for those updates, Ms. Miller. Ms. Jaramillo.

MS. JARAMILLO: Mr. Chair, Commissioners, thanks. I'll continue. The next several slides, you'll see one by one lists the offices and departments within the County and basic information about the budget request, the base for 2015, the base request for 2016, information on increases to the base, any expanded services that are being requested broken out for you. So the first slide that shows on slide number 10 is the County Manager's Office. The County Manager's Office does include not only the Manager but the Commission, the intergovernmental summit, the Human Resources Division and the Finance Division. It's all included under the County Manager's umbrella.

That office shows an increase to the base of \$137,000 from 2015 to 2016 and the largest portion of that would be that increase to the low income property tax rebate. Also included in there are increases to employee benefits and increases to health insurance. And when I say increases to employee benefits that would be the ones that are covered explicitly by HR. Requested expansions within the County Manager's umbrella are the

wellness program, for \$100,000. Increased meeting broadcasting has been requested. That's an increase of \$30,000 and a one-time expansion to do a logo redesign. The total expansions are \$280,000 requested for a net increase of \$417,000 in the Manager's Office.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I have a question about this increased meeting broadcasting. What exactly does that consist of?

MS. MILLER: Mr. Chair, Commissioner Holian, we've had a couple of requests for broadcasting the BCC meeting in the south and in the north. I have to go back to 2010, maybe. Our meetings resolution states that where we broadcast the meetings and how we air the meetings and we had a citizens survey. At the time we used to broadcast in the north. So we did KDCE, KSFR, KSWV and also the TV public access and on our website. But during the time we were still cutting budgets we cut out probably about \$60,000 out of that budget, based upon the responses in the citizens survey and we changed our meetings resolution to only reflect the three items – the internet, KSWV and the public access.

Since then though we've had requests from both the north, to do some broadcasting, and then Commissioner Anaya has also requested we broadcast the meeting on the Edgewood station. I'm sorry; I don't know the number.

CHAIR ANAYA: It's a public radio station in the Estancia Basin.

MS. MILLER: Okay. So we've been working on getting quotes and estimates of what that is so right now we have I think \$10,000 was for broadcasting BCC in Edgewood. There was \$5,000 for a radio show, and then just mirrored that with KDCE because I haven't had a chance to actually talk to them yet. But that's the estimate to put it into more stations of what we were trying to do.

COMMISSIONER HOLIAN: So those areas do not currently get a radio broadcast from any of our other outlets? Well, I guess they get it from the internet.

MS. MILLER: Mr. Chair, Commissioner Holian, it's my understanding that KSWV does not reach that far south in all areas and additionally up north.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: On this, I actually talked to Estevan Gonzales and he indicated that KSWV goes up to Raton and down to Belen, and that they even have more equipment that they can put in sites if there's difficulty receiving them. So I think our staff needs to check this out. Because if there is availability, north and south, we should be using what's available. If it's not, then it's warranted.

CHAIR ANAYA: I would comment to that to say that I appreciate very much – we're on KSWV right now, and I appreciate their broadcasts and their work and where they go, but also there's additional demographics, different people listen to different radio stations and this is a public radio station and I stand steadfast to not only insist in the north with the resources but also in the south with public radio and accessing additional people that maybe don't listen to KSWV radio.

COMMISSIONER STEFANICS: Well, Mr. Chair, I appreciate that but I think that what we did is we cut out KSFR, did we not? And that's out public radio

station locally too. So there is a demographic here as well that relied on KSFR.

CHAIR ANAYA: Commissioner Stefanics, I'm happy to have more broad discussions but in this central region of Santa Fe there's access to the television station here that people that live in this central region have that many in the rest of the county don't have. So there's more alternatives. I would also say that internet access is not as readily available as I would think you know in the rural areas, or it's a higher expense to people that they can't afford to put in satellites in their homes to get that access. So it's a more costly endeavor. So the more public purposes and public access we have, from my perspective, the better. Commissioner Chavez.

COMMISSIONER CHAVEZ: I'm just wondering if these public radio stations are already providing some access for us to go on the air to tell our story already. Is that not happening on its own?

CHAIR ANAYA: There's definitely public things that public radio provides but as you might now it costs resources to be able to have air time and this specifically is targeting our meetings, our actual Board of County Commission meetings and their rebroadcasts. And as we are with KSWV we're on from beginning to end so this wouldn't be a live broadcast, because that's a lot more costly to do. This is a rebroadcast of the meeting, a recorded broadcast at a later date, similar to what's happening on the TV access channel.

COMMISSIONER CHAVEZ: And I had just one follow-up question to the County Manager. Ms. Miller, the increased budget request of the \$30,000, would that cover both of the requests that we're considering?

MS. MILLER: Mr. Chair, Commissioner Chavez, we have an estimate from the Edgewood station which is \$10,000 for a broadcast of the meetings. We're still working on the details of that, and then \$5,000 for a talk show. I don't know the details of that. And then we have – I just mirrored that to do something similar up north, but as I said, I haven't had the discussions. The staff has not had discussions. We've just had several requests from KDCE to do some kind of broadcasting in the north. It was also something that previously, the previous Commissioner from there had requested, and as I said, we have a resolution that says where we'll broadcast, so I'll have to bring that back to the Commission before I'd do anything and I'd hope that we would know specifics before we did that as well.

COMMISSIONER CHAVEZ: So maybe the first step would be to renew and update the resolution that's directing us to date. And in that would we be able to identify other possible stations that would meet our needs and know what the dollar amount would be.

MS. MILLER: Mr. Chair, I'd have to know before I bring the resolution back, we'd have to know what stations could actually provide and how much that will cost. Because some of them, they don't want to broadcast our meeting and certainly not live or in entirety, so it's working out details of how they could broadcast, whether they would just broadcast live a certain portion of the meeting or whether they would edit a tape of the meeting and broadcast certain issues. So these have been things that we've been trying to work on in the north and south and then we'd have to go back. I know what we did cut out of the budget was around \$60,000, so we're not looking at going back to that same level of funding again, but I just was trying to put some funding in so

we could explore some options and then bring the resolution back.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, I think it would be important to do some research and to see what the extent of KSWV is, because they broadcast the entire meeting and they do it live, is my understanding. Am I correct? And also what the extent of KDCE is as well, so that we have that information to make a decision. If somebody can hear the meeting live in its entirety, it really doesn't matter what station it's on. They'll listen to it if they want to.

CHAIR ANAYA: Okay, Ms. Miller. I'm going to say on the record that I've been trying to get this done for a long time. I've said it publicly and if we're going to draw lines in the sand I guess that's what we're going to do. But go ahead and get some more feedback. I know Ms. Jaramillo and Mr. Barela have been working with a public radio station down in the Estancia Basin. Get the addition information for KDCE and bring it back and we'll go from there. Ms. Jaramillo.

MS. JARAMILLO: Thank you, Mr. Chair. If we move on to slide number 11, I have the Administrative Services Department. Underneath Administrative Services is their administrative function, the Legal Office, Information Technology, Purchasing, our mailroom and our Risk Management. They have a small increase to their base, which is the net of reductions that they made and increases of course to the multi-line, Worker's Comp insurance that we have budgeted as well as health insurance. They did not request any expansions and their net increase to their base from FY 2015 is \$29,189.

Slide 12 shows Community Services. Community Services has a number of areas that fall under their purview. They have CSD admin, the satellite offices, the County Fair and extension services, all the community centers, DWI programs, detox grant, teen court, youth programs, health assistance program, community health and mobile health van and senior services. Their FY 15 total base budget was \$10.3 million, basically, and their base request in FY 16 is approximately the same. They have a small reduction to their base budget of \$12,717, and they have requested expansions, and that would be operational funding for the Max Coll Community Center, the Pojoaque Recreation Fields, the Stanley Cyclone Center. I should note that these amounts that you see here are not for a full year because they will not be operational for a full year in this fiscal year. Those amounts will go up next year to continue operations. And then under Community Safety we have additional funding for the youth programs. Total expansion request would be \$209,000 for a net overall increase, if the expansions are approved, of \$196,000.

MS. MILLER: Mr. Chair, I also want to point out on those expansion requests, we do receive funding on community centers from fees that people use. We have not – a lot of the budgets for that right now, we really are kind of guesstimating what they might be. We do anticipate on some of those facilities, like the ballfields and the cyclone center that we would have revenues to help offset any budget, but we have to kind of get them up and running and get a better estimate of what that will be. So we have not included additional revenues yet and we don't really know for sure whether these expenses are going to play out exactly like that. But we want to start building those into the budget now and then as we go through the process we may find a lot of the expenses covered by either – like with the ballfields, with the leagues that use them, they may in exchange do some kind of maintenance. Also in the Stanley Center we anticipate that

there will be a lot of events that would be paying events. So that would offset costs there as well. But we haven't – until we get them up and running we don't know for sure exactly what the full picture of each one of those facilities will look like.

COMMISSIONER HOLIAN: Mr. Chair, I have a question.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Could you expand on the youth programs, what those are about?

MS. MILLER: Mr. Chair, Commissioners, we have – every year we have funded different youth programs and it started out – I'll go back years ago – we would do just kind of \$20,000 to a couple of the school districts to do summer programs. But over the past several years we've been expanding our youth funding and we have currently – we just did an RFP. We funded 11 different youth programs throughout the county totaling \$125,000, plus we have – so we did an RFP. We received – and that was for summer and after-school programs, and we had the – the maximum award was \$20,000 and we had like I said 11. And they ranged from \$5,000 up to \$20,000, and they were throughout the whole county.

There's Boys and Girls Club, there's Wildlife West, there's YMCA, Pomegranate Dance Studios. I'm trying to remember them all off the top of my head, but there's 11 of them. So this is one that we've been adding funding to every year and we've had a couple of requests for additional funding in there for the Boys and Girls Club, Santa Fe Opera, so we increased that recommendation by \$50,000. So there would be \$175,000 in that pool of funding, and then we also fund the Boys and Girls Club through our housing program and they I think are in their third year of a four-year contract that was bid out, and Boys and Girls Club runs the youth programs at our housing sites. And that's about \$130,000 a year for the three different sites and we do that one on an RFP. So in total we know have about \$300,000, about \$305,000 in the budget for youth programs.

COMMISSIONER HOLIAN: And any youth program could respond to the RFP and apply for possible funding?

MS. MILLER: Mr. Chair, Commissioner Holian, yes. And sometimes we have repeat ones and sometimes we have one-time ones. But we do an RFP every spring. I think we issue it around March and send it out to any of the ones that have had funding in the past as well as any that have expressed interest to be funded again.

COMMISSIONER HOLIAN: Great.

CHAIR ANAYA: Other questions or comments? Ms. Jaramillo.

MS. JARAMILLO: If we move onto slide number 13 we have the Growth Management Department. Under Growth Management we have Growth Management admin, the Planning Department, the SLCD, the GIS, Building and Development and Economic Development, all within Growth Management. They have requested a base budget for FY 16 for \$3.8 million. Again, a slight decrease from the base budget in FY 15 of about \$11,000. They have requested expansions for the open space. It's a one-time expense to do additional open space management plans. They've requested to Madrid open space, Ortiz Mountain Educational Preserve and Lamy open space in FY 16. So that, including expansions would be an increase to their budget of \$139,000.

MS. MILLER: Mr. Chair and Commissioners, just maybe a point of interest, we have three that we are working on awarding right now and that is La Cienega,

San Pedro and Los Potreros. So this was a two-year plan. This was something that we're funding out of one-time funding, not recurring, but over a two-year timeframe and these were priorities of the COLTPAC as well as the Commission. And I want to note too that that does not include Thornton Ranch because we have two completely separate contracts for Thornton Ranch that were funded by the Commission through the capital projects process. So we have phase 1 and phase 2 of a master plan and a phase 1 and a phase 2 of cultural resource inventory for Thornton Ranch. The total of those two contracts over two years is around \$600,000. But I just wanted to point that out because we did fund, trying to get Thornton Ranch master plans and to be able to do access to the ranch after we get the master plan and the conceptual trail system for that submitted to the State Cultural Affairs.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you. I just want to say how supportive I am of that and I think this is a really, really important step forward so I want to commend you for moving forward with that.

CHAIR ANAYA: Ms. Jaramillo.

MS. JARAMILLO: Mr. Chair, Commissioners, we show the Housing Department. Their base budget is actually decreasing in FY 16 from FY 15. What you see here includes only the Housing Choice vouchers, the CFP grant as they know it thus far, and their enterprise fund. The Housing Choice vouchers has been budgeted at a reduction and so has the CFP grant. In the case of the CFP grant it is merely because we don't know what FY 15's grant is yet, and so that does not go into the original budget. So it looks like a larger decrease in the base than will actually happen; that will just be budgeted later. Their total decrease for their overall operation of their recurring is \$142,000.

On slide number 15 we have Public Safety. Under Public Safety is Corrections, Fire and EMS and the RECC. I listed each of those particular budgets, their base budgets individually because overall it's such a large number I thought you might like to have the individual breakdown because they come from various sources. The Corrections budget remained reasonably flat, a small increase of \$25,000. The Fire and EMS also remained pretty flat, an increase of \$20,000. And the RECC also remained fairly flat at \$3,574,000 and that is an increase of \$32,000. So the total increase to their base across all of those departments under Public Safety is about \$78,000 and that increase is a net result of a variety of things. Of course the multi-line and Worker's Comp went up. The health insurance is going up, but they did experience reductions in some of their contracts, like the Corrections nursing contract we've reduced. The food services contract went up, the EM contracts went up, so it's just an up and down of a variety of different things within that organization.

The expansions that were requested are ongoing support of the wildland winter crew. They have requested new firefighter cadets and I'll amend this because we discovered that they had actually requested five; I have three here but we had overlooked two requests. Those were to support additional paid staff up in the northern region, which is why it's appearing under expansions. So with expansions to service their overall increase to their budget would be \$365,000. And I will note that in order to support some

of their FTE requests that they have, which you'll see later on in the presentation, they did in Corrections show a reduction to their contract nurses to help offset staff nurse, and in Fire and EMS they basically what we call sanded their budget down five percent in order to support one of the requests for cadets.

On slide number 16 is the Public Works Department. Public Works is also a rather large department so I have it broken down by division. We have transportation and solid waste, which includes Public Works admin, energy programs, fleet, traffic engineering, solid waste and road maintenance. They had a net decrease to their base in facilities and open space, which includes property control, building services, projects, open space and building space needs. They did have a net increase to their base so Public Works made some reallocations there and then the utilities operation, they had an increase to their base and part of that increase would be because of course expanding their services as well as the BDD budget, and this would be in the case of the actual – the agreement we have for the actual operation of the BCC increases. So the net for the increase to the base for Public Works is about \$275,000. Included in that would be that BDD budget and of course increases to multi-line and Worker's Comp. We did see some reductions in the overall solid waste expenses and then our health insurance increases for the staff.

They have requested expansions in their budget for Rio Grande Water Fund Watershed Preservation and solar advertising program. So their total expansions are \$50,000. So that results in a net increases to their budget of \$325,000 with those expansions.

Slide 17 covers the Assessor's Office and their base budget is showing an increase of \$46,761, primarily as a result of increased mail service costs for some of their outreach operations, as well as their health insurance. They did not have any expansion requests.

The Clerk's Office, the request is a \$94,000 reduction to their base over FY 2015 and that is primarily because they had budgeted in the current fiscal year to have some rental space that was not needed and so they did not put it in next year's budget. There is some small increase to health insurance in that budget as well.

The probate judge's budget is the smallest budget in the County and it is a tiny increase to the base of just under \$2,000. The probate judge is doing a bit more outreach in the coming year and currently than has been done in the past and so they had a small increase to their base.

The Sheriff's Office came in with about \$155,000 increase to their base budget request and that is primarily multi-line and Worker's Comp because of reasons that Katherine had mentioned – the law enforcement is a more expensive liability as well as their Worker's Comp rate is higher. So that's why that looks a little bit higher than some of the other increases to those types of insurance. Their base budget request is \$12.4 million. They did not request any expansions.

And finally, the Treasurer's Office. A small increase to their base of \$14,797.

So I did a summary just to put the whole thing together for you on slide number 22. The base request for FY 16 is \$109.6 million. That is \$477,000 greater than the base was in FY 15 and that is again, recurring expenses, and I have not included debt in that, just so you know. Got down to the very base. The increases to the base include the low

income property tax rebate, the multi-line and Worker's Comp increases, health insurance increases, contractual increases and our BDD agreement.

Requested expansions include the wellness program for \$100,000, increased meeting broadcasting of \$30,000, logo redesign which is one-time expense of \$150,000, Max Coll Community Center operations, \$12,000, Pojoaque Rec Fields operations, \$87,500, Stanley Cyclone operations, \$59,500, additional funding for youth programs, \$50,000, open space management plans, a one-time expense of \$150,000, wildland staff of \$141,000, expanded fire/EMS services in the northern region of \$146,000, and the Rio Grande Water Fund Watershed Preservation, a one-time expense of \$20,000, and a solar advertising program, a one-time expense of \$30,000.

So the total expansions are \$976,000. With the increase to the base and if all of the expansions are approved that would be a net increase to the budget of \$1.5 million.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'm sorry if you discussed this when I was out. The one item I think might be expendable is the logo redesign and I'd like to hear more about why we would want to spend \$150,000 on that. I think it's going to be a rather sensitive issue redesigning our County logo. I thought we were going to try to involve the public.

MS. MILLER: Mr. Chair, Commissioner Stefanics, we are going to. The logo redesign also includes once it's done, it will allow bus wraps and things like that. I probably should have Kristine come in and explain all of the components of it but basically we would work with a contractor, having them help us to a selection of the new logo. It would include community members actually submitting proposals for the new logo, but once it's selected, it would be launching it, rebranding everything. We'd need to change anything that has our logo on it and also develop a mission statement for the County that goes along with the logo. So the total cost includes all of that redesign of the logo, replacing anything that the logo was on and promoting the County under the new logo. So it's not just a logo; it's using that to actually kind of launch an image of the County or a branding of the County.

So this is just something that's come up over discussions and in order to do it probably we would need to change out anything that our current logo is on and also we would want to do it in conjunction with promoting the County and the things that we're doing and all the services that the County provides. So it would be out there in addition with the services we provide, promoting those services along with the new logo.

CHAIR ANAYA: What's the pleasure of the Commission? Are there other thoughts on the logo? Commissioners? Commissioner Chavez.

COMMISSIONER CHAVEZ: Well, I think that it's work that needs to be done. If the dollar amount is in question I think we could have that discussion, but a mission statement is important. I think the visual image that we have to represent the County I think is a little dated. I think it would be interesting to go through this process and see if the public was willing to engage or not and what the outcome might be. So I'm in general support of it. I think the concept is good. I don't know if maybe it could be done in a two-year period instead of maybe a one-year period and we budget that over time instead of all at once. I think that it's another way to get our message out. It goes in

line a little bit with the broadcasting of our meetings. That's critical information. I think that needs to get out in a timely fashion so maybe we look at these two items, the logo rebranding and the increased meeting broadcasting and maybe split it somewhere in the middle so that we can do a little bit of both but not give up on either of those. So that's kind of my take on it. I think it could be money well spent. I just think we need to be careful how we're doing it. So I'm generally in support of the logo redesign. I have a little bit more of a concern about the increase in broadcasting but I would be willing to look at the dollar amount and see if the goals or the outcome is something worth investing in. Thank you, Mr. Chair.

CHAIR ANAYA: Ms. Miller, do you want to respond first?

MS. MILLER: Mr. Chair, I was just going to suggest, Kristine is the one who put the proposal together and maybe she could elaborate on how she came up with that request and what we could do if we did it for less.

KRISTINE MIHELIC (Public Information Officer): Commission, Chair, yes. I did put together that base price and basically, as Katherine, just to mirror what she said, per our discussions in February, the initial concept of the logo will come from a community RFP. We are going to ask artists to submit what they envision for the logo and really be part of the creative design, an element of the logo. And then the financial part of it is more the implementation, selecting the logo, fine-tuning it, making sure that it's on key creating a message for the overall County, and really that rebrand effort.

But that's kind of the concept and as Katherine mentioned, it does incorporate the launch of the rebrand. So that includes the imaging, some of the logos that are vehicles, on our signs. That also includes ads, billboards, bus wraps, getting out the new. So it's inclusive of all of that. We could – I can look at changing some of that. What I've found and in speaking with other counties that have taken on this type of rebrand and design is that it's very impactful if it's all done kind of at one time and if some of your most visual logo areas can be addressed immediately, so that was what I took into consideration with the budget was if we could get the majority of this done initially and out front and at one time so that there's not the confusion of having two logos running simultaneously but really to kind of come out with this fresh brand and new image and just really launch everything at one time. It really helped solidify the new brand and the new name.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, I think that if we can afford this I would be all for just doing it as expeditiously as possible and I think that our logo does need modernizing and I think that the way that you've described the program it sounds like we're also going to get a lot of good information out there and PR for the County and so on, and so it has more than one purpose. And so I'm certainly very supportive of going forward with this effort.

MS. MIHELIC: Thank you, and Commissioner and Commissioner Holian, Mr. Chair, one of the things I do want to mention is that this is actually a very realistic budget. A lot of counties spend a lot more money from what I've found in my research, but really, us incorporating and tapping into our local artist community is – because a lot of other counties, what I found is they hired a firm to design the logo from the base and do research and we're kind of taking a different approach to pretty much any other county that I've found in that we're really wanting to identify people within our

community to create this logo and then going from there.

So that was another element because I know the \$150,000 was actually a kind of balance, per se and really us utilizing local talent and highlighting that in addition to creating this big.

COMMISSIONER HOLIAN: Well, we have a lot of artistic talent here, so it's great that we can take advantage of it.

MS. MIHELIC: Yes, I agree 100 percent.

CHAIR ANAYA: I'm going to go back to Commissioner Chavez but first I'm going to make a couple comments and seek some additional feedback. I know Commissioner Chavez is going to make some comments. [inaudible] I had two items on here that I had asked be put on here so that we could try and expand programs, and both of those items were singled out. The first was the additional resources for the youth programs. I specifically asked that we expand those programs and in particular, I asked for a specific purpose that we give the new Boys and Girls Club in the southern part of the county to pursue funding. Why? Because we had a presentation here and we had the Town of Edgewood here and we had other representatives from the public school system and the entire Estancia Basin promoting that, so I'm not shy about saying that. So that was put on discussion at the front.

The other was the increased broadcasting to expand the listening audience so that people could hear our meetings and understand what's going on on the Board of County Commissioners. Based on that prior dialogue and to be quite frank I'm a little frustrated with some of that but that's just the way things go when you enter these public positions. Now, I think Commissioner Stefanics brings up a good point. If I need to pick between what makes more sense and whether or not a \$150,000 logo design makes sense right now or youth programs or making sure our information is broadcast to a wider audience then I guess I would have to pick to broadcast to a wider audience and more money in youth funding.

And so there's a couple others I'm going to ask questions about but I'm going to reserve that for a minute. But just going to the logo redesign, Commissioners, what if we expanded youth funding another \$50,000 and award that to \$100,000 or give some consideration on maybe some other alternatives as opposed to that full amount. When I came here I didn't have a lot of reservations about it. I'm assuming it's come from discussions from the Commission, from staff, even the public. But I guess based on some other prior discussions I guess maybe I should ask a few more critical questions. But I'm going to go back to you for now, Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I don't have any issue with additional funding for youth programs. I think that would be on the top of my list. I think that the increased meeting broadcasts – and I apologize, Mr. Chair, but I didn't see that coming. I didn't see that as part of the last budget study session, so that did catch me a little off guard. Not the case with the logo redesign because that was more fresh in my mind. So I again, I'd like to find out more about the increased meeting broadcasting. I'm not totally opposed to it. I do think that the logo redesign is probably worth the time and the money. I think that would be a good investment. And you can't argue against youth programs because that's really our foundation.

So I don't know. I guess I would be open to reallocating some of that but I

wouldn't want to water anything down so that we're not effective in what we're doing. So I guess that's my feedback at this point.

CHAIR ANAYA: Thanks, Commissioner Chavez. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I know that the staff have gone through a process with all these requests and I appreciate that, and we haven't gotten to personnel yet. How are we going to pay for all of this? Let's say we just want to be goodhearted up here and say yes to everything that you're recommending. So I don't think we've gotten to the bottom line yet. So we could in fact approve everything if we know we have a source of funding that is stable, or are we taking all of this out of reserves?

MS. MILLER: Mr. Chair, Commissioners, the reason we started with the first slide that shows what our budget looks like in total in FY 15, recurring to recurring, and in 16, recurring to recurring. We are already currently funding what I'll call recurring costs, which are these contracts that we do year after year, salaries, benefits, utilities, things like that – recurring costs, with non-recurring sources. But we know that, and we do it knowingly because as I said, we budget our salaries and benefits at 100 percent full, so that if a small department, for instance, or even a large one, actually fills all their positions there's money in the budget to pay it. But we know also that some of that money will drop out of the budget at the end of the year.

So back, I think it was like slide 5 where we had that number of this current year, our recurring expenses will not as high as our recurring revenue, and we use that gap to fund a lot of these one-time things. So we'll have about \$9.2 million drop out of this year's budget, and out of that, as you get to the recommendation stages you'll see that about \$5 million of that will go to funding fixed assets and then some of these one-time requests, for another few hundred thousand, and then there will be a gap that will be recurring expenses that we will fund with cash. We know that. We just don't want that amount to get out of whack from what we see that falls out of the budget. So we tend – what we see fall out each year, we're willing to put that back into fund the next year's budget but if that starts to grow too much, then that's problematic.

So what you'll see is that there a little gap of about \$5 million out of \$110 million that is recurring expenditures funded with cash. But that seems to stay about the same every year and we figure that is the salary savings. And if we then saw over time that that gap was closing we would not be able to fund new initiatives.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: So Katherine, I would just like to ask, the budget as presented, we can afford it. Is that correct?

MS. MILLER: Mr. Chair, Commissioner Holian, yes. We haven't gotten to the full recommendation stage yet, because you're going to see over \$2 million of FTE requests. We're not recommending all of that. Additionally, typically what's asked for in compensation packages from unions runs around about a three percent cost of living. We're not recommending that. We could not afford to do that. But for things that we are recommending we do believe we can afford and that we will have, again, at the end of next fiscal year, some cash fall out of the budget in order to fund our capital package and

to close that gap again next year. So we only recommend what we believe we can sustain year after year.

COMMISSIONER HOLIAN: It appears that some of these things that we've just been discussing are one-time only expenses too. Only for this year.

MS. MILLER: Mr. Chair, Commissioner Holian, yes. The logo redesign, the reason that is so high is that's one time to change everything, but then that would be out of the budget the following year. I also don't think it's a problem for one-time funding – to increase funding for youth programs if you wanted to inject one-time funding. The problem is a lot of the entities start to rely on us, as, oh, you're going to fund me every year, year after year. And that was the case back in 2008. There were a lot of non-profit entities that had contracts with the County that we had to terminate and no longer fund because we had our own budget issues. So we try not to build up that recurring funding source too much because we want to make sure we can sustain that as well. But I don't think [inaudible]

So when we talk about moving money from the logo branding over to the youth programs I will only suggest that you're looking at a one-time expense versus a recurring expense. If you want to keep it in the budget every year. If you just want to give it a shot in the arm for a year I am sure there are organizations that would apply to the RFP.

COMMISSIONER HOLIAN: Thank you.

CHAIR ANAYA: Commissioner Holian, do you have anything else?

COMMISSIONER HOLIAN: Go ahead.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: So Ms. Miller, on the increased meeting broadcasting, that \$30,000 is only a small part of our larger budget, right? That you've already allocated for this line item.

MS. MILLER: Mr. Chair, Commissioner Chavez, yes. That's what we were saying was an expansion to an existing item. We currently have the contract with KSWV, the contract with the college for the TV broadcast, and then we do our own internet. I don't know what the total of that is right now. Do you?

MS. MIHELIC: No. I would have to pull it, Ms. Miller, but it is – as you mentioned, it's inclusive already of KSWV.

COMMISSIONER CHAVEZ: But that would not be a one-time expense, right? We're budgeting that on a yearly basis?

MS. MILLER: Mr. Chair, Commissioner Chavez, we are requesting that as recurring because we would change the broadcasting of the meetings and we would change the resolution to include those, unless we changed it back but I wouldn't recommend that. I would say if we're going to do it we would continue that.

COMMISSIONER CHAVEZ: Right. So that's really not a one-time cost then.

MS. MILLER: Mr. Chair, Commissioner Chavez, we are not proposing it as a one-time. We're proposing that it would be a multi-year contract, so we would do it year after year.

COMMISSIONER CHAVEZ: Then I guess the wellness program would be year after year also. That's not one-time either.

MS. MILLER: Correct. Mr. Chair, Commissioner Chavez, we have on

slide 23 which ones are recurring and which ones are not recurring. So as you can see, additional open space management plans, those are one-time. Those are the three that I had stated earlier. The logo redesign is one-time. The solar energy advertising is one-time. The watershed restoration, to my knowledge is one-time, and the rest of them are recurring.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair.

CHAIR ANAYA: Ms. Miller, what is the solar advertising, one time, \$30,000. What's that for?

MS. MILLER: Mr. Chair, in Craig O'Hare's budget we do advertising for different renewable energy initiatives. The state has a tax credit for solar panels and installation of solar panels on your house and that tax credit is going away. So we wanted to work with the City in doing that and to a bigger blast to make sure that residents know about the solar program.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I would just point out that I think that we have sort of made it a stated policy that we wanted to encourage more solar energy in the county and in fact we've done that, for example, trying to solarize as many of our fire stations as we can. But this is one of the best bangs for the buck that you can have. This is one of the cheapest ways to get more solar energy in the county because it's just advertising and you help people access the various incentives that are there, but they pay for the solar energy projects. It's not the County paying for it. So this is very popular, doing programs like this is very popular with environmental groups because they realize that this is one of the best ways to really encourage more solar in the community. And I'll just note that it's just a one-time expense.

CHAIR ANAYA: Thank you, Commissioner Holian. And I guess I would say I'm not averse to it. I guess with the same passion and vigor you just emphasized the need to expend on that advertising is the same passion and vigor I have to see expanded funding in youth funding and expanded information to our constituents and the public.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, Ms. Miller, one of the things I know I mentioned both in my requests and in the last budget meeting was trying to see if we could get the summer intern program back. Do you see that as part of the youth programs or is that not budgeted?

MS. MILLER: Mr. Chair, Commissioner Stefanics, it is budgeted and it's actually budgeted now and we're in the process of rolling it out for this summer and we built it into the base. I didn't single it out but it's about \$50,000.

COMMISSIONER STEFANICS: That's all I need to know. So going back to this list, I want to keep going with this presentation. I wouldn't want to add to the list. If we feel [inaudible] funded I would say go for it. But if one person is going to start adding then we're all going to start adding. So I just want to be clear that we all have a stake in the game. But we could just go with the recommendations. But let's finish the presentation, Mr. Chair.

CHAIR ANAYA: Ms. Jaramillo.

MS. JARAMILLO: Mr. Chair, on slide 23 we do have just summarized all of the new initiatives that were listed on the spreadsheet on the previous page and indicating the amounts and what would be one-time versus recurring, so I won't go over those details again. If you want to turn to page 24, is the compensation packages that we were looking at and I think Manager Miller wanted to go over those and the FTE requests with you.

MS. MILLER: Mr. Chair, Commissioners, as the Commission has stated for the last few years and additionally this year during the budget priorities is making sure that we compensate our employees and we take into consideration increased costs of living. What we've been doing is cost of living increases on January 1<sup>st</sup>, so we fund a half year, in the budget year that we're looking at, then it's put into the base of the following year. And it also aligned with the way a lot of the contracts had come up for negotiation. So what we're recommending is similar to what we've been doing for the last two years or so but with the two percent COLA, for those employees under \$50,000 salary, effective the first of June, and then greater than \$50,000 would be one percent. You can see that that's \$493,000 for a full year. And then a merit pool of one percent Countywide.

What I want to say is one of the things that's happened this time is some of the union contracts are already negotiated, had three-year compensation packages and some of them are up for negotiation. So you'll see that like AFSCME is up for a financial reopener I believe. RECC is due for a new contract, Sheriff's and what not. So what we wanted to do is make sure – the two are Corrections- Medical and Corrections-AFSCME. We had just negotiated those and built those in already. So those are already built into the budget but the other three bargaining units, that's not built in yet but what we wanted to recommend is that for non-union, we do a two percent cost of living under \$50,000, one percent over \$50,000, and a one percent merit pool and that same amount of funding would be made available to each bargaining unit to negotiate how they would like to do their compensation packages. As we said, we can't tell them what they will get in their compensation packages but we can set aside a dollar amount, so we would recommend the equivalent dollar amount and that those bargaining units would have that to negotiate with.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: And Manager Miller, the bargaining units have all accepted the proposal that you've laid out, the two percent for COLA, one percent COLA and one percent merit?

MS. MILLER: Mr. Chair, Commissioner Chavez, no. They haven't started negotiations. What we're saying is the bargaining units would get an equivalent dollar amount. They actually have to bargain their compensation packages. So what we're saying is in each one of these, if you look, a full year of an equivalent in each bargaining unit is listed as to the same as if it were a two percent COLA for under \$50,000, one percent over \$50,000 and a one percent merit pool.

COMMISSIONER CHAVEZ: Oh. Okay.

MS. MILLER: So we have to recommend the non-union amount first because just by the cycle of things the union negotiations have not started for the others. And so that would be effective January 1, and what we would just request is that those

dollar amounts be allocated to those different bargaining units.

COMMISSIONER CHAVEZ: Got it.

CHAIR ANAYA: So if I could summarize, and if I get it wrong, correct me. But in the interest of sound budgetary practices we need to figure out an amount that we can infuse into the budget as a projection and an estimate. The estimate that you've provided affords the whole County, across the board, union and non-union, the same opportunity for the same percentage of resources. Is that a good summary?

MS. MILLER: Mr. Chair, that's a very good summary. Thank you.

CHAIR ANAYA: Okay. Any other questions? Ms. Jaramillo.

MS. JARAMILLO: Thank you, Mr. Chair. So we had FTE requests, I believe we had 36 FTE requests total. I apologize for how small it is. I was trying to get it all onto one slide. But we had FTE requests from ASD, the County Manager's Office for HR, from Community Services, from Growth Management, from Public Safety including the Corrections Department and the Fire Department, and then we had a request from RECC and from Public Works. They're all very tiny outlined on your slide. They are projected up there so that you can see them.

The total requests for all of the FTE requests were \$1.9 million and that actually, unfortunately does not include three of the Fire Department requests that did not make it onto the spreadsheet. Ms. Miller is going to talk about the actual recommendations that we have for each of these and the basis for those recommendations.

MS. MILLER: Mr. Chair, Commissioners, as you know, we gave you totals of our recurring revenues, of the \$110 million, or \$109 million that we had. The problem is that's out of general fund and other funds. So when we start looking at FTE requests we also have to look at the funding source for those type of recurring expenditures. The third one-eighth of our gross receipts tax is dedicated to EMS services, emergency and health related services, and that fund funds the Fire Department's emergency services response, the paramedics/EMTs and it also funds some of Community Services health programs and staff.

Then you have the fire tax, fire fund, emergency services quarter cent tax, which funds RECC and Fire Departments. So you have those two sources that are the primary funding sources for three different County activities, totaling about \$12 million. Most of the expenses that come out of there are salaries and benefits for the RECC, the dispatcher, for the firefighters, EMTs and for some other Community Services staff that deal with health initiatives. So whenever there's a requests for firefighters or RECC staff or increased programs in health areas they're competing for the same dollars.

So while we'd like to recommend funding all of those requests it's a little bit of a difficult task because we are pretty much tapped out and we actually have to go to the general fund to start funding those programs if we increase the staffing levels higher than the recurring revenues are. So what we have in that area that was requested was an IT person for the RECC. As you know we're still working out a resolution on a way to get the participants in the RECC to help fund increases, so we didn't recommend that one, although I completely sympathize with Ken's request and understand why he asks for it. They have a great deal of IT needs and he's got a good case for needing some additional help. In addition to that, we're looking at having that person help in the Sheriff's Department. But before we would recommend that one or the ASD IT person I think we

really need to look at how we want to restructure the RECC and in return how we might better utilize our current IT staff before we start adding additional staff in that area.

And then as Carole said, the Fire Department made the most requests. We have the wildland fire crews, we had expanded that from just a six-month program to a 12-month program last year. We're requesting to do that again, so all that light brown shaded area in the center of that is to continue that program on a year-round basis. It was beneficial to do that. However, we do not have the grant that we had last year that we've been doing that program for three years. So we are recommending doing these as the additional six months again as a temporary – term employees, temp employees, and keeping that program going year-round.

As Carole mentioned, the Fire Department did request finishing out their Project 48, which was staffing the northern and southern parts of the county and we had put that on hold. We were increasing that as we could, but it got put on hold during the economic downturn. We have five positions that they requested to finish out. We are recommending two of those. They would go in La Puebla during the day when a lot of the volunteers are at work and not available. So they would be a Monday through Friday, 8:00 to 5:00 shift at La Puebla. However, the Fire Chief did respectfully request there be more and they're not included on here. One is but the other two – and those were for the Pojoaque station, but we just don't have a recurring revenue source to support all five of them right now. That would have to come from another funding source. So at the moment we're only recommending two of those.

In the Sheriff's Department, they have an administrative assistant that works in the forfeiture program. It's been funded by a grant. They are trying to get that grant again but they made some budget cuts in order to fund that, and then they will still try to get the grant. If they get the grant we'll pay for it out of the grant but we would recommend continuing that position in order to continue the DWI forfeiture program. And then as I said if we get the grant we will switch out the funding source and the general fund that would be funding it now would fall back to cash.

Another one that was requested was the HR administrator. HR has not had a position approved in five years, almost six years, yet our staffing levels have increased. They have a great deal of work load and need some assistance just by the sheer numbers of County staff versus HR staff. So we're recommending that.

Also in Community Services, the request an administrative manager. They have probably one of the most complex budgets by the number of grants that they have and number of contracts. Most of their services are contracted out for and they really need someone who can manage all those grants and all of the contracts and assist the division directors with those budget issues and grants and the contracts. So we did recommend that.

Now there has been some discussion about site managers at senior centers but we haven't really figured out how that would best work. We're going to really go back and retool that concept some more and see what we could do as a best recommendation on how to handle our senior centers. We have some that aren't being utilized and some that are utilized heavily and we just want to make sure that the staffing at them is the appropriate type of staffing. So we're not ready to recommend that yet, because it would also be which site, and is that the best use or would it be somebody who went from site to

site?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I would just like to break in at this point and mention that the kids are here for the Global Warming Express presentation and a lot of them do have to go home at some point, so I'm wondering if we could set a time for their presentation and at least let them know what we can expect. Is there a way that we can break from this, have their presentation and then continue?

CHAIR ANAYA: Ms. Miller, how much more time on the presentation side of the budget do you think?

MS. MILLER: Depends on how many questions you have but presentation-wise, maybe 15 minutes and then questions and discussion.

CHAIR ANAYA: What's the pleasure of the Board? Commissioner Holian is requesting that we bring the students in and get the other presentation.

COMMISSIONER STEFANICS: How long, Mr. Chair and Commissioner Holian, do you expect?

COMMISSIONER HOLIAN: Twenty minutes.

COMMISSIONER STEFANICS: Okay. If we could keep it like 15 minutes it would be great.

COMMISSIONER HOLIAN: Okay. I'll go talk to them.

COMMISSIONER STEFANICS: We have a lot to go.

COMMISSIONER HOLIAN: I understand that. I really do. It's just so hard to tell someone when they should be here and when you have a lot of kids it's difficult because they have to make arrangements to get rides here and home.

CHAIR ANAYA: Okay. If we could hold the item and if you could keep it to 15 minutes. That way we could back to the budget.

COMMISSIONER HOLIAN: Okay.

CHAIR ANAYA: Is that okay, Commissioners? So let's go ahead and take a recess from the budget. Let's take a five-minute recess and have the students come and give a presentation and then we'll go back to the budget.

[The Commission recessed from 6:25 to 6:30.]

**IV. A. 4. Approval and Presentation of a Proclamation Honoring the Young Students of the Global Warming Express**

COMMISSIONER HOLIAN: Well, I'm not going to say much because I think the kids will present what they have to say much better than I can. I will just introduce them briefly by saying that this is an organization, the Global Warming Express, started by young people for young people to make us aware of what we face, what all life on the planet faces because of global warming. So I am going to read the proclamation first and then we will vote on it and then I will turn it over to Jeanie Stevens who will be the master of ceremonies, and I would recommend that all the Commissioners move down to the front row there because the kids will be doing a little presentation in front of the dais here.

Santa Fe County proclamation honoring the young students of the Global

Warming Express.

Whereas, there is broad-based scientific consensus that the earth is warming rapidly due to burning of fossil fuels by human beings in the last two centuries;

Whereas, average temperatures have climbed more than 1.4 degrees Fahrenheit around the world over the past 100 years according to NASA's Goddard Institute for Space Studies;

Whereas, according to a recent study by NASA scientists reported on January 9, 2015 that 2014 was the hottest year on year since record keeping began in 1880 underscoring warnings about the risk of runaway greenhouse gas emissions;

Whereas, these changes to the Earth will have long-term impacts on all life on earth;

Whereas, the children and youth of the world alive now will bear the impact of these changes over their lifetimes;

Whereas, it is important for young people all over the world to become educated as to the impacts of global warming and to unite to address these issues;

Whereas, the Global Warming Express is a new organization formed by young students who care passionately about issues of global warming and its solutions;

Whereas, the mission of the Global Warming Express is to expand nine- to twelve-year-olds' awareness of climate change through public and private after-school programs and to promote kids' civic engagement and activism, where the vision is to mobilize the voices of children of the world to enable them to become leaders and positive agents of change in support of a sustainable planet;

Whereas, the Global Warming Express was founded by Marina Weber, Joanna Whysner and other nine-year-olds at Acequia Madre Elementary School after Marina wrote and Joanna illustrated a book by the same title in order to send it to President Obama;

Whereas, the Global Warming Express has been in existence for less than two years and already has a book, a website, a 501(c)3 organization and over 150 children who have jumped on board in New Mexico, Arizona, Florida and Mexico;

Whereas, the efforts of our youth to think globally and act locally must always be acknowledged and encouraged.

Now, therefore, the Board of County Commissioners of Santa Fe County hereby proclaims that we recognize the young studies of the Global Warming Express. And this is approved, adopted and passed on the 12<sup>th</sup> day of May 2015 signed by the five Commissioners, the County Manager, the County Attorney and the County Clerk.

So I move for approval.

CHAIR ANAYA: Motion from Commissioner Holian.

COMMISSIONER STEFANICS: Second.

CHAIR ANAYA: Second from Commissioner Stefanics. Any further discussion?

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

CHAIR ANAYA: So now I would like the Commissioners to go down and take a seat in the front row and then I will turn this over to Jeanie Stevens.

MARINA WEBER: Hi. I'm Marina Weber and we are all the Global Warming Express. The Global Warming Express was the name of the book that I decided to write to President Obama when I was eight years old. I wanted grownups to listen to us about climate change and I wanted to get kids involved and get grownups to act. I'm so happy that so many kids and grownups have jumped on board the Global Warming Express.

It is a by-kids, for-kids movement that is speeding along. So why don't you jump on board. Thank you so much.

JEANIE STEVENS: Hello. My name is Jeanie Stevens and I'm the executive director of the Global Warming Express and I'm also Marina's mom. Last year when Marina was in the fifth grade at Acequia Madre School I helped her start a pilot program of the Global Warming Express as a by-kids, for-kids after-school group. The GWers learned about climate signs and solutions to global warming and they learned skills of public speaking and performance to get their message out. Some of them contribute to their very cool website and some of them learn to write letters to businesses and elected representatives. Soon, elected officials from Mayor Javier Gonzales to Representative Ben Ray Lujan to Senator Tom Udall [inaudible] and promoted the GWers' efforts.

Mayor Gonzales went so far as to appoint a GWE representative to his Climate Action Task Force and Joanna Whysner – Joanna, can you raise your hand? Has been the Global Warming Express member who has been attending most of the task force sessions. So thank you Joanna. And Ben Ray Lujan is currently hand-delivering a packet of letters, information and an ask from the Global Warming Express to President Barack Obama. The Global Warming Express is now a 501(c)3 with a terrific board of directors who are all wearing their blue t-shirts. Can you raise your hands. They are all here, and a wonderful advisory board, including Commissioner Kathy Holian. Thank you very much.

We are in six after-school programs in Santa Fe and Albuquerque as well as a summer camp. Next year we hope to be in ten schools in Santa Fe. GWers have sung and choreographed songs, conducted rallies, been featured speakers at the legislature, spoken at the recent PRC public meeting, testified at an EPA hearing on coal in Denver, and marched in the great climate march in New York City and Santa Fe last fall.

This year each Global Warming Express school program created an initiative of their own that had to do with making Santa Fe more sustainable and the original group from Acequia Madre saw their big goal from last year's pilot program come true when they were told just now that the solar installation which they requested to be built that would power 50 percent of the energy of their school was approved and will be installed by the Santa Fe Public Schools this summer.

We have a small presentation of a Global Warming Express today in speech and song. Sofia Ortiz will start off the speeches. As a sixth grader Sofia founded the Go Green Club at Wood Gormley Elementary. This year the Go Green Club merged with the Global Warming Express. Last year the Go Green Club, this powerful school group successfully encourage the City of Santa Fe to pass a plastic bag ban and they were featured as part of a recent televised HBO special. This year the same group helped the City Councilors pass a ten cent fee on paper bags. Sofia, we are proud to have you and your group jump on board.

SOFIA ORTIZ: Thank you so much for having me here tonight. I'm Sofia Ortiz. I'm 12 years old and I was the founder of the Wood Gormley Elementary Go Green Club. We've been fortunate enough to jump on board with the Global Warming Express and when I was ten I went on a road trip to California with my family and when I did this I saw all the smog and I wasn't sure what it was so I asked my mom and she told me and became really sad because it was just a really horrible sight to see and I knew that I had to do something and that's why I started the club.

Since, we've been able to do so many things, like the plastic bag ban and the ten cent fee and getting to join this wonderful group so I just want to thank you very much and to support all of the ecofriendly thinking and bans and things that have been going on. Thank you so much for having us.

MS. STEVENS: So next we're going to have a few of the other members from the Go Green Club, which is now, it's the GWE Go Green Club at Wood Gormley. I think we'll start with Sofia's younger sister, Lucia, who is quite a powerhouse herself. Lucia, why don't you come on up.

LUCIA ORTIZ: Good evening. My name is Lucia Ortiz. I'm 11 years old and I'm very glad to be here so thank you for inviting us tonight. Thank you for recognizing the important things that we all work hard to do. I was inspired by my sister, Sofia Ortiz, when she started the Go Green Club to help the environment be a better place. But I'm working with the Global Warming Express to do even more to help the planet. Something I learned unexpectedly is even if it's a lot of work to help the planet it's actually a lot of fun to know that you're doing something great for the planet. And I hope that the County government will think about ways to promote a more ecofriendly living style in Santa Fe. Thank you.

CHARLIE COFIERO : Hi. My name is Charlie Cofiero. I'm also a member from the Go Green Club and when I first started going to the school I liked the Go Green Club because I was worried about my environment and stuff and so I decided to join the Go Green Club [inaudible] One person can make all the difference in the world. For the first time in the whole human history we have the whole planet in our hands. I liked being here it was great to speak here and stand up for our Global Warming Express.

MS. STEVENS: Okay, and now we're going to have a group of kids from another group, Santa Fe School for the Arts and Sciences. This group was just started this year and we have some great kids to talk with you today about their thoughts about the Global Warming Express and some of the initiatives that have been happening. We're going to start with Skylar Bixby and then we'll go to Cyrus and on to DeeDee, so I'll let them introduce themselves.

SKYLAR BIXBY: I'm Skylar Bixby and I'm on Global Warming Express because at the beginning of the school year we were learning about climate change and how much some of the tasks that you do every day can affect the environment. That really empowered me and then just this spring my mom told me, hey, there's this thing that's going to be in every school and it's called the Global Warming Express and it's kind of about what you were studying earlier this year. So I thought, that's cool and so I decided to join it. And I'm really glad that I did because GWE is helping fight climate change and make a better future. Go GWE.

CYRUS: Hi. I'm Cyrus from the Santa Fe School of the Arts and Sciences and I joined GWE earlier this year because there's like the trial, oh, we're learning about it this year, so I joined. And we've learned about so much and I'm going to talk about the bad controversy. I'm going to talk about the negative aspects. With plastic bags you have to drill oil from the earth and doing that it releases CO<sub>2</sub> and methane into the air which is polluting our earth. But luckily, the Santa Fe Council banned plastic bags. But now people are using paper bags. But luckily –

DEEDEE: What he was going to say is it affects the earth because it takes – a tree takes two tons, 48 pounds of CO<sub>2</sub> a year, so we put a ten cent fee on the bags. So hi. My name is DeeDee and I'm super-excited to be here. First off, I'm so glad you all could make it. Secondly, I'd like to thank Cyrus for introducing the bag because I will be discussing its solutions. In GWE at my school, Santa Fe School for the Arts and Sciences we pronounced our group Go Go Green. I came up with the idea of reusable bags along with the rest of Go Go Green. This idea came from the argument against the ten cent fee that some people can't afford it. So I thought and came up with an answer. Why don't we make reusable bags for those who can't afford it.

So we paired up with the All Star Animal Savers, the GWE group from Cesar Chavez. We got fabric donated for the first 130 bags or so. We also got people to sew and print the pictures on the bags. We had a contest to come up with the different pictures. We did each letter as a picture or some kids did designs and we're going to put those all together. Hopefully, our project flourishes. So save the world for those who are unable and a penny for the thought and a dime for the actions. So now Ashley is going to be giving some details about our whole bag project. Thank you.

MS. STEVENS: Thanks, DeeDee. So as DeeDee mentioned, when the kids learned about what's been happening with plastic bags and then putting a ten cent fee on paper bags they also learned that part of the controversy had to do with people who can't afford the ten cent fee feeling like it would be kind of a tax on them and so DeeDee came up with the idea of making bags for those people. So as she said, the kids from all the different schools made designs. We had a competition and we worked with Adelante. These are women who are either homeless or in unstable housing conditions and are needing to earn money in different ways and they just acquired several sewing machines.

So this Saturday, I welcome you all at this event, this Saturday at the Green Festival at El Museo, the women will be there sewing the bags. Warehouse 21 will be there printing the kids' design on the bags and kids and adults can help with the screen printing process, so it will be a learning process for them as well as how that part works. So from 10 to 2 their bags will be coming to fruition, their idea. So I encourage you all to come and check that out and see their bags.

So finally, we will end the wonderful speeches and the Commission announcement with a song. The Global Warming Express kids are particularly good at arts. They write songs, they choreograph their songs. Their most recent song is by Joanna Whysner and we have four, five of the GWE kids board to perform it. And the Global Warming Express not only has a grownups board and an advisory board, it also has a kids board and they're the ones who really keep us in line. So kids, come on up.

[A song was performed.]

MS. WHYSNER: That concludes our program. Thank you for helping to create a Sustainable Santa Fe.

[Photographs were taken.]

**IX. B. Direction from the Board of County Commissioners Concerning FY 2016 Budget and Cash Reserve Policy**

COMMISSIONER CHAVEZ: We can resume our budget study session. Manager Miller, do you want to get us going again.

COMMISSIONER HOLIAN: Mr. Chair.

COMMISSIONER CHAVEZ: Yes.

COMMISSIONER HOLIAN: I make a motion to just accept all of staff's recommendations and go forward.

COMMISSIONER CHAVEZ: There's a motion.

COMMISSIONER STEFANICS: I'll second it.

COMMISSIONER CHAVEZ: There's a second to that motion. Any discussion at this time?

COMMISSIONER STEFANICS: I just want some assurances that – well, we're moving to accept your recommendations but do we need to identify the COLA, or is that already in the recommendation, the one percent and the two percent?

COMMISSIONER CHAVEZ: I think it's already there.

COMMISSIONER STEFANICS: Okay. So please just reassure me that we have the funds. I heard you before but just reassure me.

MS. MILLER: Mr. Chair, Commissioners, we have the funds to do what is recommended in the budget recommendation and I could take you just really quickly to the –

COMMISSIONER STEFANICS: Quick answer.

MS. MILLER: Okay. I was going to say it's based on having fixed assets and the reserve policy, the expanded programs and the increases to the base and the FTEs that were recommended.

CHAIR ANAYA: A motion by who, Commissioner Chavez?  
Commissioner Holian?

COMMISSIONER CHAVEZ: Seconded by Commissioner Stefanics.

CHAIR ANAYA: Second by Commissioner Stefanics. I guess it's per recommendations.

COMMISSIONER CHAVEZ: Motion and a second. Any further discussion? Seeing none.

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

COMMISSIONER STEFANICS: Mr. Chair, could I clarify the process?

CHAIR ANAYA: Go ahead, Commissioner Stefanics.

COMMISSIONER STEFANICS: We have approved the staff recommendations this evening. So is that – we're still going to have a budget that comes back to us to vote on on May 26<sup>th</sup> to include those recommendations. Is that correct?

MS. JARAMILLO: Mr. Chair, Commissioner Stefanics, that would be correct. We will build the budget based upon this formal direction that you gave us today approving these recommendations that we brought forth.

COMMISSIONER STEFANICS: Thank you very much, Mr. Chair.

**V. B. Amendment No. 3 to the Employment Agreement between Katherine B. Miller and the Board of County Commissioners of Santa Fe County**

CHAIR ANAYA: Thank you, Commissioners. Just an item – we have a noticed item on executive session. We already provided some feedback. Based on the feedback that we provided we finalized the contract extension for our Manager as well as the other recommendations of the Commission and I now seek a motion to approve those actions. We've captured those and Mr. Shaffer helped us capture those within the agreement with the Manager. Is there any comments that you'd like to make?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I just have a comment, actually a question. So we would be approving our recommendations as we discussed in that executive session for the contract. Is that correct?

CHAIR ANAYA: That's correct.

COMMISSIONER HOLIAN: Nothing would be different than what we discussed.

CHAIR ANAYA: Based on the discussions that were captured by our Human Resource Director, the Manager has been privy to the amendments therein and do you have any comments you'd like to make, Ms. Miller?

MS. MILLER: Mr. Chair, no. I saw the amendment as drafted by HR and Legal and it was per our conversation, so I have no questions or comments if that's what's being recommended to be approved.

CHAIR ANAYA: So is there a motion?

COMMISSIONER HOLIAN: I move for approval.

COMMISSIONER CHAVEZ: Second.

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

COMMISSIONER CHAVEZ: Mr. Chair, and just to clarify, this is amendment three to the employment agreement between Katherine B. Miller and the Board of County Commissioners of Santa Fe County.

CHAIR ANAYA: That's correct. And Mr. Shaffer, the documents are in order? The agreement's in order?

MR. SHAFFER: Mr. Chair, Commissioners, the amendment was put together with the assistance of outside counsel and it does appear to be in order based upon the conversations as I understood them. I would just suggest and the HR Director is

at this point making copies pass out to the entire Board and it's a one-page document and I just suggest you take a moment and read through it before making a final vote on the motion so the Board has some assurances that it's in line with the what was intended.

CHAIR ANAYA: I'll take that advice. We already have a motion but we'll get a better chance to pass it out. Other items on the agenda, Ms. Miller, as that's being passed out, that we need to cover prior to public hearings?

MS. MILLER: Mr. Chair, the items, we have covered everything on the agenda up to Matters from the County Attorney, or from the Manager, or from the elected officials. But everything else besides those three things and if you wanted to move to the public hearings and go back to those items at the end that would be okay.

CHAIR ANAYA: We can get through them if there are items the Commissioners have. Having had the amendment in front of you, this is in respect to the amendment. We've all reviewed the agreement prior to the amendment. But are there any questions on the amendment?

COMMISSIONER STEFANICS: So, Mr. Chair, the next evaluation is from the date of this amendment. Is that correct?

CHAIR ANAYA: That's correct. We discussed we would have a follow-up discussion relative to goals and objectives. Ms. Salazar, could you just come forward because we want to make sure we're clear on the record, but in addition to this contractual amendment we worked with the Manager and had agreed upon goals and objectives moving forward and we've had that discussion and we have those objectives in place, correct?

BERNADETTE SALAZAR (HR Director): Mr. Chair, yes, that's correct.

CHAIR ANAYA: And Ms. Miller, pursuant to those discussions and the discussions that the Commission had here, you're in concurrence with those recommendations and requested objectives that we set forth?

MS. MILLER: Mr. Chair, Commissioners, yes, and I just would like to say that I will provide a quarterly report to you as to progress on those different goals, but that by middle of November you would know where we stand on the goals and then by the end of the year, one year, for another annual review.

CHAIR ANAYA: And just to highlight, I think for the public's edification is one of the things that we've done is we all agree that we want to pursue some expanded, strategic long-term planning associated with those objectives and Ms. Miller will be forthcoming with the additional progress we'll be making with yourself and your team. So with that said, Ms. Salazar, is there anything else you'd like to add?

MS. SALAZAR: Mr. Chair, no. I think that's it. What I will do is I will get the final goals page ready for your signature and I think that will finalize everything.

CHAIR ANAYA: Thank you, Ms. Salazar, and Ms. Miller, congratulations, not only to yourself for your work and your extension and the work you've done for us but for your team, your entire team at Santa Fe County. Is there anything else you'd like to add?

MS. MILLER: Thank you, Mr. Chair and we'll continue to try to do our best job and move the County forward and make sure that all of the goals of the Commission, short- and long-term are met and that we provide good service to the public and good value for their taxes.

CHAIR ANAYA: Any other comments, Commissioners?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: It's my opinion that we have the most professionally run county in the entire state, maybe even the entire country and a large part of that is due to our really great County Manager, Katherine Miller, so thank you, Katherine.

CHAIR ANAYA: Thank you, Commissioner Holian. If there's no more questions or comments, there's a motion to approve amendment three to the employment agreement between Katherine B. Miller and the Board of County Commissioners of Santa Fe County.

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

CHAIR ANAYA: Thank you, Ms. Salazar for your efforts and assistance. And so we'll be coming back in six months if you can keep us on track so we can continue our dialogue. Thank you very much.

MS. MILLER: Mr. Chair, I did want to let you know, before I get to that that the first case, Patrick Christopher and Marga Friburg case, they have requested that that be tabled due to something that just occurred.

COMMISSIONER STEFANICS: I move to table.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Motion to table land use case CDRC Case #MIS 13-5051, second from Commissioner Chavez.

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

**VI. MATTERS FROM THE COUNTY MANAGER**

**A. Annual Report [Exhibit 5]**

MS. MILLER: Mr. Chair, I would like to have Kristine come up. As you know we do an annual report every year and what we tried to this year was shorten it, because we've had such a large annual report it became more like a progress report versus an annual report, and also make it more succinct and a little higher quality report that you would be able to provide to your constituents, anybody who wants to know what Santa Fe County does, what our strategic goals are, how they all fit together related to our budget and to the initiatives that have been brought forward from things like our Health Planning and Policy Commission, our COLTPAC, a lot of our advisory committees and boards and how those initiatives are brought to you and how they're funded through the budget process, and then how they're implemented by County staff.

So this annual report is – we also switched to calendar year so it goes by calendar year and I'll turn it over to Kristine to talk about how [inaudible] a shorter and more succinct format.

MS. MIHELIC: Yes, Commission Chair, Commissioners, I'm very glad

you didn't table this because I was thinking there's no way I'll be here in two weeks to present this. So with that, this is a very new layout for us for the annual report. As Ms. Miller mentioned, in the past our annual report is generally about 50 to 60 pages. It's been significantly reduced, and it was quite the task to get all of these projects down to several sentences of a sentence each, but by changing the layout to the annual report we made it very visual this year. I've actually been working on a photo bank project simultaneously to this project and so we were able to utilize a lot of the images from around the county that we had a photographer and edit and then we were able to use them for the annual report to really make this presentation pop and something that people actually would like to flip through and read.

We do have several copies being delivered tomorrow. They didn't get here – not all of them got here in time but we were able to get some of them here just for the presentation but so that people do have them to look through to see what Santa Fe County does. They are broken down into different categories but really highlighting everything. Everything that we do – all of the training that we do through all our departments, the awards that we've received over the past year. This is the 2014 annual report, so these are things that happened between January and December of 2014 but we definitely have copies to get out to the Commission, Commissioners, for you to hand out to your constituents and then also for us to put out our satellite offices, our senior centers, the chamber of commerce – just various locations around the county including our offices to really promote what we do. So I stand for any questions.

CHAIR ANAYA: Looks great. Thanks for the work. Commissioners?  
Any other questions or comments? Thank you so much.

MS. MIHELIC: Glad you guys liked them. They are beautiful, I find, if I say so myself.

CHAIR ANAYA: Thank you very much.

## **VI. B. Miscellaneous Updates**

MS. MILLER: Mr. Chair, a couple of other things. I just wanted to give the Commission an update on the Bike to Work Day which is this Friday, May 13<sup>th</sup>. I brought it up at our last BCC but I just wanted to remind you because this is the County versus City versus the State employee bike caravan challenge. So bike riders will gather in the front of the County administration building at 4:30 on Friday to depart at 4:45 and ride to the railyard where there will be festivities, including live music, informational booths and a bike give-away. And [inaudible] will have police, City, County and State escort to the plaza, down Alameda to the railyard. And then that's also the Santa Fe City and County and *Outside* magazine and Fat Tire Society bike and festival.

This whole week there's quite a few events going on related to cycling and also the Santa Fe Century coming up the weekend.

Then our annual Santa Fe County Housing community cleanup days started. We had one on Saturday, May 9<sup>th</sup>, last Saturday as the first one and there are two remaining days for this year's events. This Saturday, May 16<sup>th</sup> from 8:00 to 12:00 at the Santa Cruz public housing site, at 53 Camino de Quintana, and then Saturday, May 23<sup>rd</sup> from 8:00 to 12:00 at the Valle Vista public housing site, on Flores Drive. So County staff is

encouraged to go help out with County Housing staff and anyone who wants to volunteer for our annual cleanup day for the housing sites.

Then another item that came up over the past week, we received a request for Catron County related to the Southwest Chief Amtrak project.

COMMISSIONER STEFANICS: Ms. Miller, I provided a handout to everybody regarding that too. *[Exhibit 6]* Thank you.

MS. MILLER: So there's a TIGER grant application being prepared for the Southwest Chief line. The application will be a three-state effort between Kansas, Colorado and New Mexico. And I think Colorado will be the lead entity. And the New Mexico portion would be between \$500,000 and \$750,000 and would be used in the replacement of railroad ties. A local match of \$12,500 is being requested from all the local entities affected by the Southwest Chief and if the BCC would like to join in that process I've identified funding in our economic development budget and I'd recommend that we go forward with – sorry. It was Colfax County. We've printed them and let them know we would be interested in partnering and providing the \$12,500 match requested.

CHAIR ANAYA: Ms. Miller, you and I talked about this previously and I know – I appreciate Commissioner Stefanics passing out the handout. I did have a conversation a few times with Commissioner Sauble and *[inaudible]* and there was the match piece, and then there was also the assistance with the grant writing piece. I want to encompass both pieces because I want us to help with both pieces, not just the matching but also the assistance with grant writing request.

MS. MILLER: Mr. Chair, the copy of the letter that I received was missing two paragraphs, and I did just get a more complete version, and I think that one – it requested I think \$3,000 for La Junta and if you would like to do that as well we do have funding in our current budget. *[inaudible]* a total of \$15,500 and I think that we could do that to work out the agreements but we do have funding.

CHAIR ANAYA: Commissioners, I defer to you but I think it's an investment for a timely grant and I think it's an investment to help La Junta who's actually doing the legwork, so I'm hopeful that we can help them with the full maybe \$15,500. Commissioner Chavez.

COMMISSIONER CHAVEZ: No, I would just stand in support of this. We've discussed this as you know, Mr. Chair, and I think other members of the Commission, but on the MPO we've discussed this at the MPO level. There is support there for this effort and I hope that we can support this. Thank you, Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics, do you have anything to add?

COMMISSIONER STEFANICS: Mr. Chair, I think the Southwest Chief is an economic driver so I would support this as well.

CHAIR ANAYA: Okay, Commissioner Holian? Okay, Commissioner Roybal? So I think you have direction.

MS. MILLER: Okay, Mr. Chair, what we'll do is work with those two entities to support pair agreements but we've identified a funding source and then I'll move forward with those and bring those back to the Commission, but I will let the entities know that are working – that we do have funding and we work to put the agreements in place for them.

CHAIR ANAYA: Thank you, and Commissioner Stefanics, could you

convey that to Commissioner Sauble? He's called me several times, could you convey to him that we're going to buy in on it?

COMMISSIONER STEFANICS: Yes, I certainly will.

CHAIR ANAYA: Thank you so much.

MS. MILLER: And then the last item I had for an update and some direction is at the last Board meeting there was a discussion surrounding the presentation portion of the BCC meetings and we were wondering how we might be able to work presentations in effective and timely into the meetings. So one of the suggestions came forward from the Chair was if we have a special BCC meeting every other month on the first Tuesday of the month from 5:30 to 8:00 pm and where we just did presentations and proclamations, presentations, recognitions, and that we would start that in June, August, October and December of this year. And that we would then limit presentations on the regularly scheduled meetings of the second and last Tuesday of the month, that we would limit those to only things that were really critical timing and we would limit the length of time on those to something like five minutes and no more than one per Commissioner. And that the ones that we will do at the special meeting, limit presentations to around 20 minutes per presentation and that we would just have a definitive stop time for those meetings so it's on a first-come/first serve as to what we had on those agendas.

CHAIR ANAYA: Thank you for bringing that up, Ms. Miller. I just – I heard the comments, Commissioner Holian, and I know we've discussed it and done it in the past, so I'd like to try it as a trial run, if we could. The one thing I did think about is I know Commissioners will still want to do presentations during meetings but if we said each Commissioner had no more than ten total minutes to take care of whatever presentations they had in the interim meetings that maybe we could start with that as a sample so that you still have the opportunity to do some brief things if you need to, but I'd like to try it and I shared it with the Vice Chair and the Manager for starters but I wanted to get complete feedback from everyone to see what your feelings were.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I think that would be a good experiment to try and I would really like to go forward with that. What I would also like to suggest is that when we schedule presentations for the special meeting, or maybe even for our regular meetings as well is that we put a time on the agenda so that people know when they can count on hearing the presentation if they are interested in being here to be able to see it.

CHAIR ANAYA: I'll do my best, Commissioner Holian. I think that's an appreciated request. I think it's dynamic as the meeting evolve but I'll sure do my best. Commissioner Chavez.

COMMISSIONER CHAVEZ: Mr. Chair, I think what's being suggested is that we try to manage our time so that we can be efficient but we also want to recognize that the public's time is also important. And so if we can manage our time in a better way I think we'd be more effective and maybe be able to get through our work without having to bounce around as much as we have been in the past. So I think that would be a good way to try to get around that if we could.

CHAIR ANAYA: Thank you, Commissioner Chavez. Commissioner

Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I'm willing to try it. I want to share an experience I had my first year here. We had a morning session set aside for presentations and it was until noon. And if the presentations went over, Commissioners left and we had people here waiting in the audience with no Commissioners. And so it was very disheartening to the people coming for the presentation and then for the Commissioner sponsoring. So going back to the idea of putting a time, the time isn't just for us, it's for the audience to know that they have 15 minutes to be in and out. And they don't get to go over because there's somebody right behind them. And it's out of respect for the next entity, but I really would not want to encounter any of us being here alone with whoever we're trying to honor. Thank you.

CHAIR ANAYA: I think that's an excellent point and I think that there will be occasion when there can't be all five but we always need to maintain a quorum to adequately give the respect, I think as Commissioner Stefanics suggests and just be here. Relative to those times, I want to just through this out as a thought process for more discussion but if we set each Commissioner on the presentation, we have five districts, if we each have 20 minutes to start with and then we fill the gap in with the rest, then I think, there might be months that I don't need my 20 minutes and we can do like the Congress does and defer those to someone else. But if we each know we have 20 minutes to start, and then fill the gap in, first-come first serve on the balance, I think that gives us a place to start with. So we can give it a try. Commissioner Roybal, are you okay?

COMMISSIONER ROYBAL: Yes. I would agree with that. I'm willing to try that.

CHAIR ANAYA: Okay. We'll give it a try. The floor is yours, Ms. Miller.

MS. MILLER: Mr. Chair, then I'll be asking for recommended presentations for the first week in June. So if you have any that you've been holding back or you want to see brought forward we'll try to do it because then it will be here pretty quickly. We'll try to get a pretty good draft of how that would look [inaudible]

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: So the first one would be June –

MS. MILLER: Let me look at my calendar real quick. I want to say the 5<sup>th</sup> or something.

COMMISSIONER STEFANICS: Like the 7<sup>th</sup>? 8<sup>th</sup>?

MS. MILLER: June 2<sup>nd</sup> is the first Tuesday.

COMMISSIONER STEFANICS: Okay. So I'm letting the Commission know right now that I won't be back from my trip, so I think it's a great idea to try it and you'll let me know if it works.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I'm afraid I'm going to be leaving for a meeting that day in San Francisco.

CHAIR ANAYA: Well, I'm hopeful we could have the other two Commissioners here to start it and then we could see how it goes forward now that we know and you're aware of it.

COMMISSIONER CHAVEZ: And don't anticipate anything.

CHAIR ANAYA: Let's give it a try. Other items, Ms. Miller?

MS. MILLER: Mr. Chair, I believe that was everything I had for updates.

CHAIR ANAYA: Let me just back up. We're pressed on – we're not even 30 days out. If the Commission would like we could change it to July, September and November, if you guys would like to give us a little more time for planning, instead of rolling it out in June roll it in July. Oh, that's 4<sup>th</sup> of July weekend.

MS. MILLER: Mr. Chair, it actually might be okay, because it would be July 7<sup>th</sup> and the Fourth of July holiday is actually I believe July 3<sup>rd</sup>, which is a Friday. So it would be – there's a holiday. We'd have the June 30<sup>th</sup> meeting, because we're going to be going back to June 30, and then we have July 1<sup>st</sup> and 2<sup>nd</sup> are workdays. The 3<sup>rd</sup> is a holiday, but then we would have July 7<sup>th</sup> could be the first one. Because July 14<sup>th</sup> is our regular meeting.

CHAIR ANAYA: Let's try it on the 7<sup>th</sup> then.

MS. MILLER: Okay. that's what we'll do then.

CHAIR ANAYA: Other items, Ms. Miller?

MS. MILLER: No, that's all I had, Commissioner.

## **VII. MATTERS OF PUBLIC CONCERN**

CHAIR ANAYA: Are there any matters of public concern for any items that anyone here would like to present? Any items of public concern? Okay, Seeing none.

## **VIII. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS**

### **A. Matters from County Commissioners and Other Elected Officials**

#### **1. Elected Officials Issues and Comments**

CHAIR ANAYA: Are there any items from any elected officials? We don't have any here other than us.

### **VIII. A. 2. Commissioner Issues and Comments**

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Yes, Mr. Chair, I put on everybody's place a memorandum of understanding between the New Mexico Children, Youth and Families Department, the Association of Counties, the Supreme Court, to establish a juvenile detention alternatives initiative, statewide leadership team. *[Exhibit 7]* At the last budget meeting we discussed our juvenile justice center and alternative programs. This was discussed at great length last week in Las Vegas, New Mexico and the County Association will query how many juvenile beds there are before we consider closing ours, because other entities have already closed theirs. So thank you.

CHAIR ANAYA: Commissioner Holian. Commissioner Chavez.

COMMISSIONER CHAVEZ: I have two things. One is I'm backtracking

a little bit and it may be housecleaning. It's one of the items that we already approved. It's a resolution approving the County Assessor's property valuation program in accordance with state statute. On the dais here we have a redline version. It's Exhibit A. That was not referenced as part of the motion and I'm not sure if that's going to have a factor or not on that item.

CHAIR ANAYA: Can we give that to Mr. Shaffer and then you can give us some feedback here in a little bit, Greg.

COMMISSIONER CHAVEZ: Do you have the document?

MR. SHAFFER: Yes, I do, Mr. Chair.

COMMISSIONER CHAVEZ: Okay. And then the second thing I had, Mr. Chair, is it's a letter that I've signed on behalf of the County Commission and as the Vice Chair of the North Central Regional Transit District. The letter is directed to Secretary Fox, Secretary of the US Department of Transportation. It's in support of an application submitted by the North Central Regional Transit District for fiscal year 2015, Transportation Investment Generating Economic Recovery, also known as TIGER grants. These funds would be for final design and construction of a maintenance facility, vehicle wash bay and fueling station in Espanola, New Mexico. The maintenance facility project will allow the North Central Regional Transit District to service and maintain its vehicles on site with its own trained employees. This project will increase safety, oversight, decrease costs and time spent transporting vehicles to off-site maintenance facilities, and improve internal response time to routine and unanticipated maintenance issues.

So it's a letter of support for funding for the North Central Regional Transit District, and I wanted to bring that to your attention. I don't have copies but we can have copies made if you need one.

CHAIR ANAYA: Thank you, Commissioner Chavez. Other items?

COMMISSIONER CHAVEZ: That's all I have. Thank you.

CHAIR ANAYA: Commissioner Roybal.

COMMISSIONER ROYBAL: In my district we did have some snags with the recreational fields for the Pojoaque Valley. We had some issues and some snags but staff is working through those and of course we still have the flooding issues and concerns.

Also we're working with some of the acequias and some of the other entities, some of the pueblos as well on a comprehensive analysis. We're trying to get planning grants for the Pojoaque River to address flooding issues. But I really want to say thanks for the dedication and ask for the continued efforts from staff that they have provided to District 1, and I'd like to recognize Adam Leigland, Robert Martinez, Marcos Lupus, Mark Hogan and Martin Vigil for their help the last couple weeks. They've been really helpful so I'd like to recognize them. Thank you.

CHAIR ANAYA: Other items, Commissioner?

COMMISSIONER ROYBAL: One other person I forgot to mention that's key and definitely always helping me is Orlando Romero. I'd like to thank him as my liaison.

CHAIR ANAYA: Thank you, Commissioner, and I'll follow your lead

there and do a shout out to Chris Barela for your help and assistance day in and day out with the meetings, and the entire staff, Ms. Miller, that helps us get the meetings organized and get through them. So I greatly appreciate those efforts.

I only have one item and it's an item that I'd like my colleagues to give some thought to and some feedback back to me on. I think it's time in the County – I was telling Chris as a matter of fact a while back that County government in Santa Fe County has underseen a huge transformation in the last 15 years in particular. If you go back 15 years and look at where the County was and where it is now. It's been a huge transformation. It's big community business that we do here and I think it's important that we convey what's happening in the County and where we're headed in the County.

So I want my colleagues to give me some feedback, but I'd like to get to a point where we do a state of the County presentation to our community, and I think it needs to be done district by district where we all have a prescribed period of time where we could provide a snapshot as to what's happening in our county in our districts respectively, and then a rollup of what's gone on in the county collectively.

And so I'm thinking some time around the first of the fiscal year but I'd like to get your feedback. It doesn't have to be right now, but I'd like to get your feedback and input so that we can maybe prepare for something like that, and then deliver it in an efficient way that provides information to the public and gives an idea as to what direction we've been in already. So I don't have anything else, Commissioners.

## **V. MATTERS FROM THE COUNTY ATTORNEY**

### **A. Executive Session**

#### **2. Threatened or Pending Litigation, as Allowed by Section 10-15-1(H)(7) NMSA 1978**

- a. Possible Litigation Concerning Laws 2014, Chapter 79**
- b. Arbitration Against the City of Santa Fe Concerning the Water Resources Agreement**
- c. Employment Claims by a Santa Fe County Employee**
- d. *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***
- e. Possible Litigation Concerning a Road in Commission District 4**

CHAIR ANAYA: I'd like to entertain a motion to recess. We'll start the land use cases promptly at 8:00 if you guys are okay with that.

COMMISSIONER STEFANICS: Mr. Chair, are we doing an executive this evening and are we doing it at the end of what. We have several items on here.

CHAIR ANAYA: We have – what I have on here in front of me, maybe I missed something, is we've gone through the entire agenda.

COMMISSIONER STEFANICS: You're looking at the wrong one. There's a red. All the red.

CHAIR ANAYA: Okay. So we're going to need to do executive session

now. How much time are you wanting, Mr. Shaffer?

MR. SHAFFER: Mr. Chair, I think we could accomplish what needs to be done in a half hour and then come back and take action, if it's the desire of the Board on those items that are identified for possible action under C. and D of agenda item V.

CHAIR ANAYA: So taking Commissioner Stefanics' comments under consideration, and thank you Mr. Vice Chair for pointing out the amendments, I'd entertain a motion to go into executive session. We'll target 30 minutes to try and get done and get back to do land use cases.

MR. SHAFFER: If I could, Mr. Chair, the one item we don't need is the amendment is the amendment of the County Manager's employment agreement since the Board did in fact take action on that already. So the items to be discussed would just be the threatened or pending litigation, under agenda item V. A. 2. a. through e.

CHAIR ANAYA: Excellent. I need a motion and a second first.

COMMISSIONER CHAVEZ: So moved, Mr. Chair.

CHAIR ANAYA: There's a motion from Commissioner Chavez to go into executive session.

COMMISSIONER STEFANICS: Second.

CHAIR ANAYA: And a second, Commissioner Stefanics and Commissioner Roybal.

**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:**

<b>Commissioner Anaya</b>	<b>Aye</b>
<b>Commissioner Chavez</b>	<b>Aye</b>
<b>Commissioner Holian</b>	<b>Aye</b>
<b>Commissioner Roybal</b>	<b>Aye</b>
<b>Commissioner Stefanics</b>	<b>Aye</b>

[The Commission met in closed session from 7:30 to 8:40.]

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR ANAYA: Commissioner Chavez.

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

COMMISSIONER HOLIAN: Mr. Chair, I second, where we discussed pending or threatened litigation, and present where the five County Commissioners, the County Manager, our County Attorney and our Deputy County Attorney.

CHAIR ANAYA: There's a motion and a second from Commissioner Holian.

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

**V. C. Possible Action(s) with Respect to Threatened or Potential Arbitration Against the City of Santa Fe Concerning the Water Resources Agreement**

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, I would like to make three motions. The first concerns the City of Santa Fe's unreasonable withholding of consent with respect to Meter House No. 4 as an additional point of delivery of water from the City to the County under the Water Resources Agreement. I move to authorize the County Attorney through his staff or outside counsel to initiate and prosecute, in the name of the BCC, arbitration and all necessary or appropriate ancillary proceedings concerning the City's unreasonable withholding of consent for water delivery through Meter House No. 4.

COMMISSIONER CHAVEZ: Second.

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

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

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, the second motion concerns whether the City of Santa Fe duly authorized and initiated arbitration under the www over the amounts the City claims are due from the County under that agreement. Should the City be unable to demonstrate to the County Attorney's satisfaction that arbitration was duly authorized and initiated, I move to authorize the County Attorney through his staff or outside counsel to initiate and prosecute, in the name of the BCC, appropriate actions in court or otherwise to determine whether arbitration has been duly authorized and initiated by the City. Such actions may include but are not limited to an action under the Open Meetings Act to declare City Council action to authorize arbitration in closed session void.

COMMISSIONER CHAVEZ: Void.

CHAIR ANAYA: There's a motion from Commissioner Holian, a second from Commissioner Chavez. Any further discussion? Seeing none.

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

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: The third motion concerns the City of Santa Fe's claim that the County owes it money under the www. Provided the in such mediation with any mediated resolution being subject to formal approval by the BCC.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: There's a motion by Commissioner Holian, second

from Commissioner Chavez. Any further discussion? Seeing none.

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

**V. D. Possible Action with Respect to Potential Litigation Concerning a Road in Commission District 4**

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. This motion concerns that portion of County Road 63A, otherwise known as La Cueva Road in Glorieta, where the road passed through Tract 5-C, owned by Gregory Fusse. I move to authorize the County Attorney through his staff or outside counsel to initiate and prosecute in the name of the BCC an appropriate action in court to establish the extent of the La Cueva Road easement on this property and cause the removal of unauthorized steel poles and fencing that have been erected in the County's easement.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: There's a motion from Commissioner Holian and second from Commissioner Chavez. Any further discussion? Seeing none.

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

**X. PUBLIC HEARINGS**

**A. Land Use Cases**

**1. CDRC CASE # MIS 13-5051 Patrick Christopher and Marga Friberg. TABLED [See page 60.]**

**X. A. 2. CDRC CASE # V 15-5000 Victor Duran Variance. Victor Duran, Applicant, Requests a Variance of Ordinance No. 2002-9, (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District) Section 6.4 (Zoning Density) to Allow Two Dwelling Units on 2.5 Acres. The Property is Located within the Traditional Historic Community of La Cieneguilla at 18 Calle Lisa, Within Section 7, Township 16, North, Range 8 East (Commission District 3)**

MIKE ROMERO (Case Manager): Good evening, Commissioners. Victor Duran, applicant, requests a variance of Santa Fe County Ordinance No. 1996-10 and the amendments thereunto contained in Ordinance 2002-9, La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District, Section 6.4, Zoning Density, to allow two dwelling units on 2.5 acres. The property is located within the traditional historic community of La Cieneguilla at 18 Calle Lisa, within Section 7, Township 16, North, Range 8 East, Commission District 3.

On March 19, 2015 the CDRC met and acted on this case. The decision of the

CDRC was to recommend approval of the applicant's request with staff conditions by unanimous 6-0 vote.

The subject property, Lot C4 is part of the Vista Land Subdivision. This subdivision was created in 1974 and is recognized as a legal lot of record. The applicant has provided proof of ownership of the property by providing a Warranty Deed which was recorded in the County Clerk's Office June 21, 1977, Book 349 Page 442. Currently the applicant and his wife reside in the main dwelling unit, and the applicant's son and wife reside in the second dwelling unit.

The applicant has stated that a liquid waste system was permitted and installed on the property in 1979 when the residence was constructed. The applicant has provided an ariel photograph taken in 1981 that illustrates the residence on the property. However, the New Mexico Environment Department has no record of the liquid waste system being permitted. Since that time the applicant has obtained two new septic permits from NMED to modify the existing liquid waste systems for both the main residence and for the second dwelling unit.

On November 18, 2014, the Building and Development Services Division received a written complaint regarding a potential density violation on the subject property. On November 20, 2014, Code Enforcement conducted an inspection on the property. At that time the applicant was issued a Notice of Violation for Unpermitted Development and junk vehicles. Since that time staff has received two written letters of opposition regarding the applicant's request to have two dwelling units on 2.5 acres.

The Applicant has stated that in 1995 he converted his garage into a dwelling unit to help provide 24-hour care for his elderly great aunt. Since the passing of his great aunt the applicant has allowed his son and his family to reside in the second dwelling unit.

The applicant states a variance is needed in order to keep the second dwelling unit. The applicant wishes to have his elderly father reside in the second dwelling unit along with his son and daughter-in-law to help provide care for his father.

Staff recommendations: Staff recommends denial of a variance of Ordinance No. 2002-9, La Cienega and La Cieneguilla Traditional Community Planning area, and the La Cieneguilla traditional community zoning district, Section 6.4, Zoning Density, to allow two dwelling units on 2.5 acres. The decision of the CDRC is to recommend approval of the applicant's request, staff recommends imposition of the following conditions. May I enter these into the record?

CHAIR ANAYA: You may.

[The conditions are as follows:]

1. Water use shall be restricted to 0.25 acre-feet per year per dwelling unit. A water meter shall be installed for each home within ninety (90) days of recording the order granting the variance. Annual water meter readings shall be submitted to the Land Use Administrator by January 1<sup>st</sup> of each year. Water restrictions shall be recorded in the County Clerk's Office at the time of submission for a Development Permit (As per Article III Section 10.2.2 and Ordinance No. 2002-13).

2. The Applicant must obtain a Development Permit from the Building and Development Services Division for second dwelling unit within ninety (90) days of recording the final order granting the variance. (As per Article II, Section 2). The placement of additional dwelling units of Division of Land is prohibited on the property. (As per Ordinance No. 2002-9, Section 6.4) (Zoning Density).
3. All Junk Vehicles must be removed from the property within ninety (90) days of recording the final order granting the variance. (As per Ordinance 1993-6).
4. The Applicant shall comply with all Fire Prevention Division requirements at time of Development Permit Application. (As per 1997 Fire Code and NFPA Life Safety Code).
5. These conditions are precedent to granting of the variance. If the Applicant fails to comply with any conditions set forth above within the time periods provided, the variance shall be denied.

MR. ROMERO: I stand for any questions.

CHAIR ANAYA: Mr. Romero, I have a question to start off. On the vote of the CDRC was to approve the variance 6-0 with all staff conditions?

MR. ROMERO: Mr. Chair, that is correct.

CHAIR ANAYA: Does anybody else have any questions of staff? Seeing none, is the applicant present? Mr. Duran, is there anything that you would like to add?

[Duly sworn, Victor Duran testified as follows]

VICTOR DURAN: My name is Victor Duran. I reside at 18 Calle Lisa in La Cieneguilla. I was going to say I've been talking with Mr. Romero and he made me aware of the conditions I have to agree to in order to get this variance enacted, and I'm agreeable on those terms.

CHAIR ANAYA: Okay. Any questions of the applicant? Seeing none, thank you, Mr. Duran. This is a public hearing. We'll open up the public hearing. Is there anybody here that would like to speak in favor of or in opposition to this application? Is there anyone here who would like to speak in favor or in opposition to this application? Seeing none, I close the public hearing and I'd move for approval with staff conditions.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: I made a motion, Commissioner Chavez seconds. Is there any further discussion? Seeing none.

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

- X. A. 3. CDRC CASE # V 14-5310 Patrick ght Variance. Patrick Lysaght, Applicant, Requests a Variance of Article VII, Section 3.4.1.c.1.c (No-Build Areas) of the Land Development Code, to Allow the Construction of an Accessory Structure on Slopes Greater than 30 percent, a Variance of Article VII, Section 3.4.1.d.6 (Development Site), to Allow the Finished Floor of a Structure to Exceed (5') Above Natural Grade, and a Variance of Article III, Section 2.3.6.b.1 (Height Restrictions)**

**of the Land Development Code, and Section 3.8.2.d of Ordinance 2000-13 Tesuque Zoning District to Allow the Accessory Structure to Exceed the 18' Height Limitations for Structures on a 15 percent Slope or Greater. The Property is Located at 11 Via Vecino in the Traditional Community of Tesuque, Within Section 31, Township 18 North Range, 10 East (Commission District 1)[Exhibit 8: Material from Applicant; Exhibit 9:Material in Opposition]**

JOHN LOVATO (Case Manager): Thank you, Mr. Chair, Commissioners. Patrick Lysaght, Applicant, requests a variance of Article VII, Section 3.4.1.c.1.c, No-Build Areas of the Land Development Code to allow the construction of an accessory structure on slopes greater than 30 percent, a variance of Article VII, Section 3.4.1.d.6, Development Site, to allow the finished floor of a structure to exceed five feet above natural grade, and a variance of Article III, Section 2.3.6.b.1, Height Restrictions, of the Land Development Code, and Section 3.8.2.d of Ordinance 2000-13, Tesuque Zoning District to allow the accessory structure to exceed the 18-foot height limitations for structures on a 15 percent slope or greater. The property is located at 11 Via Vecino in the Traditional Community of Tesuque, Within Section 31, Township 18 North, Range 10 East, Commission District 1.

On March 19, 2015 the CDRC met and acted on this case. The decision of the CDRC was to recommend approval of the variance requests by a 4-2 vote.

The subject lot was created in 1981 and is recognized as a legal lot of record. Currently, there is a 4,300 square foot residence on the property which is a legal non-conforming residence. In 1998, the previous property owner was granted a variance to allow the disturbance of 30 percent slopes and greater for a 549 square foot addition to the existing residence. A permit for the addition was issued in 1999.

On July 17, 2014, Building and Development Services received a complaint regarding unpermitted development on the subject property. On July 21, 2014, Code Enforcement conducted an inspection on the property and issued a Notice of Violation for unpermitted development and disturbing slopes in excess of 30 percent. A stop-work order was placed on the construction and no further work has been done.

After further review of the applicant's request, staff determined that the accessory structure also required a variance to allow the structure to exceed the 18-foot height limitation on slopes 15 percent and greater and a variance to allow the finish floor to be more than 5 feet above natural grade. The unpermitted 600 square foot accessory structure sits on slopes greater than 30 percent and is raised on 6"x 6" posts and contains no plumbing. The structure is 23'10" high, and the finish floor of the structure is seven feet above natural grade. A structural engineer determined that the structure is in compliance with all applicable State Building Codes and is structurally sound for required loads.

The applicant states the variance is needed to provide an area for dry storage, a seasonal workshop for hobbies, and reduce noise and dust that routinely accompany

stone and woodcarving hobbies. The applicant further states that the only other location on the property that meets code criteria is located on a ridgetop and is inaccessible. Staff has conducted a site visit to confirm there are no other locations on the property to place the accessory structure. The site contains slopes of 30 percent and greater and has limited area less than 30 percent that are inaccessible.

Growth Management staff has reviewed this application for compliance with pertinent code requirements and finds the project is not in compliance with County criteria for this type of request.

Staff recommendation: Denial of variances from Article VII, Section 3.4.1.c.1.c, No-Build Areas, to allow the construction of a 600 square foot accessory structure which disturbs slopes in excess of 30 percent; a variance of Article VII, Section 3.4.1.d.6, Development Site, to allow the finished floor of the structure to exceed (5') above natural grade; and a variance of Article III, Section 2.3.6.b.1 and of Section 3.8.2.d of Ordinance 2000-13 Tesuque Zoning District, Height Restrictions, to allow the accessory structure to exceed the 18-foot height limitation for structures on a 15 percent slope or greater

At the March 19, 2015 County Development Review Committee meeting, the decision of the CDRC was to recommend approval with the following conditions. Mr. Chair, may I enter those conditions into the record?

CHAIR ANAYA: Yes, sir.

1. Water use shall be restricted to 0.25 acre-feet per year. A water meter shall be installed for the residence. Annual water meter readings shall be submitted to the Land Use Administrator by January 1<sup>st</sup> of each year. Water restrictions shall be recorded in the County Clerk's Office at the time of Development Permit (As per Article III, Section 10.2.2 and Ordinance No. 2002-13)
2. The Applicant must obtain a Development Permit from the Building and Development Services Department for construction of the Accessory Structure. (As per Article II, Section 2).
3. The Applicant shall comply with all Fire Prevention Division requirements at time of Development Permit Application (As per 1997 Fire Code and 1997 Life Safety Code).

CHAIR ANAYA: Is the applicant present? Sir, if you'd come forward and please be sworn.

[Duly sworn, Patrick Lysaght testified as follows]

PATRICK LYSAGHT: My name is Patrick Lysaght. I live at 11 Via Vecino in Tesuque. Mr. Chair, Commissioners, I'd like permission to distribute a handout that can provide some background and context.

CHAIR ANAYA: Sure. You can give it to John and he can give it to us.

MR. LYSAGHT: What I'm distributing here is a few pages that include a summary statement, the request for variances, three of which I'll deal with individually, and there's an appendix that includes three emails that I've sent to our local members of the road association explaining our situation and our willingness to comply with all of their concerns as well as notes from adjacent property owners that have indicated no

issues with our proposed project.

So I'd like to just simply start by saying that I made a big mistake. I was in fact building with a permit and the way this evolved was everything on the property, the driveway included and the house, everything is built on a very steep slope. All of it is that way. There's a deck on the back of the property that we purchased in November of 2011 that's on a much steeper slope and it's on posts just like this building in question. So I was a little naïve but I thought, it's not living space, there's no plumbing, there's no heating, and I did get a permit for power and I had it stubbed up. PNM approved a second meter because my distribution panel was completely full. So we went through all of this but it's just stubbed up so I can run extension cords for when I work there.

So right now I need that storage and I'd just like to say that when we purchased the property, on page 2 there, our decision to purchase the property was based on the declaration of protective covenants and building restrictions, originated in 1980 and amended in 1987. It says that in addition to one single-family dwelling there may be constructed on each tract customary outbuildings, garages – plural, car port, servants quarters, studio and/or one guesthouse and gatehouse, a stable and/or corral. That's the contract that I signed when I purchased the property.

So all of these things, where I needed the storage, we've got a two-car garage but it's completely full of art supplies and sculpture materials and so forth. We have two vehicles that we park outside and I've had two vehicles that we've had at the south end of town in storage since we purchased the property 42 months ago, because there's no place to put it. There's no flat land. I can bring those vehicles. It's cost me \$5,500 so far just in storage of vehicles. So you can see I need to get stuff out of the garage. I need to have it in dry storage. I don't need anything fancy; it's not living space.

So there was some issues associated with when we got the stop-work order it was very unfortunate because the project looked rather unsightly. It's on posts, on a slope and there's a lot of exposed cross-bracing that's not going to be visible when the rest of this project can be completed. It's about 60 percent done. So stopping a project right there, everybody was a little concerned about what's going on and this is an eyesore, but I can tell you that the whole plan was to be unobtrusive and to make this very discreet. In fact this building site is in front of my house and below it. The roof of this structure is below the foundation of my house. It's below the driveway grade level. We're trying to get everything down so it's unobtrusive and blends in. In fact we just planted 20 mature aspen, because 25 and 30 feet tall in that area that would be watered from harvesting on the roof. But even the roof of the building is a metal roof and it was designed with minimum pitch because of a concern of glare that might be bothersome to some neighbors.

The whole approach was to be a good neighbor and just try to get – but I did make that mistake of going ahead and building this. So that's where I stand. We have 9.5 acres. There's no level spot. We seem to have been given a set of restrictive covenants that I thought would be valid and the original owners applied for a variance on this same property that was much more severe than what I'm – they put an addition on a rooftop, or a hilltop, that built, cut into a hill in part and it was above the hills. So it was really something that would be more noticeable to neighbors and so forth. And that was 16 years ago and that was approved.

We have worked pretty tirelessly since I retired two years ago on trying to preserve the land. We're good stewards of the land. We've been putting in – trying to preserve the driveway with stone retaining walls on the hill. We're using the seeds from plants on our property to try to also mitigate erosion. We had a major downpour in September and some of our neighbors that have been in the area for over 30 years said this was the most extreme.

Well, interestingly, the only part of my property that wasn't impacted by this disastrous weather condition was the region underneath my building. I've also inquired about does it make sense for me, in terms of disturbing the land, to just have the posts. It's a total of 36 square feet of area on the slope where I've got posts that have been disturbed. But if you look at the full 600 square foot roof area, the slope underneath that, it's still less than two tenths of one percent of our land. So it's not like we're being haphazard about the land.

We also inquired about would it make sense to put a retaining wall underneath the structure. Two things could happen. The floor height now that's five feet, it says from the natural grade. So what happens if I put in a retaining wall and fill that? The floor would be – and the maximum height would also be within restriction.

So I think these things have to be determined case by case. So there's no real way of knowing whether it's better for the environment to excavate completely and built on level ground, or put in a retaining wall, or just build on a slope with the posts. So I don't even know today what the right answer is.

So our building, as John Lovato pointed out, as is, stopped in mid-construction, was inspected on site by a professional engineer from Hands Engineering. They approved everything the way it is now. They also approved my drawings for completion of the project. So as far as the structural integrity of what our plan is, it's very simple and it's also apparently robust enough in terms of engineering concerns.

As far as the aesthetic concerns I know that some neighbors that I've communicated with have indicated – I had Hardie board siding, for example, and they were recommending stucco – I've agreed. I'll just take that off if I can go forward with this project. I don't want to have any adversarial relationship with neighbors. If I could turn the clock back, I would. But here I am and I'm just trying to cooperate with everybody as best I can to move forward with this, knowing that it's going to blend in. It's not going to be obtrusive whatsoever. It's going to be completely functional from my planned use, and I'll also be able to bring my vehicles back to my property. Those are the kinds of things that provide a little context for this.

I think that in the appendix there's three emails that begin in November to our road association members. It's included here for completeness in terms of how I have tried to encourage everybody to voice their concerns so that we could cooperate and so that there's no animosity. There's nobody thinking I'm operating outside the law, or aesthetically doing something. There's no way that I'm going to do anything in that property that's going to adversely affect real estate property in the area and everybody that has communicated with me is convinced that that's the case. So they're not worried.

Also, we did get a notice that we sent out, certified mail, to all adjacent properties announcing the schedule for these meetings and so forth. There's 11 properties that are

adjacent to ours. Three of them are owned by the Santa Fe Institute. The president of the Santa Fe Institute, Jeremy Sabloff, he wrote a letter saying he's not opposed to this and another letter that I got from another property owner, Henry Carey. Some of you may know him. Chairman and founder of the Forest Reserve Company. I'll just give you a quote about how he defines his business. "Using a structured process we help clients define a management strategy for their property that maximizes the value and beauty of their land." That's what he fights for. He has a letter saying he's unopposed to what I'm doing. Thank you very much for your time.

CHAIR ANAYA: Thank you, Mr. Lysaght. Are there any questions of the applicant from the Commission? Seeing none, this is a public hearing. Is there anyone here that would like to speak in favor of or against this case? Mr. Sommer.

KARL SOMMER: Members of the Commission, my name is Karl Sommer. My mailing address is Post Office Box 2476, Santa Fe, New Mexico. Mr. Chair, may I approach the bench. Members of the Commission, I'm here on behalf of the Tesuque Valley Community Association. They have hundreds of members. They have spent thousands of hours in showing their undying dedication to the preservation of their community, and to upholding, enhancing, and preserving the principles that you have in your code. And you all know that from the many presentations that have come in front of you. I'm here tonight on behalf of the association and its planning committee to oppose and vehemently oppose the granting of the variance in this case.

What this case is about is in lieu of asking for your permission the applicant is here asking for your forgiveness and mercy. He says to you, I made a mistake. Well, let's talk about that mistake. The mistake is he didn't use a permit and he didn't follow any of your regulations at all. And what he's asking you to do is to say, hey, compound my mistake by making it legal. We all know what needs to be done. The mistake needs to be corrected and I intend to show you tonight that the code prohibits this construction. The applicant has not and cannot demonstrate a hardship and this application should be denied.

What I've given you is stuff I've found off the web today and they are photographs of this house when Mr. Lysaght and his wife, Doctor – I don't know how to pronounce her last name – bought this million dollar house, and if you look at that first page it is a 4,850 square foot house with five bathrooms and five bedrooms and a two-car garage, according to this sheet on the MLS. The bought it on November 23, 2011. That's the date shown on that webpage. So we're not talking about a hovel. We're not talking about a small house where you have lots of people crammed in there and you have this need. We're talking about two people living in about 5,000 square feet on the top of a hill as I'll demonstrate to you.

If you go to the next page you'll see that Mr. Lysaght's webpage says what he's doing. He says here tonight he's retired. I don't know one way or the other whether he's retired, but if you look at his webpage, in 2001 he started incorporating woodcarving, stone-carving and metal sculpture into his work. And do you know what he wants to do on this property? Woodcarving, metal work, and he calls it a hobby. What we've got here is a potential home occupation. If he had come to you and said, I want a home occupation for these uses your answer would have been no because he doesn't meet any of your

criteria.

On the next page that view is the view from their house. That's what they see. In other words, if you look down there that's what all the people looking up see. All those people see this house. That's just one of the views. The next page is the view of this house. And if you would look at this right here. This is this 4,850 square foot house, and you see that hole right in front of the house there that everybody can see from the valley? That's where he wants – that's where this building is going to go. He told you here tonight, he said you know what? This is neatly tucked, the top of this is neatly tucked below the driveway. Guess who doesn't see it. Guess whose unspoiled view of the valley is maintained. The applicant's. Guess whose view is not maintained. Everybody else in the community.

I submit to you that the claim that this was placed to preserve the view from elsewhere was simply there to preserve the view from his house. I pulled off Google Earth a photograph of this property from 2011. You see the long driveway? As you all know, there's a reason why people have very long driveways, because if the property is steep, in order to maintain a grade you have to have a very long driveway to get up to the top there. This is steep slopes, fragile slopes and very, very difficult terrain to build in. The only building site on this property was on the top of that ridge that you see there.

Go to the next page, it's the same photographs, and what I've done is is shown you what the view is like from down below in yellow, and all the red is the area where you have fragile 30 percent slopes. The one closest to the house is where this building is proposed to go. I submit to you that the purposes and the policies behind prohibiting 30 percent grades, heights, are all aimed at two things. One is to limit the damage to fragile slopes and the other is to prohibit the person from spoiling the view along steep and difficult terrain in areas just like those. Those are the purposes behind the code. You all know that because you've been enforcing the code for a long, long time. Those purposes would be absolutely nullified by granting this request.

It is not a matter of hardship when somebody wants a dry storage. That's a matter of preference. In a 4,850 square foot house with a two-car garage, this person wants dry storage for his art materials, and his art equipment. That's not a matter of hardship; that's a matter of preference. This person wants – he doesn't want the reasonable use and enjoyment of the property, he just wants more, and he wants it at the expense of your code and at the expense of his neighbors in the community.

Mr. Lysaght said he doesn't know what the solution is here. He told you that. He doesn't know whether there's – we know what the solution is: correct the mistake if that's what it was. It's very simple. Correct the mistake. There is no grounds. You should enforce the regulations as you have them. This is not a matter of hardship; this is simply a matter of preference. And I'll say to this. He told you, well, I've got cars stored off-site. My garage is chuck full of stuff. I've got to get it out of there. Did he own the cars when he bought the house? Did he own the equipment when he bought the house? Did he know what he was getting into when he bought a million dollar house on the side of the hill? That it didn't accommodate his cars and it didn't accommodate his equipment? Yes. He knew that. And he's here asking you to correct what was a mistake in the first place, if that's what it was.

I submit to you it wasn't a mistake. We're here because he wants more, not because there's a hardship. Please, on behalf of the association, we beg of you, enforce your code. The thousands of hours spent by hundreds of people enforcing the regulations deserve your consideration. Mr. Chair, thank you very much for your presentation. I know it's been a long night.

CHAIR ANAYA: Thank you, Mr. Sommer. Are there any other questions? Anybody else here that would like to provide feedback either for or against this. Applicant, you have an opportunity to make comments pertaining to some of the comments he made.

MR. LYSAGHT: I'd just like to clarify this a little bit. I think mostly what he said is pretty accurate. That is the place that I live. He seems to have – Mr. Sommer seems to have some sort of selective hearing because he wouldn't have made the accusations that he did about me if he simply paid attention when I explained about what the restrictive covenants include.

CHAIR ANAYA: Mr. Lysaght, do me a favor. I'm going to give you an opportunity to respond but if you could just cut right to the issues that you want to respond to and leave out the he can't hear. Comments, like that. Just cut right to the comments as to what your refuting if you could.

MR. LYSAGHT: Okay. I don't want to pick this apart. I don't know what's the point of showing my website that I haven't update since 2000. I've been working as a woodworker and a stone-carver since 1980 so I do have a fair amount of equipment that doesn't fit in a library or a kitchen in my house or any other bedroom or anything like that. It's in the garage because it needs to have a shop. I expected to be able to have a shop on the property. That was the condition under which I purchased the property. So it's not like the previous speaker seemed to think that there's something personally that I'm doing personally to violate the community. And I just don't see it that way. In fact I've reached out to everybody. I'm just not used to if somebody had a question about what I was doing why they wouldn't come and talk to me before filing a formal complaint or coming after me with a lawyer, which is has also been a threat that I've received from another person in the community.

So I don't really – I don't understand the approach. Okay, so let's work this out. Here's an existing condition; let's find a solution that everybody can live with. That's the way I go about it and try to keep it not personal. So I'm just a little bit frustrated and at a loss when people deal with me that way because it's so unnecessary. I don't claim that there's a hardship. I claim that I bought a property that I fully expected to be able to continue with my hobbies. So that now seems like something I either can get with this project or I'm going to have to come back time and time again to try to get what I need on that property. It seems like it was – I won't say guaranteed but it was in my restrictive covenants as what I can do on my land and now I'm just trying to go about doing that as best I can from this point forward.

CHAIR ANAYA: Okay. Thank you, Mr. Lysaght. Are there any other members of the public that would like to speak in favor of or against this applicant? Seeing none, the public hearing is closed. We'll go to my Commissioners for questions. I have one question for you sir, or maybe staff. In the – you made a comment about the

outside surface of the structure and that you're willing to stucco it.

MR. LYSAGHT: One neighbor said I should make it stucco so it matches the house. I hadn't plan to do that. It's Hardie board, so it's a concrete product that would not be affected by weather over time, and I was going to paint it the color of the house. But I agreed. I'll take the Hardie board off and I'll stucco it, because I'm just trying to cooperate and that was a request.

CHAIR ANAYA: Okay. That's the only question I have. So Mr. Lovato, that wasn't included in any condition that the CDRC provided.

MR. LOVATO: Mr. Chair, you're right. That wasn't included in any condition but it is included within the ordinance that they do earth tone colors and conform to the ordinance.

CHAIR ANAYA: Okay. So earth tone colors but not necessarily a plastered or stuccoed finish, but that's something that we can keep in mind whatever the determination of the Commission is.

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

COMMISSIONER CHAVEZ: Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, there is a staff recommendation and I want to ask the applicant if he had a chance to look at the staff recommendations.

MR. LYSAGHT: Can you be specific please?

COMMISSIONER CHAVEZ: Well, there was one staff recommendation that I'll focus on and then maybe staff can share the other recommendations with you but water use shall be restricted to 0.5 acre-feet per year. A water meter shall be installed for the residence and annual water meters shall be submitted to the Land Use Administrator by January 1<sup>st</sup> of each year. Water restrictions shall be recorded in the County Clerk's Office at the time of development permit.

MR. LYSAGHT: On the water use, there's no water, there's no plumbing at this spot. If it's required that I have to have a sprinkler system, then I'll have water for that, but right now the only water associated with this is catchment. I have three 60-gallon storage barrels and that's going to be supplemented by a 3,000-gallon cistern.

COMMISSIONER CHAVEZ: I don't discourage that, sir but I'll read the recommendation again. Water use shall be restricted to 0.5 acre-feet per year. A water meter shall be installed for the residence. That's the residence that you're living in.

MR. LYSAGHT: That's all fine. We have our water monitored and we're on a well that we share with two other residences there, so we're well within the restrictions. In fact we're not at – it's just my wife and I that live there full time and we're only there really about seven months of the year. So we don't really use – we don't irrigate at all, so other than what we get from catchment. So our water use is extremely low.

COMMISSIONER CHAVEZ: Well, I'm going to read again. A water meter shall be installed for the residents. Annual water meters shall be submitted to the Land Use Administrator by January 1<sup>st</sup> of each year. Water restrictions shall be recorded.

MR. LYSAGHT: We have a record of them. Our neighbor, Sam Burford, who has been paying for the power for the pump as well as monitoring the water meter,

so we just get a bill from him annually, but I can get that usage number if that's what you're concerned with. We have that in place for the residence.

CHAIR ANAYA: If we could, on that point, Commissioner. Mr. Shaffer, just a thought. Commissioner Chavez brings up a good point. For this case or any other case if we impose a water restriction and it's on a shared well, how could we legally bind the other parties to the shared well agreement? Or could we? Could we bind one of three parties in this case to water restrictions? Since it doesn't have anything to do with this case.

MR. SHAFFER: Mr. Chair, I don't read the condition as impacting the usage by the other property owners that have an interest in the well. Rather, I read this condition as being specific to the use by the property owner in front of you.

CHAIR ANAYA: How do you do that? How do you do that if you have three property owners and let's say they can use three acre-feet? How do you decipher? Are we saying the meter's not on the well but on the line to his house? Is that what we're saying? Because we can do it that way. We could say that a well meter be installed at the trunk line into his yard, I suppose. But we couldn't put one on the well itself because that serves to other people. So I guess I answered my own question.

MR. SHAFFER: I think that's correct, Mr. Chair. I would defer to Land Use staff but the condition states a water meter shall be installed for the residence so I read that as somehow just monitoring the use of the residence as opposed to the entire well

CHAIR ANAYA: Got you. Vicki, do you have something you want to add?

VICKI LUCERO (Building & Development): Mr. Chair, I just wanted to clarify the water restriction on this – the condition requiring the water restriction is actually .25 acre-feet. I think it was read into the record as .5. So it's a quarter acre-foot that we're recommending.

CHAIR ANAYA: Okay. Thank you. So Commissioners, this is District 1 I believe. Commissioner Roybal, any thoughts?

COMMISSIONER ROYBAL: I appreciate the fact that he did take ownership of the mistake he made but it is something that I would think most people would understand is common sense to check with your local county and make sure that you need to get these building permits or at least find out what the rules and regulations are before you start building.

MR. LYSAGHT: I actually wasn't that naïve. I did get the permit for power, and I misinterpreted the explanation about the 15 percent slope. I thought it was 15 degree from the horizontal. So if you go out 30 feet and you drop down nine it's a 30 percent slope but it's only a 17 degree angle. So I was within – I wasn't building on something that was greater than a 15 degree angle from the horizontal, and that was what I was guilty of, and I thought, it not being living space, no plumbing, no electricity inside of that kind of thing, no heating or anything, I thought I was okay. And I thought the slope was okay when I went ahead with it.

COMMISSIONER ROYBAL: I understand and I feel for your situation,

but in this situation I'd have to go with what staff recommends and it would be the denial. So I'd like to make a motion as what staff has recommended is a denial for this.

COMMISSIONER STEFANICS: I'll second.

CHAIR ANAYA: There's a motion to deny from Commissioner Roybal with a second from Commissioner Stefanics. I have a question, I guess a logistical question. So a motion to deny gets approved then is the rectified situation him tearing the structure down?

MR. LOVATO: Mr. Chair, Commissioners, that would be the actual next step if the motion is denied in the approval.

CHAIR ANAYA: So just following that same vein. Is there a legal way, if the structure is torn down, obviously, that another structure could be erected on this property somewhere else?

MR. LOVATO: Mr. Chair, Commissioners, he would have to apply for a variance, just due to the nature of the topography on the property.

CHAIR ANAYA: No matter where a structure is built, he would have to get a variance.

MR. LOVATO: Mr. Chair, I would have to get a slope analysis to determine whether there's any other feasible area for this but judging from the property and slope that I pulled from our topography department there's really no other place to build on this property.

CHAIR ANAYA: Okay. Other questions from the Commission?

COMMISSIONER CHAVEZ: Just a comment, Mr. Chair. I know that this is an after the fact request. The structure is already there. It's after the fact. This is not the first time that a case like this has come before us. I think maybe in some cases people might have done it intentionally. Maybe it was an oversight. Maybe it was a mistake. But it's happened, and it's happened more than once in different parts of the county. So I don't know that having this torn down to be placed possibly somewhere else on the property would be a solution. If the applicant has agreed to certain conditions and agreed to change the color and the finish of the structure to help it blend in more I think that that would go a long way but I'm just not sure that having this individual tear that structure down is a solution. But those are just my comments right now and I guess it's unfortunate that when someone is in a situation like this it's very tenuous and unfortunate so I guess I'm kind of feeling for the applicant at this time. But that's all I'll say at this time, Mr. Chair. Thank you.

CHAIR ANAYA: Commissioner Roybal and Commissioner Stefanics –

COMMISSIONER STEFANICS: Call for the question.

CHAIR ANAYA: Well, I guess what I was trying to alleviate was maybe a split vote. Okay.

**The motion to deny tied 2-2 with Commissioner Roybal and Commissioner Stefanics voting for denial and Commissioner Anaya and Commissioner Chavez voting against.** [Commissioner Holian was not present for this action.]

CHAIR ANAYA: It's two to two so we'll have to deliberate just the question at the next meeting. Is that correct, Greg?

MR. SHAFFER: That's correct, Mr. Chair, under the Board's rules of order. If a motion results in a tie and a member is absent, other than due to voluntary recusal the item is tabled until the next meeting at which a greater number is present.

CHAIR ANAYA: I guess what I was going to say before the vote is if there was any alternative that would fulfill concerns of the neighbors as well as not affording it to be torn down. I guess that's what I was going to say. Is there any work that the applicant can do with the neighbors or Mr. Sommer or others that's in between tearing the structure down, by maybe making modifications to the structure.

COMMISSIONER ROYBAL: I'd like to say something.

CHAIR ANAYA: Commissioner Roybal.

COMMISSIONER ROYBAL: I do agree with that. It's hard to make a decision like that and I really feel like you are an honorable individual and it seems like you would like to work towards a resolution so I would like to afford that opportunity for you also to meet with Karl Sommer and the people that are opposed at this time as well. If it's something that we can find a resolution to I would also be okay with that.

CHAIR ANAYA: Thank you, Commissioner Roybal. And Commissioner Stefanics, I didn't hear you call the question. My apologies.

MR. LYSAGHT: Thank you all very much for your time and for your recommendations.

**X. A. 4. CDRC CASE # V/ZA/S 10-5352 Rio Santa Fe Business Park.  
Peña Blanca Partnership, Applicant, Jim Siebert, Agent,  
Request a Master Plan Zoning Amendment to an Existing  
Zoning Approval and Preliminary and Final Plat and  
Development Plan Approval to Create Four (4) Commercial  
Lots on a 31.44 + Acre Parcel to be Utilized as a  
Commercial/Industrial Use. The Applicant Also Requests a  
Variance to Allow a Cul-de-Sac (Dead-End Road) to Exceed  
500 Feet in Length. The Property is Located at 54 Colony  
Drive, North West of N.M. 599, North of Paseo de River,  
Within Section 10, Township 16 North, Range 8 East,  
(Commission District 20) [*Exhibit 10: Baca Appeal on Rio Santa  
Fe Business Park; Exhibit 11: Baca Appeal on PNM Solar Center*]**

JOSE LARRAÑAGA (Case Manager): Thank you, Mr. Chair. Peña Blanca Partnership, Applicant, Jim Siebert, agent, request a master plan zoning amendment to an existing zoning approval and preliminary and final plat and development plan approval to create four commercial lots on a 31.44-acre Parcel for commercial/industrial use. The applicant also requests a variance to allow a cul-de-sac to exceed 500 feet in length. The property is located at 54 Colony Drive, northwest of NM 599, north of Paseo de River, within Section 10, Township 16 North, Range 8 East.

On February 19, 2015 the County Development Review Committee met and acted

on this case. The decision of the CDRC was to recommend approval by a 4-1 voice vote of the applicant's request for master plan zoning amendment to an existing zoning approval, preliminary and final plat and development plan approval to create four commercial lots on a 31.44-acre parcel for commercial/industrial use and a variance to allow a cul-de-sac to exceed 500 feet in length, with staff conditions subject to modification of staff condition #8. That was to include "unless a site threshold assessment is acceptable to the New Mexico Department of Transportation."

On December 14, 2010 the Applicant was granted Master Plan Zoning approval to allow commercial/industrial uses on 31.44 acres by the Board of County Commissioners. The conditions of approval included: water shall be supplied by Santa Fe County via an extension of service from the existing Buckman Direct Diversion transmission line; the Business Park wastewater system shall connect to the City of Santa Fe sewer system; the site would take access via the NM 599 Frontage Road.

The applicant is requesting an amendment to the approved Master Plan to allow the use of individual onsite wells as a water source for the development as a substitute for County water. The applicant states that the number of lots is proposed to decrease from 20 lots to four lots, therefore an extension of the BDD waterline is impractical for the development. The applicant also states that the water use will be limited to 0.25 acre-feet per year per lot.

The Applicant also requests that the use of conventional septic systems, on individual lots, be allowed. The applicant states that a request to the City of Santa Fe for connection to the City sewer system, was pursued and the City verbally stated that connection to the City Sewer System from outside of the City limits would not be allowed.

The Applicant is requesting Preliminary and Final Plat and Development Plan approval to create four commercial lots on a 34.44-acre parcel to be utilized for commercial and industrial uses. The lots range from 6.36 acres to 9.245 acres. The lots will take access off of Rio Abajo Road via the NM 599 Frontage Road.

The applicant also requests a variance of Article V, 8.2.1d to allow a dead end road to exceed 500 feet in length. The proposed roadway to the site is not designed with an alternate access and is therefore considered a dead-end road.

The applicant states: the excess length of the cul-de-sac is from having to maintain the existing Santa Fe County easement granted to Santa Fe County by Peña Blanca Partnership and denial by the MPO and County staff to allow for the relocation of said easement.

Building and Development Services staff has reviewed this project for compliance with pertinent Code requirements and has found the following facts presented support the request for amending the existing Master Plan Zoning to allow the use of individual onsite wells as a water source for the development and to allow the use of conventional septic systems on individual lots: water availability has been demonstrated for the proposed subdivision with submission of a water resource analysis on adjacent wells; the water analysis provided information that satisfies the

requirements set forth in the code for water service for the proposed subdivision; the subdivision disclosure statement states that upon drilling a well on the individual proposed lots a qualified testing lab shall prepare a water quality report satisfying the code requirements; water use will be limited to 0.25 acre-feet per year per lot; the applicant has demonstrated that the development concepts are acceptable; the application is comprehensive in establishing the scope of the project; the application satisfies the submittal requirements set forth in the code.

Building and Development Services staff has reviewed this project for compliance with pertinent code requirements and has found the following facts presented support the request for preliminary and final plat and development plan approval to create four commercial lots on a 34.44-acre parcel: the proposed subdivision design and layout submitted on the preliminary plat meets the requirements of the Land Development Code; the final plat substantially conforms with the preliminary plat; the development plan conforms with the Preliminary and Final Plat; the application satisfies the submittal requirements set forth in the Land Development Code.

The review comments from State Agencies and County staff have established that this application for an amendment to the existing master plan zoning and for preliminary and final plat and development plan is in compliance with: State requirements; Article V, Section 5 Master Plan Procedures; Article V, Section 5.2.6 Amendments and Future Phase Approvals; Article V, Section 5.3 Preliminary Plat Procedures; Article V, Section 5.4 Final Plat Procedure; Article V, Section 7.2 Final Development Plan. This application is not in compliance with Article V, Section 8.2.1d, Cul-de-sacs.

Building and Development Services staff has reviewed the applicant's request for a variance and has found that the following information is relevant to a recommendation by the BCC: the proposed access road is 1,824 feet in length from NM 599 Frontage Road to the end of Rio Abajo Court, the distance from the intersection of Paseo de River and the end of the cul-de-sac is 1,034 feet; from the intersection of Rio Abajo Road and Rio Abajo Court to the end of the cul-de-sac is 674 feet in length. The New Mexico Department of Transportation has indicated, to the Public Works Department and to the applicant, that the Frontage Road will be blocked off and no through traffic going east will be allowed onto Paseo de River from the Frontage Road. This action would leave the proposed site without access; the access from Paseo de River from the south via Paseo Rael does not have an all-weather crossing and would require a variance of that condition or a substantial expenditure of funds to install the all-weather crossing; a platted, 100-foot wide, easement runs north/south through the site and connects to Caja del Rio and Paseo Rael. The southern portion of the easement shall require an all-weather crossing and the distance from Caja del Rio to the site is approximately 6,185 feet.

Staff recommendation: Staff recommends denial of the applicant's request for a variance of Article V, Section 8.2.1d to allow a cul-de-sac to exceed 500 feet in length.

The Board of County Commissioners may consider the information presented by

staff in determining if the request for a variance of Article V, Section 8.2.1d would be a minimum easing of the requirements. The decision of the CDRC was to recommend approval of the variance of

Article V, Section 8.2.1d and approval of the request for master plan zoning amendment to allow the use of individual onsite wells for the development and to allow the use of conventional septic systems on individual lots. Approval of preliminary and final plat and development plan to create four commercial lots on a 34.44-acre parcel subject to the following staff conditions, with a modification of staff condition #8 so that it included the following language: "unless a site threshold assessment is acceptable to the New Mexico Department of Transportation." Mr. Chair, may I enter these conditions into the record?

CHAIR ANAYA: Yes, you may.

[The conditions are as follows:]

1. The Applicant shall comply with all review agency comments and conditions as per Article V, Section 7.1.3.c.
2. Amended Master Plan with appropriate signatures, shall be recorded with the County Clerk as per Article V, Section 5.2.5.
  - a. Approval of a master plan shall be considered valid for a period of five years from the date of approval by the Board.
3. Final Plat with appropriate signatures, shall be recorded with the County Clerk as per Article V, Section 5.4.4. The Plat shall illustrate the portion of the property that shall be dedicated as Open space.
  - a. Any approved or conditionally approved final plat, approved after July 1, 1996 shall be recorded within 24 months after its approval or conditional approval or the plat shall expire. Upon request by the subdivider, an additional period of no more than 36 months may be added to the expiration date by the Board.
4. Final Subdivision Development Plan with appropriate signatures, shall be recorded with the County Clerk as per Article V, Section 7.2.
5. The Applicant shall submit a financial guarantee, in sufficient amount to assure completion of all required improvements prior to Final Plat recordation, as per Article V, Section 9.9.
6. The Applicant shall record water restrictive covenants restricting the water use to each lot to 0.25 acre-feet per year (afy). A water meter must be installed for each lot. Annual meter readings shall be submitted to the County Hydrologist by January 1st of each year. If the proposed water budget exceeds 0.25 acre-foot per year for the proposed development, submission of a geohydrology report approved by the County Hydrologist demonstrating water availability as allowed by the Code, will be required, as per Article VII, Table 7.4.
7. Water quality documentation shall be submitted at Preliminary Development Plan, on each lot, as per Article VII, Section 6.5.1.d and Table 7.4.
8. A Traffic Impact Study shall be required for each lot at time of Preliminary Development Plan unless a site threshold assessment is acceptable to the New Mexico Department of Transportation.

9. The Applicant shall construct Rio Abajo Road to the most northern boundary of the property.
10. The Applicant shall comply with road design standards set forth in Article V, Section 8.2.1d.
11. The Applicant shall submit a Plat, prior to the recordation of the Preliminary and Final Plat, which shall dedicate the granting of easement and realignment of an easement on both private and New Mexico State Land Office property which will provide the access to the site.
12. The applicant shall submit a New Mexico right-of-way lease dedicated as a public easement from the State Land Office prior to final plat recordation.

MR. LARRAÑAGA: Mr. Chair, I stand for any questions.

CHAIR ANAYA: Are there any questions of staff at this time? Seeing none, is the applicant present? Mr. Siebert, if you would be sworn and if you have anything to add.

[Duly sworn, Jim Siebert testified as follows]

JIM SIEBERT: My name's Jim Siebert. My address is 916 Mercer. Mr. Chair, Commissioners, to give you a little background on this, you may recall we regionally had this approved as a 27-lot subdivision. One of the conditions was that we had to approach the City and request use of City sewer. It took well over a year to get on the agenda for the Water and Wastewater Technical Review Committee. When we did that they denied the connection to City sewer and at that point it just simply wasn't feasible to bring in water without having sewer. It wouldn't make any sense.

So the applicant at that point decided to kind of go back down to four lots, to onsite wells and individual septic systems. So with that I'm going to give you –

CHAIR ANAYA: Jim, just to summarize, there were 26 lots and now it's down to four?

MR. SIEBERT: Correct.

CHAIR ANAYA: Okay. Thanks.

MR. SIEBERT: This is a drawing of our project and what we've done is this is the boundary. There is an existing easement that runs through the tract. It's a 50-foot road easement that's actually been dedicated to the County. The idea eventually as the alternate road comes off Caja del Rio it would come down and eventually connect back up to Airport Road. This is the cul-de-sac that isn't in discussion here. What's happened is, and some of you may be aware of this. I think Commissioner Chavez is aware of it on the MPO, that this is the New Mexico frontage road. Originally, we had plan to use this access here, coming down and then up the Santa Fe River and then into the project.

We've been informed by District 5 Highway Department that their plan is to at some point cut this road off because it goes across access control. [inaudible] down to Paseo del River so what the applicant has done is acquire an easement from the State Land Office for this portion here. This portion here is – an easement has been acquired. It's in your packet. It has not been recorded. It's ready to be recorded if this plat is approved. So there is an alternative access to get into the property when this is closed.

The other thing to take into consideration is at some point there will be a bridge structure here to complete that connection from the end, the [inaudible] end of the frontage road to the current end of the frontage road. And there is a study done actually by the Highway Department that it would be about \$3.2 million and that study was done in 2012 so it's a little dated, and it had a ranking for all the 599 various major improvements. This ranked kind of third down but in the meantime they had – the South Meadows interchange was constructed so [inaudible] it's right towards the top of those improvements. It is not part of the State STIP program, the Transportation Improvement Program at this time.

So long term, the advantage of acquiring these easements by the applicant, when the bridge is constructed, then there would be access to the frontage road. There wouldn't be any access from this point here, which is Paseo de River, because the frontage road, the new bridge structure would sit up so much higher than this particular roadway. So this is the long-term solution. It's a short-term solution, when they close it off. It's a long-term solution when they build the bridge.

So with that I'll answer any questions you may have.

CHAIR ANAYA: Are there questions of Mr. Siebert? Seeing none, is there anyone here that would like to speak in favor of or against this application? Mr. Baca. Mr. Larrañaga, are you going to speak in favor of or against?

MR. LARRAÑAGA: Mr. Chair, if I may. I entered the conditions. The report stated that the CDRC had approve this project with all conditions, but condition 12 was added on afterwards, just to clarify that, by staff. It reads, The applicant shall submit a New Mexico right-of-way lease dedicated as a public easement from the State Land Office prior to final plat recordation. The lease and access easement that the applicant submitted to staff, it's not in your staff report, it states that it's a private easement. So we're looking for a public easement on this. I know the applicant is working with the State Land Office on that.

CHAIR ANAYA: Thank you, Jose.

MR. SIEBERT: Mr. Chair, real quick. We're in agreement with all conditions stated by staff. We're finalizing this whole issue of the private to public easement with the State Land Office and that's forthcoming.

CHAIR ANAYA: Thank you, Mr. Siebert. Mr. Baca.

[Duly sworn, Matthew Baca testified as follows]

MATTHEW BACA: Matthew Baca. 5125 Northern Trail, Baca Ranch, also here in Santa Fe County. Mr. Chair, may I approach the bench?

CHAIR ANAYA: You can give them to Jose.

MR. BACA: Mr. Chair, what you've just been handed is an appeal of the CDRC's recommendations under final decisions of CDRC Case # V/ZA/S 10-5352, the Rio Santa Fe Business Park. I'm going to begin my comments by saying that the issues that are surrounding this application are many of the same ones that surrounded an application you heard on March 24<sup>th</sup>, which was the CDRC Case #Z/DP 14-5370, which was the PNM Caja del Rio Solar Energy Center project. Many of the key issues were also included in that one. As you recall, that was a very lengthy hearing and I

know this is a quasi-judicial public hearing that forms the record for the appeal to district court.

But I don't want to take your time as well as staff's time as well as my time too, to go over a lot of that again. If I can be permitted to submit the appeal that was made to the Commission on March 24<sup>th</sup> as part of the record I can, I think, skip a lot of the things we talked about on that date.

CHAIR ANAYA: Yes, sir.

MR. BACA: As you know, in that March 24<sup>th</sup> hearing our biggest issue is the road that is coming off the Caja del Rio and it's included here in its attachment form in the appeal I just handed you for the Santa Fe Business Park. If you'll turn to Attachment 4, which approximately about 10 pages from the last page of this appeal.

This plat that you see before you was designated as Exhibit 5 in the CDRC case on February 19, 2015, this case that we are now hearing, and was shown as an access road on the northern portion of this property. This is the same road that we discussed before that is protected by federal 932 small holding claim designations and that will also we view as a taking of approximately 300, 400 acres of our grazing property if the road is built.

I want to go back to page 1 though now and just go to the very first paragraph and go to the end and I want to let Mr. Siebert know, Mr. Siebert, to let you know that in the past our family has retained Mr. Siebert, who was the agent on this and we want to put on the record that the Baca has nothing but the highest regard for his professionalism and veracity, but we just believe that some of the information provided by Peña Blanca Partnership was not provided to him prior to the hearing.

The new – I'm going to go through the new things that are here that we didn't have at the prior one, and that's the very last page. It's the easiest one, and that's attachment number 8. This is a letter from Mr. Jim Walters, who we've permitted on our ranch to monitor the burrowing owls. As you know, the burrowing owls have a special federal designation and in fact we've been inventorying for him. There is a site adjacent to this property where the proposed road enters from the north that does come across on the burrowing owl habitat. There are no owls there right now but they are there during the summertime, so I did want to point that out to you.

I also wish to go to attachment number 5 which we discussed also in the meeting of March 24<sup>th</sup>, and this is from Eric Blinman, the State Archeologist. This is to myself. Here was the preliminary report. Since this was written this is regarding archeological finds. These are the archeological finds that were brought up in the meeting of the 24<sup>th</sup> but this exhibit was not included in there so I'm providing it now. Here's the preliminary report. Since this was written we have radiocarbon and optically simulated luminescence dates from several of the features. These are adjacent to the archeology and adjacent to the road, the northern access road again. The dates indicate sporadic use of this area, probably by hunting groups as early as 4350 BC, then again circa 2900 BC, and then 2100 AD BC and finally in the 6<sup>th</sup> century CD. [sic]

This is again to reinstate that the archeological studies regarding this road have been and the area around this road to the north, at the Cochiti Trail, have sites that are

approximately 6,000 years old.

And now I'm going to go to attachment 6, and first I want to say that I think the staff here has done – does a great for you. I've been sitting in these meetings now for several months and I've seen Mr. Larrañaga and Ms. Ellis-Green keep track of so many little things in regard to properties and as a property owner I know how hard that is. Everything from access roads to easements to the corners to everything else. However, in the last meeting Commissioner Stefanics did ask if the County had been aware of this at the 24<sup>th</sup> meeting, and I just have included as attachment 6 the email from March 20<sup>th</sup>, four days before to the County, to Ms. Green and the staff as well as the attorneys, with this information. We try and disclose all our information as soon as we find it. I had found out the day before. We don't wish to sandbag anybody so I did want to include that to assure the Commission that we will try and provide all information as soon as we have it to your staff.

The other portions of this has to do again with lack of public notice. This came up again also in the CDRC case related to PNM's Caja del Rio Solar Energy Center project. We believe the applicant continues to try and evade the requirements there. I won't go a lot into it.

I'm going now to the heart of the matter. Everything else – of what this is, and this is on page 5. When we brought up the road, Chairman Katz of the CDRC said – this is number 6 – as the hearing continued Chairman Katz then stated in response to my testimony regarding the road – and this was the testimony we went through on the 24 of March that you heard – he was concerned because the northern access road has nothing to do with this particular case because the applicant access is not coming from that direction. Chairman Katz then asked Mr. Siebert if there was any portion of the access coming from the north rather than the south. Mr. Siebert stated there was no access proposed on this property from the north. There will be no access whatsoever on the Baca land for this particular property – to this particular property.

This was countered. The County staff report and my testimony said this was not so and that was that map I just referenced as attachment 4 that shows the road to the north coming off of the property and was in the staff report for this application. And also if you'll go to page 4, number 4, Mr. Larrañaga's testimony to the CDRC stated that access from Paseo de River from the south via Paseo Rael does not have an all-weather crossing and would require a variance of that condition or a substantial expenditure of funds to install the all-weather crossing. A platted 100-foot wide easement runs north-south through the site and connects to Caja del Rio and Paseo Rael, not just to Paseo Rael but to Caja del Rio which is the road in Exhibit 4.

The southern portion of this easement shall require an all-weather x-ing and the distance – this is where I put my emphasis – from Caja del Rio to the site is approximately 6,185 feet, which is the road to the north.

Now, a lot of this – Mr. Siebert stated it would not be used so we've asked in our findings and – on page – I think page 8, is it. Yes. Page 8. Relief. We've asked for four different conditions on here. Four different things. But the main one that I would point you to, and this has to do with the western burrowing owl. We're asking that on

the road that they require an accurate archeological study under the guidance of the Center for New Mexico Archeology, the State Archeologist be done. Which will also – we wanted with the PNM case.

But also the final one that we have in this is require that the application be amended to specifically state what Mr. Siebert testified on the record and that is that there will be no northern access to Caja del Rio as shown in Exhibit 5. Sorry, Exhibit 4, which is attachment 4. Exhibit 5 is the number that the County gave it in their staff report that you have in front of you. Exhibit 4 is what it is in my appeal, just for clarification.

So we would ask that the application be amended and that the Commission specifically direct staff that there will be, to include in there the language that there be no northern access to Caja del Rio, which is what Mr. Siebert testified in front of the CDRC. Additionally, after hearing Mr. Larrañaga's testimony regarding the water and hearing what Commissioner Chavez said earlier on the previous case, we would also request that the Commission direct staff to require meters for the 0.25 applicant's statement on water use at each lot, and that usage be reported to the Land Use Department on January 1<sup>st</sup> of each year. We're very concerned. These are very big lots that can have very big developments and we think that the quarter water acre-feet is something that could be exceeded quite easily and we would never know the difference.

We have lands and properties at Caja del Rio and 599, approximately 8, 9 different parcels recognized by the County and we worry that our water would be affected to if they were to begin pumping a great amount of water. Thank you, Mr. Chair.

CHAIR ANAYA: Thank you, Mr. Baca. Mr. Siebert, would you comment on item 4 that Mr. Baca just brought up? Referencing statements you made in the north access to Caja del Rio.

MR. SIEBERT: Yes. Let me describe that to you. First of all, let me talk about the ownership of the surrounding land. You have state land and BLM land that's surrounded by Espanola Mercantile. This is owned by [inaudible] formerly known as La Farge. So the Bacas really don't own any land that's adjacent to this particular parcel here. One of the requirements of staff and actually of City code is this road has to be improved. It would be to the northern boundary of the property. Once again, it doesn't connect to anything that has to do with the Baca Ranch.

Where I was a little confused by [inaudible] referred to as the Old Cochiti Road that this particular project somehow has an impact on that and I just – I don't see it.

CHAIR ANAYA: Let me ask it a different way, Jim. If you go back to your chart right there. At the top of that road that's going to be improved, there's nothing as far as access is concerned with your project.

MR. SIEBERT: Correct. Correct.

CHAIR ANAYA: Okay. That's all I had. Commissioner Chavez. Is there anybody else who would like to speak in favor of or against this project? Seeing none, this public hearing is closed. Are there any questions? What's the pleasure of the Board.

COMMISSIONER CHAVEZ: Mr. Chair, I'll move for approval with all of staff's recommendations and I want to have some discussion about Mr. Baca's additional conditions of approval and I did not take note of those, but Mr. Baca, maybe you could – I think you only had two or three that you wanted to add.

MR. BACA: Well, the two biggest ones that would alleviate a lot of our concerns. We have five things. One is that the CRDC – that this be remanded to the CDRC of course and that the State Archeologist be brought in to managing any kind of activities on the road leading between the Old Cochiti Trail and the site. But the – and require that they develop a plan for protection of the western burrowing owl. But number four is the big one there, in terms of requiring that the application be amended to specifically state in the application what Mr. Siebert has again stated here, that there will be no northern access from the property to Caja del Rio as shown on that north road. As shown right here [inaudible] That would take care of –

CHAIR ANAYA: I guess what I'm going to comment on that is we're not going to, in my opinion, make pre-judgments on what potentially might come from a parcel beyond that within this decision. This decision falls within the boundaries of what's requested and I'm just saying it's the pleasure of the Board what they want to do but I wouldn't feel comfortable adding a provision that would say any potential access by anything north of this would be excluded. So I'm just saying my perspective, Mr. Vice Chair.

COMMISSIONER CHAVEZ: So I think, Mr. Baca, of the conditions of approval that you're suggesting, I think the only one that I would be willing to incorporate into a motion here tonight would be the water restriction. Would the applicant agree to that .25 acre-feet for each of those lots?

MR. SIEBERT: Commissioner, we would. I think the concern was that the well would have to be meter and water meter readings submitted to the State Engineer. We have no problem with that, just for the understanding that if each of these lot owners would wish, they could drill a well, do a geohydrologic test and they could request one acre-foot per year. So we're not giving that up. We're saying that under the current code, the way we did the reconnaissance study we're agreeing to .25 but we're not giving up on each landowner doing further hydrologic studies and getting one acre-foot of water. But we absolutely would require as part of the covenants that each landowner would have to install a meter and submit meter readings to the Office of the State Engineer.

COMMISSIONER CHAVEZ: Well, I think, Mr. Larrañaga, I think those readings would also have to be submitted to our County Land Use Administration – Administrator.

MR. LARRAÑAGA: Mr. Chair, Commissioner Chavez, that's correct and actually in condition 6 it lists all that – each lot would be meter a quarter acre-foot and they could come back and do a geohydrology study on each lot to approve.

COMMISSIONER CHAVEZ: Okay. So it's already in your staff recommendations.

MR. LARRAÑAGA: That's correct.

COMMISSIONER CHAVEZ: I overlooked it. I'm sorry. I apologize. Okay, then I'm good, Mr. Chair. Thank you.

CHAIR ANAYA: So, Commissioner Chavez, you did make a motion with staff conditions including the addition condition that Jose brought up.

COMMISSIONER CHAVEZ: Yes.

CHAIR ANAYA: I think it was 12. Was it condition 12?

MR. LARRAÑAGA: That's correct, Mr. Chair.

CHAIR ANAYA: There's a motion to approve with additional condition, condition 12. Is there a second?

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: Second from Commissioner Roybal. Any further discussion?

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

**XI. CONCLUDING BUSINESS**

**A. Announcements**

**B. Adjournment**

CHAIR ANAYA: Ms. Lucero, do we have any other business?

MS. LUCERO: Mr. Chair, that's all for the land use items.

CHAIR ANAYA: Well, I very much thank the staff and all you present for your diligence and your work. Thank you so much

The motion to adjourn was made by Commissioner Chavez with a second from Commissioner Roybal. Having completed the agenda and with no further business to come before this body, Chair Anaya declared this meeting adjourned at 10:05 p.m.

Approved by:

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Board of County Commissioners  
Robert A. Anaya, Chair

ATTEST TO:

GERALDINE SALAZAR  
SANTA FE COUNTY CLERK

Respectfully submitted:

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