NO PACKET MATERIAL FOR THIS ITEM

Santa Fe County



Memo

To:

Board of County Commissioners

From:

Darlene Vigil, Affordable Housing Administrator

Via:

Jack Kolkmeyer, Growth Management

Robert Griego, Planning Manager

CC:

Date: 01/10/2012

Re: Authorization to Publish Title and General Summary of Ordinance No. 2012-___. Ordinance 2012-___ An Ordinance amending Ordinance 2006-02, amending the applicability provision, deleting certain definitions, reducing the percentage of Affordable Housing required, expanding the means by which a developer can meet the Affordable Housing requirement, removing the distinction between Major and Minor projects for purposes of administering density bonuses, and expanding the applicability of hardship

BACKGROUND:

In 2006, Santa Fe County adopted an inclusionary zoning ordinance to require development projects in the Central and Northern areas of the County to provide affordable housing in an effort to address the housing affordability gap in the region. The affordable housing requirement for Major Projects, a division of property of twenty five (25) or more parcels for the purpose of sale, lease or other conveyance is required to provide thirty percent (30%) affordable and Minor Projects, a division of property of five (5) and no more than twenty-four (24) parcels shall be required to provide sixteen percent (16%).

Due to existing economic conditions Santa Fe County Board of County Commissioners may consider

- a. reducing the required percentage of affordable housing to fifteen percent (15%) for any project
- b. consideration of credit to the applicants providing homes at or below the current affordable housing maximum target prices for Income Range 3 and Income Range 4

RECOMMENDATIONS:

Respectively staff recommends the Santa Fe Board of County Commissioners approve to publish title and general summary of Ordinance 2012-

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

ORDINANCE NO. 2012-

AN ORDINANCE AMENDING ORDINANCE 2006-02, AMENDING THE APPLICABILITY PROVISION, DELETING CERTAIN DEFINITIONS, REDUCING THE PERCENTAGE OF AFFORDABLE HOUSING REQUIRED, EXPANDING THE MEANS BY WHICH A DEVELOPER CAN MEET THE AFFORDABLE HOUSING REQUIREMENT, REMOVING THE DISTINCTION BETWEEN MAJOR AND MINOR PROJECTS FOR PURPOSES OF ADMINISTERING DENSITY BONUSES, AND EXPANDING THE APPLICABILITY OF HARDSHIP

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY THAT ORDINANCE 2006-02 is amended as follows:

- 1. Section Two, "Applicability", is hereby amended by replacing the first sentence with the following:
 - "This Ordinance shall apply to each Project within the unincorporated areas of central and northern Santa Fe County shown on Attachment A."
- 2. Section Three, "Definitions", is hereby amended by deleting subparagraphs Q and R and replacing subparagraph S with the following:
 - "Q. "Project" means any division of property into six (6) or more parcels for the purpose of sale, lease or other conveyance of one or more single-family residences."
- 3. Section Four, "Affordable Housing Requirements", is hereby amended by deleting Subsections A and B and replacing them with the following:
 - "A. No less than fifteen percent (15%) of the total housing provided in any project shall be Affordable Housing as defined herein.
 - B. The distribution of the Affordable Housing Units provided in connection with a Project shall include Affordably Priced Housing Units provided equally to Eligible Buyers in Income Range 1 (3.75%), Income Range 2 (3.75%), Income Range 3 (3.75%) and Entry Market Housing Units provided to Entry Market Buyers in Income Range 4 (3.75%). The Affordable Housing Administrator shall have discretion to include the sale of homes within the development to buyers who are not Eligible Buyers, when determining compliance with the aforementioned requirements regarding Income Range 3 and 4, provided that the Affordable Housing Administrator receives satisfactory documentation that the sales price of each unit was at or below the Maximum Target Housing Price for Income Range 3 and 4."
- 4. Section Nine, "Density Bonus for Affordable Housing", is hereby deleted in its entirety and replaced with the following:

- " A. A Project that utilizes a Community Water System may receive increased density to accommodate the Affordably Priced Housing Units pursuant to the requirements contained within this Ordinance so long as clustering concepts are incorporated into the Project.
- B. The density bonus permitted by this Section shall not exceed 2/3 unit for each Affordably Priced Housing Units provided and as otherwise permitted by application of the Land Development Code, not to exceed an increased density of fifteen percent (15%) attributable to the Project in total.
- C. The affordability requirements for a Project shall be determined prior to applying any density bonus.
- D. Density bonuses of not more than twenty percent (20%) attributable to the Project as a whole may be approved by the Board of County Commissioners on a case-by-case basis, so long as the Project remains compatible with surrounding uses and the impacts to adjacent areas are minimal."
- 5. What was Section Seventeen and is now Section Sixteen, "Hardship Conditions", is hereby amended so that Subsection B(2) is deleted and replaced with the following:
 - " 2. A condition of hardship exists for a Project when an Affordable Unit (or lot created for an Affordable Unit) cannot be sold within a reasonable period of time without causing a loss on the Project taken as a whole."
- 6. This Ordinance shall become effective thirty days after it has been duly recorded by the County Clerk.

PASSED, APPROVED AND ADOPTED this	day of January, 2012.
BOARD OF COUNTY COMMISSIONERS	
Liz Stefanics, Chair	-
ATTEST:	
Valerie Espinoza, Santa Fe County Clerk	
APPROVED AS TO FORM:	
Stephen C. Ross, Santa Fe County Attorney	



Finance Division

MEMORANDUM

TO:

Board of County Commissioners

FROM:

Teresa C. Martinez, Finance Director

DATE:

December 9, 2011

SUBJECT:

Approval of audited Comprehensive Annual Financial Report for FY 2011

ISSUE:

Pursuant to Section 2.2.2.10 K. (3) (d) of 2.2.2 NMAC Requirements for Contracting and Conducting Audits of Agencies, it is required that the financial audit report be presented to the Board of County Commissioners at a public meeting for approval.

BACKGROUND AND SUMMARY:

Santa Fe County has completed its first-ever Comprehensive Annual Financial Report (CAFR). Included in this report are the results of the annual audit. Santa Fe County engaged in a contract with Heinfeld Meech & Company to conduct the annual audit of the County's financial statements for the fiscal year ending June 30, 2011. As part of the required annual audit, our auditors issue three reports:

- 1. Independent Auditors Report (pgs 1-3)
- 2. Report on Internal Control over Financial Reporting and Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards (pgs 205-206)
- 3. Report on Compliance with Requirements Applicable to each Major Program and on Internal Control over Compliance in Accordance with OMB Circular A-133 (pgs 207-208)

A summary outlining the audit results consists of the following:

- The independent auditors' report expressed an unqualified or "clean" opinion on the financial statements and on compliance requirements for the major federal award programs of the County.
- From the report on internal control over financial reporting, no material weaknesses or noncompliance material to financial statements were noted.
- The County has improved significantly during FY 11 with the elimination of six prior year findings. However five findings (two repeated, three current year) related to financial statements, and one finding related to Federal Awards are noted on the Schedule of Findings and Questioned Costs and are summarized as follows: (for complete details and agency response please refer to pages 212-220)

1. FS07-01 – The Santa Fe County Assessor's Office was not in compliance with the NM Property Tax Code as noted in the 2011 Assessor Evaluation completed by the Property Tax Division.

Summary & Response

This is a repeated finding that has been modified. The Office of the County Assessor agrees with the finding and continues to address and work on correcting with the implemented CAMA program and internal auditing, however further explanation is given in regards to non-compliance with the NM Property Tax Code in pages 212-213 of the report.

2. FS10-05 – The Utilities Fund, an enterprise fund, reported an operating loss of \$504,157 for the year ended June 30, 2011.

Summary & Response

As an enterprise fund, Utilities is expected to operate at least at a break-even level. The operating loss has improved by approximately \$350,000 from prior years'. To address this potential reoccurrence of an operating deficit, the Utilities' Division has a plan to gradually increase the size of the County utilities base over the next 5 years. This transition would be a short period (3-5years) at the end of which, we believe the function will be operating at the break-even level or better.

3. FS11-01 – An Elected Official was convicted for misuse of County property for personal benefit.

Summary & Response

Santa Fe County immediately engaged in a forensic examination to ascertain the value of theft admitted to by the former Sheriff and to conduct an internal control review to outline areas that needed to be addressed with stronger controls. The County took immediate steps to address internal control weaknesses from the results of the forensic examination.

4. FS11-02 – The accounting records include \$682,618 of taxes receivable which cannot be substantiated and appear to relate to years 2003 and prior.

Summary & Response

The balances will be fully researched and most likely relate to 2002 and 2003 delinquent accounts that have not yet met the criteria to not include them in the receivable balance. Per Section 7-38-81 (A, B, & C) NMSA 1798, the County must keep 10 years of property tax receivable accounts on the books and records.

5. FS11-03 – The cash and investment accounts of the County were not subject to the same procedures and oversight by the Finance Division for accounts held by the County Treasurer. Specifically, the SCHWAB investment account statements are provided monthly by the Treasurer's Office, but access to inquiry is not on a 24-hour basis for staff that completes the reconciliations.

Summary & Response

The Office of the County Treasurer and Finance Division staff will work together to properly document formal procedures that identify and address internal controls and continue to ensure that account information will be provided on an as-needed basis to ensure proper controls are being adhered to.

6. 11-04 – PHAs are required to enter into depository agreements with their financial institutions in the form required by HUD. The agreements serve as safe-guards for federal funds and provide third-party right to HUD (24 CFR section 982.156).

Summary & Response

The Treasurer had negotiated a General Depository Agreement using HUD Form HUD-51999 with the Los Alamos National Bank effective November 10, 2011.

The following summarizes prior year findings that were eliminated during the current fiscal year:

- 1. FS06-01 The County's accounting records included receivable and deferred revenue account balances that required audit adjustments.
- 2. FS07-02 For 1 of 25 small purchases reviewed for compliance with procurement regulations, only 2 quotes were obtained. In addition, the County maintained debit cards for use in emergency circumstances.
- 3. FS10-01 During the review of capital assets it was noted that roadway infrastructure assets are maintained outside of the capital asset module, the County has traditionally depreciated projects before they have been completed; the County does not have a process in place to properly value assets at the time of donation; assets depreciation recalculation resulted in immaterial differences compared to useful life; there was not sufficient supporting documentation for prior year accumulated depreciation balances; and proprietary capital asset balances did not agree to the trial balance.
- 4. FS10-02 There is currently an investigation for allegations of theft and fraud involving the Santa Fe County Public Works Department including ethics and conflict of interest violations.
- 5. FS10-03 The County maintained a depository account outside the geographical boundary of Santa Fe County; for one bank account the County did not pledge collateral equal to one half the amount of public money in the account.
- 6. FS10-04 New employees hired into positions that did not pay into Social Security did not sign an acknowledgement.

REQUESTED ACTION:

The Finance Division hereby requests acceptance and approval of Santa Fe County's audited CAFR for the fiscal year ending June 30, 2011.

Daniel "Danny" Mayfield Commissioner, District 1

Virginia Vigil Commissioner, District 2

Robert A. Anaya

Commissioner, District 3



Kathy Holian

Commissioner. District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller County Manager

MEMORANDUM

To:

Board of County Commissioners

From:

Teresa Martinez, Finance Director

Through:

Katherine Miller, County Manager

Date:

January 10, 2012

RE:

A Resolution Requesting an Operating Transfer from the General Fund (101) to

the Property Valuation Fund (203)

ISSUE

The Finance Division on behalf of the County Assessor's Office is seeking approval of an operating transfer from the General Fund (101) to the Property Valuation Fund (203) in the amount of \$460.

BACKGROUND

Resolution 2011-164 was approved at the November 8, 2011 BCC meeting to transfer \$1,856.12 to the County Assessor's Office for the repair of a vehicle that was recently involved in an automobile accident. When the repair work began, it was determined that an additional \$459.66 of damage had not been identified at the time of the assessment. The current auto insurance policy for the County requires a \$25,000 deductible. At this time, the County Assessor does not have sufficient budget to cover the deductible amount. A small budget was included in the General Fund (101) to pay for deductibles that cannot be covered by individual departments. For fiscal year 2012, the County Assessor is assuming all operating expenses be paid by the Property Valuation Fund (203) thus requiring an operating transfer from the General Fund (101) to pay for the vehicle damage.

RECOMMENDATION

The Finance Division recommends an operating transfer from the General Fund (101) to the Property Valuation Fund (203) for additional funding needed for the repair of a County vehicle in the amount of \$460.

RESOLUTION 2012 -

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on January 10, 2012, did request the following budget adjustment:

Department / Division: Finance Division for County Assessor

Fund Name: <u>Property Valuation (203)</u>

Budget Adjustment Type: Transfer Between Funds

Fiscal Year: 2012 (July 1, 2011 - June 30, 2012)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND DEPARTMENT CODE DIVISION XXX XXXX 203 1111	NT/ ACTIVITY BASIC/SUB XXX 390	OBJECT OBJECT XXXX 0101	REVENUE NAME Operating Transfer In / From Fund 101	INCREASE AMOUNT \$460
TOTAL (if SUBTOTAL, check here	L, check here			

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

DECREASE		\$460	\$460
INCREASE	\$460	\$460	\$920
CATEGORY (LINE ITEM	Insurance & Deductibles / Property Insurance	Deductibles Operating Transfer Out / To Fund 203 Other Operating Costs / Property/Liability Deduct.	
ELEMENT/ OBJECT XXXX	7514	0203 7015	
ACTIVITY BASIC/SUB XXX	413	490 412	eck here
FUND DEPARTMENT/ CODE DIVISION XXX XXXX	1111	0000	TOTAL (if SUBTOTAL, check here
FUND CODE XXX	203	101	TOTAL (if

\$920	Date:	Date:	Date:	
		Entered by:	Updated by:	
A CONTROL OF THE CONT	Requesting Department Approval:	Finance Department Approval: What My Retires Date: 124	County Manager Approvality Cherence Manager 10-30.11	

RESOLUTION 2012 -

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTN	DEPARTMENT CONTACT:	Name: Carole Jaramillo	Dept/Div: Finance Division		Phone No.: 986-6321	
DETAILE date, other	DETAILED JUSTIFICATION FO date, other laws, regulations, etc.):	DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):	IENT (If applicab	de, cite the following authority: Sta	te Statute, grant name and	award
• 1) PI	 Please summarize the request and its purpose. Request is for an operating transfer from an insurance deductible for a County Asse 	se summarize the request and its purpose. Request is for an operating transfer from the General Fund (101) to the Property Valuation Fund (203) in the amount of \$460 for additional funding needed for an insurance deductible for a County Assessor's vehicle that was damaged in an automobile accident.	o the Property Vall lamaged in an autc	uation Fund (203) in the amount of $\$$	60 for additional funding nee	eded for
a)	a) Employee Actions					
	Line Item	Action (Add/Delete Position, Reclass, Overtime)	vertime)	Position Type (permanent, term)	Position Title	
(q	Professional Services (b) Professional Services (50-xx) and Capital Category (80-xx) detail:				
	Line Item	Detail (what specific flings, contracts, or services are being added or deleted)	services are being	added or deleted)	Am	Amount

or for NON-RECURRING (one-time only) expense_

2) Is the budget action for RECURRING expense_

RESOLUTION 2012 -

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- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
 - a) If this is a state special appropriation, YES NO X If YES, cite statute and attach a copy.
- If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a Does this include state or federal funds? YES award letter and proposed budget. <u>A</u>
- If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.). ON. Is this request is a result of Commission action? YES ত
- d) Please identify other funding sources used to match this request. There are no other funding sources to match this request.

RESOLUTION 2012 -

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This 10th Day of January, 2012.

Santa Fe Board of County Commissioners

Liz Stefanics, Chairperson

ATTEST:

Valerie Espinoza, County Clerk

Sharon Vigil-Ramirez

From:

Jayme R. Espinoza

Sent:

Monday, December 12, 2011 9:18 AM

To: Subject: Sharon Vigil-Ramirez Assessor money from BCC

Hi there, the total of the remainder from the invoice on the Assessor's vehicle is \$459.66 and they want to go through BCC again with it instead of pulling it from their funds. Let me know if you need anything on my end. Thanks Sharon!

Jayme Espínoza

Administrative Services Dept.

505-992-6747

mailto: jrcatanach@santafecounty.org



Memorandum

To

: Santa Fe Board of County Commissioners

From

: Teresa Martinez, Finance Director

Thru

: Katherine Miller, County Manager

Date

: December 22, 2011

Re

: Requesting a budget increase to the DWI Program Budget (\$168,992)

ISSUE:

The Health and Human Services Division is requesting approval of an increase to the DWI Program Fund (241) to budget for professional services to provide Prevention activities within Santa Fe County. These funds will also be used for operating expenses such as advertising and postage related to the Prevention activities.

BACKGROUND:

This request is a result of DWI Grant funding, awarded through the NM Department of Finance and Administration/Local Government (DFA). This was due in part to the fact that DFA agreed to allowing the Counties to apply through a grant process for the total amount of the funding reverted from the previous fiscal year 2011, \$168,992.00.

RECOMMENDATION:

Please approve the attached budget resolution resulting in an increase in the amount of \$168,992.00 to the DWI Fund (241) for FY-2012.

RESOLUTION 2012-

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on Jan. 10, 2012, did request the following budget adjustment:

Department / Division: Community Services/Health and Human Services Fund Name: DWI Program/Local DWI Grant

Fiscal Year: 2012 (July 1, 2011 - June 30, 2012)

Budget Adjustment Type: _Budget Increase

BUDGETED REVENUES: (use continuation sheet, if necessary)

DECREASE		
INCREASE AMOUNT	168,992	168,992
REVENUE NAME	Local DWI Grant	
ELEMENT/ OBJECT XXXX	0400	
ACTIVITY BASIC/SUB XXX	371	eck here
DEPARTMENT/ DIVISION XXXX	0476	FOTAL (if SUBTOTAL, check here
FUND CODE XXX	241	TOTAL (if

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE	DECREASE
241	0476	464	5003	Contractual - Professional Services	161.992	
241	0476	464	7036	Operating Expenses – Postage & Mail Service	1,000	
241	0476	464	7037	Operating Expenses - Printing/Publishing/Advert.	6,000	
TAL (TOTAL (if SUBTOTAL, check here	eck here			168,992	
questin	Requesting Department Approval:	proval:	a Ol	Title: Division Director	Da	Date: 12/92/11
iance L	Finance Department Approval:	val: Mygn	MARCHA	Me Date: 1881 (Entered by:	Da	Date:
unto M	County Manager Approva	Xahar		7	Ě	Dafa.

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DEPARTMENT CONTACT: Name: Joyce Varela Dept/Div: Community Ser

Dept/Div: Community Services/Health and Human Services /DWI Program Phone No.: 992-9843

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

1) Please summarize the request and its purpose.

This request is to increase the DWI Program budget to include the additional grant funds that were awarded through the Department of Finance and Administration (DFA)/Local Government be utilized for alcohol related programs.

a) Employee Actions

	Position Title			
	Position Type (permanent, term)	l		
-	Action (Add/Delete Position, Reclass, Overtime)			
2	Line Item			

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific thinse contracts or services are haing added or dolored)	
2007	The state will be sent to sent the sent	Amount
5003	These funds will be used for contract services to provide DWI Prevention activities within the Santa Fe County	161 992
	such as Positive Youth Development, I-Gen Project, Power of Parents & PYPM Training. Prevention Curricula/K.	
	8, Edgewood Teacher Trainings, Positive Youth Development, Project Success etc which will be completed	
	throughout the remainder of the fiscal year.	

or for NON-RECURRING (one-time only) expense X 2) Is the budget action for RECURRING expense

RESOLUTION 2012 -

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Phone No.: 992-9843	ible, cite the following authority: State Statute, grant name and award
Dept/Div: Community Services/Health and Human Services/DWI Program	ET ADJUSTMENT (If applica
vame: Joyce Varela	DETAILED JUSTIFICATION FOR REQUESTING BUDG late, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
- a) If this is a state special appropriation, YES _____ NO _X If YES, cite statute and attach a copy.
- Does this include state or federal funds? YES X NO X

 If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget. р (

Name: DWI Grant Funds A

Amount: \$168,992.00

Grant No. 12-D-J-G-27

Start Date: December 13, 2011

- If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.). NO X Is this request a result of Commission action? YES ં
- d) Please identify other funding sources used to match this request.

RESOLUTION 2012 -

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This 10th Day of January, 2012.

Santa Fe Board of County Commissioners

Liz Stefanics, Chairperson

ATTEST:

Valerie Espinoza, County Clerk