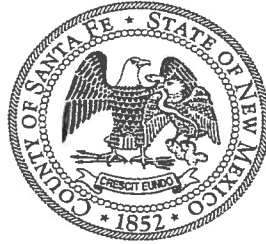


Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

Date: April 30, 2013

To: Board of County Commissioners

From: Rachel O'Connor, Health and Human Services Division Director and
Teresa Casados, Senior Services Program Manager

Subject: A Resolution Establishing Community Center Trustees, and Repealing
and Replacing Policies for County Owned or Leased Community Centers
Presented by Teresa Casados (Discussion Only, First Hearing)

Background

On November 14, 1995, Resolution 1995-73 was adopted which established the policies and procedures for County-owned or leased community centers. Then in 2008, a Resolution was passed amending the policies and procedures for county-owned or leased community centers.

This proposed resolution repeals and replaces policies for County owned or leased community centers.

Issue

Santa Fe County staff has received feedback from the Community Center Board members as well as Santa County Commissioners regarding a need to update the Resolution and revise the Policies and Procedures.

For the past few months, Santa Fe County staff has scheduled meetings with Community Center Board members throughout Santa Fe County to have a discussion regarding this item and to obtain feedback and recommendations for improving the policies and procedures.

Recommendation

This is the first hearing for this agenda item and is only for discussion purposes at this time.

Attachments

Attached, please find a one page Fact Sheet highlighting the proposed changes to the Resolution.

Santa Fe County Resolution on the Operation of Community Centers

What is a Community Center?

Community Centers are owned or leased by Santa Fe County and can be used by residents for public purposes that benefit the Community. They can also be rented for private events such as parties or funerals.

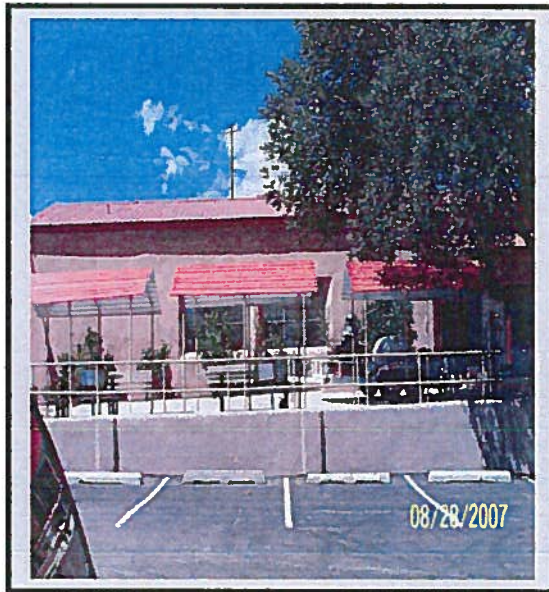
Where are the Community Centers Located?

Santa Fe County has seven Community Centers located in the communities of Agua Fria (Nancy Rodriguez), Rio En Medio, Cundiyo, Chimayo, El Rancho, Nambe and La Cienega.

Who Do I Contact to Use The Center

To learn more about how to use the Community Centers visit the Santa Fe County website at <http://www.santafecountynm.gov/> or phone the County Health Division at (505) 992--
349.

Community Center Resolution Fact Sheet



Santa Fe County currently operates seven Community Centers. The Centers are located in Agua Fria (Nancy Rodriguez), Rio En Medio, Cundiyo, Chimayo, El Rancho, Nambe and La Cienega.

The proposed resolution makes significant changes in the fees schedule and the manner in which fees are collected. It also calls for the development of policies for the collection of funds by the County.

Proposed changes to the fee structure are as follows:

- ✓ Reduce the activity rental fee from \$100 to \$50.
- ✓ Reduce insurance cost from \$103 to a fee scale ranging from \$25-\$35 for property damage insurance. Makes liability insurance optional.
- ✓ Change the damage deposit from \$150 to a cleaning deposit of \$50
- ✓ Establishes a \$150 annual fee for standing events that do not exceed 1 per month.
- ✓ Establishes new category and guidelines for annual events outside the outlined categories.

Other proposed changes include:

1. Fees shall be paid to the Santa Fe County Community Services Department.
2. Community Board members are now deemed "Trustees"
3. Designation of one "Trustee" to work with the County on scheduling and calendaring of events.

SANTA FE COUNTY

RESOLUTION NO. 2013-

**A RESOLUTION ESTABLISHING COMMUNITY CENTER TRUSTEES, AND REPEALING AND
REPLACING POLICIES FOR COUNTY OWNED OR LEASED COMMUNITY CENTERS**

WHEREAS, under the provisions of Section 4-38-13 and 4-38-18, NMSA 1978 (1876), the Santa Fe Board of County Commissioners (the Commission) is charged with the duty and responsibility to manage all property owned by the County;

WHEREAS, Santa Fe County owns or leases and manages the following community centers located throughout Santa Fe County:

Abedon Lopez Senior and Community Center
Santa Cruz, New Mexico

La Cienega Community Center
La Cienega, New Mexico

Bennie J. Chavez Senior and Community Center
Chimayo, New Mexico

El Rancho Senior and Community Center
El Rancho, New Mexico

Rio en Medio Senior and Community Center
Rio en Medio, New Mexico

Cundiyo Community Center
Cundiyo, New Mexico

Nancy Rodriguez Community Center
Agua Fria, New Mexico

Nambe Senior and Community Center
Nambe, New Mexico

WHEREAS, Resolution 2007-159 was adopted on September 25, 2007 establishing Policies and Procedures for County Owned Or Leased Community and Senior Centers;

WHEREAS, on May 27, 2008 the Commission adopted Resolution 2008-89 amending the policies and procedures for County Owned Or Leased Community Centers;

WHEREAS, the Commission desires to implement revised policies applicable to all Santa Fe County community centers including those acquired or constructed after adoption of this Resolution;

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 2008-89 is hereby rescinded and replaced in its entirety by the policies attached hereto as Exhibit A, which shall apply to all Santa Fe County Community Centers.

APPROVED, ADOPTED AND PASSED this _____ day of _____, 2013.

Exhibit A:
POLICIES FOR SANTA FE COUNTY COMMUNITY CENTERS

I. General

Community Centers ("Centers") owned by or leased to the County of Santa Fe ("the County") are for the use of the County and County residents, and may be used for public or private gatherings. The Center may be used for standing or regularly scheduled meetings. No standing or regularly scheduled meetings shall be scheduled on weekends. Centers shall not be used for any business or profit making endeavors.

The County reserves the right to use any Center at any time.

II. Community Center Trustees

The Commission shall appoint one or more residents of Santa Fe County to serve as Trustee(s) at each Center to assist the Community Services Department in the operation of the Centers. The Trustee(s) of each center shall cooperate in ensuring the facility is well operated. The Trustees shall designate one Trustee to work with the County to schedule, process and calendar events and take on other responsibilities associated with running the Centers at the request of the Director of the Community Services Department or his/her designee. Trustees shall ensure that each person or entity seeking to utilize a Center completes the application (attached hereto as Exhibit 1) before the facility is reserved. Trustees shall abide by all policies applicable to the Centers adopted by the Community Services Department.

Each Trustee shall serve at the pleasure of the Board and may be removed at any time.

Trustees shall accept Applications on a first come, first serve basis. Reservations shall not be accepted more than three (3) months before the date of any function or activity, except standing or regularly scheduled meetings, which may be scheduled in one year increments. Any dispute regarding scheduling shall be communicated by the Trustees to the Community Services Department, and the dispute shall be forwarded to the County Manager or his/her designee for resolution.

III. Fee Schedule and Receipt of Funds

Fees for use of the Community Centers will be as follows:

1. A \$50 rental fee will be charged for use of the facility. The rental fee may be waived for government entities by the County Manager or Designee.
2. A \$150 annual rental fee will be charged for the facility for standing meetings /events that are repetitive but do not exceed one meeting/event per month. The rental fee may be waived for Government entities by the County Manager or Designee.
3. A \$250 annual rental fee will be charged for other Community Center activities/events which do not fall under Categories 1 or 2. Pursuant to the Procedures, , a Letter of Request must be submitted with the application. The Letter of Request must include:

- a. Purpose of activity/event
- b. Dates and Times of the activity/event
- c. Who is eligible to attend the activity/event
- d. Fees Associated with the activity/event
- e. Community Benefit

and any other information that the County deems necessary. The County Manager or her designee shall have discretion to approve or reject all such applications and accompanying letters of request taking into consideration the benefit to the community which would be provided by the activity/event.

- 4. \$25- \$35 mandatory property damage insurance (applicant will be responsible for any deductible associated with a claim against the policy). Liability insurance is optional and may be purchased at time of rental.
- 5. \$50 Refundable cleaning deposit. Deposits will be returned after the Center has been deemed clean by the County or Designee.

Fees must be paid by check, money order or cashier's check made payable to "Santa Fe County". Trustees shall advise applicants of the location for payment of fees. All such funds received by the County Finance Director or designee shall be credited to the budget for operations and maintenance of each Center. All funds received will be used exclusively for the benefit of the Center generating the funds as determined by the County.

IV. Donations

Equipment, furniture, small appliances, computers and other goods may be donated to the County for use in a Community Center subject to inspection and approval of the County Risk Manager. Upon approval by the Risk Manager, any donated items will become the property of the County.

V. Community Centers Co-Existing with Senior Centers

Santa Fe County Community Centers co-existing with Senior Services programs may not be reserved for community events during Senior Services hours.

Senior Services kitchens are not available for community center use. They are to be used only by authorized senior service staff for Senior Services activity programs and must be properly secured when not in use.

VI. Prohibited Activities

All activities that are illegal under state and/or federal law are strictly prohibited on County property and in County owned or leased facilities. The use of alcoholic beverages is strictly prohibited. Community Centers are smoke free facilities.

Pursuant to Ordinance No. 2010-12, Section 14, public resources, including funds, facilities and personnel, may not be used to further partisan campaign purposes or to influence the

outcome of an election, except for an election on a question proposed by the County such as whether a tax should be imposed or a debt contracted for in which case public resources may be used for the limited purpose of educating voters about the details of the question.

VII. Amendments

These policies may from time to time be amended by the County Manager, with the approval of the Board.

Santa Fe County

Fiscal Impact Report

Department / Division: Health and Human Services Department

Action Item to be Considered: Resolution

Agreement Number:

Indicate with a <input checked="" type="checkbox"/> below	Section 1 -Identify the type of document below for BCC Consideration and Approval
<input type="checkbox"/>	Revenue, e.g. Grant, charges and fees, etc.
<input type="checkbox"/>	Contractual Services (includes change orders), e.g. Professional services agreement, construction, price agreement, joint powers agreement, lease agreement, etc.
<input type="checkbox"/>	Loan/Grant Agreement
<input checked="" type="checkbox"/>	Other:

Indicate with a <input checked="" type="checkbox"/> below	Section 2 - Funding Source Identify the item below for BCC Consideration and Approval
<input checked="" type="checkbox"/>	General Fund, e.g. property taxes, gross receipt taxes, etc.
<input type="checkbox"/>	Special Revenue Funds, e.g. Fire, Indigent, etc.
<input type="checkbox"/>	Capital Outlay GRT, (capital infrastructure only, does not include maintenance or repair costs)
<input type="checkbox"/>	Bond Proceeds (general obligation and gross receipt tax revenue bonds)
<input type="checkbox"/>	Grant Funds. If yes, indicate the percentage and amount required % and/or \$, and source. % \$ Source
<input type="checkbox"/>	Other:

Section 3 - Ongoing operations and maintenance (O&M) requirements:			
Short Term (Specify needs for the current fiscal year only)			
			
New FTE's #		Position	
		Hourly Rate \$	
Current Fiscal Year Cost \$		Annual Cost \$	
Initial Costs (Vehicle, computer, office space, etc.)			
			
O & M (Concisely identify the recurring needs, supplies, equipment, and the resources			

necessary for carrying out the job duties)

A Health and Human Services Staff Person has been assigned to be the point person as it relates to the Community Centers to interact with the Community Center Board members as well as to receive the payments for Direct Deposit to the Treasurer's Office.

Current Fiscal Year Cost \$

Annual Cost \$

Long Term (Specify the needs for the next four (4) years. This will include staff, O & M, asset renewal and replacement costs, and additional capital needs)

Salary & Benefits:

All other expenses:

Section 4 - Revenue

Short Term (Specify the revenue potential for the current fiscal year only. If a grant, specify the total grant award amount and the term. If a fee or charge for service, explain basis of revenue projection).

The proposed language to this Resolution provides for changes to the fee structure that includes a reduced rental fee for use our Santa Fe County Community Centers so that County Community Centers are utilized in the Community and are viewed as a community benefit. We forecast that initially the County will see a slight reduction in the collection of funds for activity rental fees at our Centers but as entities and Community Members learn more about our reduced rate in fees to be more user friendly so that residents can rent the Centers for events/functions, the County will collect almost the same amount in funds as in previous fiscal years.

Current FY Estimate \$

Long Term (Specify the revenue potential for the next four (4) fiscal years. If a grant, specify the total grant award amount and the term. If a fee or charge for service, explain basis of revenue projection).

Annual Estimate \$ Total (next 4 years) \$

Additional Narrative

(Should include additional information such as significant issues, administrative issues and technical issues. What consequences, if any, may occur if this item is not acted upon):

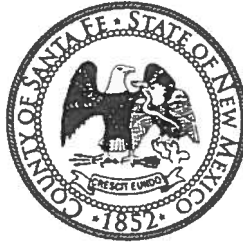
Prepared by

Reviewed by

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
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: Santa Fe County Board of County Commissioners

From: Teresa C. Martinez, Finance Division Director

Via: Katherine Miller, County Manager

Date: April 30, 2013

Re: Resolution No. 2013-___, A Resolution Authorizing The Issuance And Sale Of Santa Fe County, New Mexico General Obligation Improvement Bonds, Series 2013, In The Principal Amount Of \$19,000,000, Payable From Ad Valorem Taxes Levied On All Taxable Property Within The County; Providing For The Form, Terms And Conditions Of The Bonds, The Manner Of Their Execution And The Method Of, And Security For, Payment; And Providing For Other Details Concerning The Bonds.

Issue:

Santa Fe County staff is presenting before the Board of County Commissioners (BCC) for their approval, a resolution authorizing the issuance and sale of Santa Fe County, New Mexico General Obligation Improvement Bonds, Series 2013, in the principal amount of \$19,000,000. These bonds were originally approved by the voters at the November 6, 2012 general election for a total amount of \$35 million to be sold in two different issuances.

Background:

This resolution will authorize the issuance and sale of general obligation improvement bonds in the principal amount of \$19 million. The bond proceeds will be allocated to road projects in the amount of \$10,868,000, to water and wastewater projects in the amount of \$5,645,000 and to Open Space projects in the amount of \$2,487,000.

The BCC approved the notice of sale at the March 26, 2013 administrative meeting, constituting the first review by the board. This resolution represents the BCC's second discussion and requires approval in order to accommodate the bond sale that is scheduled for April 30th.

Recommendation:

Staff of the finance division request approval of the notice of sale resolution for the Series 2013 general obligation bonds.

Draft 4/17/13

SANTA FE COUNTY, NEW MEXICO
RESOLUTION NO. 2013-___

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF SANTA FE COUNTY, NEW MEXICO GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2013, IN THE PRINCIPAL AMOUNT OF \$19,000,000, PAYABLE FROM AD VALOREM TAXES LEVIED ON ALL TAXABLE PROPERTY WITHIN THE COUNTY; PROVIDING FOR THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE MANNER OF THEIR EXECUTION AND THE METHOD OF, AND SECURITY FOR, PAYMENT; AND PROVIDING FOR OTHER DETAILS CONCERNING THE BONDS.

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

<u>Purpose</u>	<u>Amount Authorized at Election</u>	<u>Amount Previously Issued</u>
acquire, construct, design, and equip roads within the County ("Road Projects")	\$19,000,000	\$-0-
acquire real property and necessary water rights for, and construct, design, equip, rehabilitate, and improve water and wastewater projects within the County ("Water and Wastewater Projects")	\$10,000,000	\$-0-
Acquire, design, construct, improve, equip, and restore open space, trails, and parks within the County ("Open Space Projects")	\$6,000,000	\$-0-
TOTALS:	<u>\$35,000,000</u>	<u>\$-0-</u>

WHEREAS, the Board has determined, and does hereby determine, that it is necessary and in the best interest of the County and the inhabitants thereof that the \$19,000,000 portion of the general obligation bonds authorized at the election (the "Series 2013 Bonds" or the "Bonds")

be issued at this time, with proceeds of the Bonds to be allocated to Road Projects in the amount of \$10,868,000, to Water and Wastewater Projects in the amount of \$5,645,000 and to Open Space Projects in the amount of \$2,487,000; and

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

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

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

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

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

Section 1. All actions heretofore taken by the Board and the officers and employees of the County directed toward the issuance and sale of the Bonds to secure funds for the purposes stated above be, and the same hereby are, ratified, approved and confirmed, including publication of the Notice of Sale in the *Journal* and revisions to certain principal amounts and maturities, the date of the sale and optional redemption features of the Bonds, as set forth in the Notice of Bond Sale published on behalf of the Board on April 20, 2013 and the Bonds in the amount of \$19,000,00 are awarded to _____ (the "Purchaser").

Section 2.

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

Year Maturing (July 1)	Principal Amount Maturing	Interest Rate
2014	\$	%
2015		
2016		
2017		
2018		
2019		
2020		
2021		
2022		
2023		
2024		
2025		
2026		
2027		
2028		

B. The Bonds shall be dated the date of their delivery (herein the "Series Date"), will be issued in one series and shall consist of bonds numbered consecutively from R-1 upward, issuable in the denomination of \$5,000 each or integral multiples thereof (provided that no individual bond will be issued for more than one maturity); shall bear interest from the Series Date to maturity at the rates per annum set forth above for the Bonds, payable to the registered owner thereof, or registered assigns, on January 1, 2014, and semiannually thereafter on January 1 and July 1 in each year in which the Bonds are outstanding and shall mature on July 1 of each year set forth above.

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

D. The principal of and interest on the Bonds due at maturity shall be payable to the registered owner thereof, as shown on the registration books kept by the Santa Fe County Treasurer as the registrar/paying agent (the "Registrar/Paying Agent") for the Bonds, upon maturity and upon presentation and surrender thereof at the principal office of the Registrar/Paying Agent. If any Bond shall not be paid upon such presentation and surrender at or after maturity, it shall continue to draw interest at the rate borne by the Bond until the principal thereof is paid in full. Payment of interest on the Bonds (other than at maturity) shall be made by check or draft mailed by the Registrar/Paying Agent (or by such other arrangement as may be mutually agreed to by the Registrar/Paying Agent and such registered owner), on or

before each interest payment date (or, if such interest payment date is not a business day, on or before the next succeeding business day), to the registered owner thereof as of the close of business on the Record Date (defined below) at the address as it appears on the registration books kept by the Registrar/Paying Agent. All such payments shall be made in lawful money of the United States of America. The term "Record Date" as used herein with respect to any interest payment date shall mean the 15th day of the month preceding the interest payment date. The person in whose name any Bond is registered at the close of business on any Record Date with respect to any interest payment date shall be entitled to receive the interest payable thereon on such interest payment date notwithstanding any transfer or exchange thereof subsequent to such Record Date and prior to such interest payment date; but interest on any Bond which is not timely paid or duly provided for shall cease to be payable as provided above and shall be payable to the person in whose name such Bond is registered at the close of business on a special record date (the "Special Record Date") fixed by the Registrar/Paying Agent for the payment of any such overdue interest. The Special Record Date shall be fixed by the Registrar/Paying Agent whenever moneys become available for payment of overdue interest, and notice of any such Special Record Date shall be given not less than ten days prior thereto, by first-class mail, to the registered owners of the Bonds as of the fifth day preceding the mailing of such notice by the Registrar/Paying Agent, stating the Special Record Date and the date fixed for the payment of overdue interest.

E. The Bonds maturing on and after July 1, 2023, are subject to prior redemption at the County's option in one or more units of principal of \$5,000 on and after July 1, 2022 in whole or in part at any time, in such order of maturities as the County may determine, for the principal amount of each \$5,000 unit of principal so redeemed plus accrued interest to the redemption date ("Optional Redemption"). Optional Redemption shall be made upon prior notice mailed to each registered owner of each bond selected for redemption as shown on the registration books kept by the Registrar.

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

amount redeemed. Such notice may be a conditional notice of redemption and the amount of money required to redeem the Bonds called for redemption need not be on deposit with the Registrar/Paying Agent at the time notice of redemption is given. If notice is given in the manner provided above, the Bond or Bonds or part thereof called for redemption will become due and payable on the redemption date designated and, if an amount of money sufficient to redeem all Bonds called for redemption is on deposit with the Registrar/Paying Agent on the redemption date, the Bonds or part thereof to be redeemed shall be deemed to be not outstanding and will cease to bear or accrue interest from and after such redemption date. Upon presentation of a Bond to be redeemed at the office of the Registrar/Paying Agent on or after the redemption date, the Registrar/Paying Agent will pay such Bond, or portion thereof called for redemption.

Section 3. The Bonds shall constitute the general obligation bonds of the County, payable from general ad valorem taxes in amounts sufficient to meet the semi-annual payments of interest and annual payments of principal on the Bonds maturing in each year. The full faith and credit of the County shall be, and hereby is, irrevocably pledged to the payment of the principal of and interest on the Bonds.

Section 4. The Bonds shall bear the manual or facsimile signature of the Chairperson of the Board and shall be attested by the manual or facsimile signature of the Santa Fe County Clerk. The Bonds shall be authenticated by the manual signature of an authorized officer of the Registrar/Paying Agent. The Bonds bearing the signatures or facsimile signatures of the officers in office at the time of the signing thereof shall be the valid and binding obligations of the County, notwithstanding that, before the delivery of the Bonds and payment therefor, or before the issuance thereof upon transfer or exchange, any or all of the persons whose signatures appear on the Bonds shall have ceased to fill their respective offices. The Chairperson of the Board and the County Clerk shall, by the execution of a signature certificate pertaining to the Bonds, adopt as and for their respective signatures the facsimiles thereof appearing on the Bonds; and, at the time of the execution of the signature certificate, the Chairperson of the Board and County Clerk may each adopt as and for his or her facsimile signature the facsimile signature of his or her predecessor in office in the event that such facsimile signature appears upon any of the Bonds. If required for execution of the Bonds, the Chairperson of the Board and the County Clerk, pursuant to Sections 6-9-1 through 6-9-6, NMSA 1978, shall each forthwith file his or her manual signature, certified by him or her under oath, with the Secretary of State of New Mexico, provided that such filing shall not be necessary for any officer where any previous filing shall have application to the Bonds.

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

Section 5.

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

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

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

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

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

F. Notwithstanding the above provisions of this Section, the Bonds may be issued or registered, in whole or in part, in book-entry form from time to time with no physical distribution of bond certificates made to the public, with the Depository Trust Company of New York, New York (the "Depository"), acting as securities depository for the Bonds. A single certificate for each maturity date of the Bonds issued in book-entry form will be delivered to the Depository and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in authorized denominations, with transfer of ownership effected on the books of the Depository and its participants (the "Participants"). As a condition to delivery of the Bonds in book-entry form, the Purchaser will, immediately after acceptance of delivery thereof, deposit, or cause to be deposited, the Bond certificates with the Depository, registered in the name of the Depository or its nominee. Principal, premium, if any, and interest will be paid to the Depository or its nominee as the registered owner of the Bonds. The transfer of principal, premium, if any, and interest payments to Participants will be the responsibility of the Depository; the transfer of principal, premium, if any, and interest payments to the beneficial owners of the Bonds (the "Beneficial Owners") will be the responsibility of Participants and other nominees of Beneficial Owners maintaining a relationship with Participants (the "Indirect Participants"). The County will not be responsible or liable for maintaining, supervising or reviewing the records maintained by the Depository, Participants or Indirect Participants.

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

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

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

and by the Depository to its Participants or Indirect Participants and notices to the Beneficial Owners of the Bonds in the manner provided in an agreement or letter of the County to the Depository.

Section 6. If the Registrar/Paying Agent initially appointed hereunder shall resign, or if the County shall reasonably determine that the Registrar/Paying Agent has become incapable of fulfilling its duties hereunder, the County may, upon notice mailed to each registered owner of the Bonds at the address last shown on the registration books, appoint a successor Registrar/Paying Agent. Every such successor Registrar/Paying Agent shall be a bank or trust company located in and in good standing in the United States and having a shareholders equity (e.g., capital stock, surplus and undivided profits), however denominated, of not less than \$10,000,000.

Section 7. Subject to the registration provisions hereof, the Bonds hereby authorized shall be fully negotiable and shall have all the qualities of negotiable paper, and the registered owner or owners thereof shall possess all rights enjoyed by the holders of negotiable instruments under the provisions of the Uniform Commercial Code.

Section 8. The Bonds shall be in substantially the following form:

[Form of Bond]

REGISTERED

REGISTERED

NO. _____

\$ _____

UNITED STATES OF AMERICA
STATE OF NEW MEXICO
SANTA FE COUNTY, NEW MEXICO
GENERAL OBLIGATION IMPROVEMENT BONDS
SERIES 2013

Registered Owner: CEDE & CO.

Principal Amount: _____ DOLLARS

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Series Date</u>	<u>CUSIP</u>
_____ % per annum	July 1, 20____	_____, 2013	_____

The Board of County Commissioners (the "Board") on the faith, credit and behalf of Santa Fe County, New Mexico (the "County"), for value received, hereby promises to pay to the registered owner named above, or registered assigns, the principal amount hereof on the Maturity Date and to pay interest on the principal amount at the Interest Rate on January 1, 2014, and thereafter on January 1 and July 1 of each year (the "Interest Payment Date") from the Series Date to its maturity. The principal of the bonds of the series of which this is one (the "Bonds") and interest due at maturity shall be payable to the registered owner thereof as shown on the registration books kept by the Santa Fe County Treasurer as registrar/paying agent (the County Treasurer and any successor thereto, the "Registrar/Paying Agent") for the Bonds, upon maturity and upon presentation and surrender thereof at the principal office of the Registrar/Paying Agent. If any Bond shall not be paid upon such presentation and surrender at or after maturity, it shall continue to draw interest at the rate borne by the Bond until the principal thereof is paid in full. Payment of interest on the Bonds (other than at maturity) shall be made by check or draft mailed by the Registrar/Paying Agent (or by such other arrangement as may be mutually agreed to by the Registrar/Paying Agent and such registered owner), on or before each Interest Payment Date (or, if such Interest Payment Date is not a business day, on or before the next succeeding business day), to the registered owner thereof as of the close of business on the Record Date (defined below) at his or her address as it appears on the registration books kept by the Registrar/Paying Agent. All such payments shall be made in lawful money of the United States of America. The term "Record Date" as used herein with respect to any Interest Payment Date shall mean the 15th day of the month preceding the Interest Payment Date. The person in whose name any Bond is registered at the close of business on any Record Date with respect to any Interest Payment Date shall be entitled to receive the interest payable thereon on such Interest Payment Date notwithstanding any transfer or exchange thereof subsequent to such Record Date

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

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

The series of Bonds of which this bond is one is limited to the total principal amount of \$19,000,000 of like tenor except as to number, denomination, maturity date, and interest rate, issued by Santa Fe County, New Mexico. \$19,000,000 in principal amount of the Bonds represents the first series of general obligation bonds approved by the qualified electors of the County at an election held on November 6, 2012 to provide funds for: (1) the acquisition, construction, design and equipping of roads within the County; (2) the acquisition of real property and necessary water rights for, and construction, design, equipping, rehabilitation and improvement of water and wastewater projects within the County; and (3) the acquisition, design, construction, improvement, equipping and restoration of open space, trails and parks within the County.

The Bonds are issued under the authority of and in full conformity with the Constitution and laws of the State of New Mexico (particularly Sections 4-49-1 *et seq.*, NMSA 1978, Sections 6-15-1 through 6-15-22 NMSA 1978, and acts amendatory and supplemental thereto), and pursuant to the resolution of the Board authorizing the publication of a notice of sale of the Bonds and duly adopted March 26, 2013 (the "Notice of Sale Resolution") and the resolution of the Board awarding the Bonds to the best bidder therefore and duly adopted on April 30, 2013 (the "Award Resolution" and, together with the Notice of Sale Resolution, the "Bond Resolution").

The Bonds maturing on and after July 1, 2023, are subject to prior redemption at the County's option in one or more units of principal of \$5,000 on and after July 1, 2022 in whole or in part at any time, in such order of maturities as the County may determine, for the principal amount of each \$5,000 unit of principal so redeemed plus accrued interest to the redemption date. Redemption shall be made upon prior notice mailed to each registered owner of each bond selected for redemption as shown on the registration books kept by the Registrar.

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

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

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

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

It is hereby certified, recited and warranted that all the requirements of law have been complied with by the proper officials of the County in the issuance of this bond; that the total

indebtedness of the County, including that of this bond, does not exceed any limit of indebtedness prescribed by the Constitution or laws of the State of New Mexico; that provision has been made for the levy and collection of annual taxes sufficient to pay the principal of and the interest on this bond when the same become due. This bond shall not be valid or obligatory for any purpose until the Registrar/Paying Agent shall have manually signed the certificate of authentication hereon.

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

Kathy Holian, Chairperson
Board of County Commissioners
Santa Fe County, New Mexico

Attest:

Geraldine Salazar, Clerk
Santa Fe County, New Mexico

CERTIFICATE OF AUTHENTICATION

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

Date of Authentication
and Registration: _____

Santa Fe County Treasurer,
as Registrar/Paying Agent

By: _____
Patrick Varela

ASSIGNMENT

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

Dated: _____

Address: _____

Signature Guaranteed:

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

[End of Form of Bond]

Section 9. When the Bonds have been duly executed and authenticated, they shall be delivered to the lawful purchaser thereof named in Section 1 of this Resolution. \$19,000,000 in principal amount of the Bonds, representing the first series of general obligation bonds approved by the qualified electors of the County at an election held on November 6, 2012 shall be applied to Road Projects in the amount of \$10,868,000, to Water and Wastewater Projects in the amount of \$5,645,000 and to Open Space Projects in the amount of \$2,487,000, and the provisions of the Notice of Sale Resolution adopted on March 26, 2013 allocating the proceeds of the Bonds to Road Projects are hereby amended and superseded as provided in this Section 9. The purchaser of the Bonds shall in no manner be responsible for the application of or disposal by the County, or any of its officers, of any of the funds derived from the sale thereof.

Section 10. There shall be levied on all taxable property within the County, at the time and in the manner provided by law, in addition to all other taxes, direct annual ad valorem taxes sufficient to pay the principal of and interest accruing on the Bonds promptly as the same shall become due. This Resolution is hereby declared to be the certificate of the Board, as to the amount of taxes necessary to be levied for the purposes herein stated and said taxes shall be certified, levied and extended upon the tax rolls and collected in the same manner, at the same time and subject to the same penalties as general state and county taxes are certified, levied and collected. The taxes, when collected, shall be kept by the County in the County's interest and

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

Section 11. The Chairperson of the Board, County Clerk, County Treasurer and other officers and employees of the County are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution, including without limiting the generality of the foregoing, the printing of the Bonds, the execution of letters and agreements with the Depository, the printing and execution of disclosure documents relating to the Bonds, the payment of the costs of issuance of the Bonds, and such certificates as may be required by the Purchaser or bond counsel relating to, among other things, the signing of the Bonds, the tenure and identity of County officials, the receipt of the purchase price of the Bonds from the Purchaser and the absence of litigation, pending or threatened, if in accordance with the facts, affecting the validity thereof and the absence and existence of factors affecting the exclusion of interest on the Bonds from gross income for federal income tax purposes.

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

Section 12. The County covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary so that the Bonds will not constitute arbitrage bonds under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The Chairperson of the Board, the Santa Fe County Treasurer and any other officer of the County having responsibility for the issuance of the Bonds shall give an appropriate certificate of the County, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of interest on the Bonds.

The County covenants that it (a) will take or cause to be taken such actions which may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, and (b) will not take or permit to be taken any actions which would adversely affect that exclusion, and that it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield, as required, on investment property acquired with those

proceeds, (iii) make timely rebate payments, if required, to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code. The Chairperson of the Board, Treasurer and other appropriate officers are hereby authorized and directed to take any and all actions, make calculations and rebate payments, and make or give reports and certifications, as may be appropriate to assure such exclusion of that interest.

Section 13. Any Bond and the interest thereon shall be deemed to be paid, retired, and no longer outstanding (a "Defeased Bond") hereunder when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity, upon redemption, or other) either (a) shall have been made or caused to be made in accordance with the terms thereof (including the giving of any required notice of redemption), or (b) shall have been provided for on or before such due date by irrevocably depositing with or making available to a qualified depository for such payment (i) lawful money of the United States of America sufficient to make such payment or (ii) Government Obligations which mature as to principal and interest in such amounts and at such times as will ensure the availability, without reinvestment, of sufficient money to provide for such payment (as verified by a certified or registered public accountant), and when proper arrangements have been made by the County with a qualified depository for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of the ad valorem taxes herein levied and pledged as provided in this ordinance, and such principal and interest shall be payable solely from such money or Government Obligations.

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

Section 14. Moneys in any fund not immediately needed may be invested as provided by state law and applicable federal statutes and regulations, provided that the Board and the County hereby covenant to the purchasers and the holders of the Bonds from time to time that the County will make no use of the proceeds of the Bonds or any funds reasonably expected to be used to pay the principal of or interest on the Bonds which will cause the Bonds to be arbitrage bonds within the meaning of Section 148 of the Code, as amended, or which would

adversely affect the tax status of interest on the Bonds under the Code. This covenant is for the benefit of the purchasers and the holders of the Bonds from time to time.

Section 15. After any of the Bonds have been issued, this Resolution shall constitute a contract between the County and the holder or holders of the Bonds and shall be and remain irrevocable and unalterable until the Bonds and the interest thereon shall have been fully paid, satisfied and discharged, defeased or until such payment has been duly provided for.

Section 16. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 17. The following notice shall be published one time in a newspaper having general circulation in the County as soon as is practicable following the adoption hereof:

[Form of Notice]

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Santa Fe County, New Mexico did, on the 30th day of April, 2013, adopt a resolution entitled:

SANTA FE COUNTY, NEW MEXICO

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF SANTA FE COUNTY, NEW MEXICO GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2013, IN THE PRINCIPAL AMOUNT OF \$19,000,000, PAYABLE FROM AD VALOREM TAXES LEVIED ON ALL TAXABLE PROPERTY WITHIN THE COUNTY; PROVIDING FOR THE FORM, TERMS AND CONDITIONS OF THE BONDS, THE MANNER OF THEIR EXECUTION AND THE METHOD OF, AND SECURITY FOR, PAYMENT; AND PROVIDING FOR OTHER DETAILS CONCERNING THE BONDS.

The Resolution directs and authorizes the issuance of Santa Fe County, New Mexico, General Obligation Improvement Bonds, Series 2013 in the aggregate principal amount of \$19,000,000, to be issued for the purpose of defraying the costs of Road Projects, Water and Wastewater Projects and Open Space Projects within the County, representing the first series of general obligation bonds approved by the qualified electors of the County at an election held on November 6, 2012.

The Resolution awards the sale of the bonds to the best bidder therefor and provides for the delivery thereof; provides for the form of the bonds; provides for the levy of ad valorem property taxes without limitation as to rate or amount to pay the principal of and interest on the

bonds; makes certain covenants with the bond purchaser; and provides other details concerning the bonds. Complete copies of the Resolution are available for public inspection during normal and regular business hours at the office of the Santa Fe County Clerk, 102 Grant Avenue, Santa Fe, New Mexico. This notice constitutes compliance with Section 6-14-6 NMSA 1978.

DATED this 30th day of April, 2013.

/s/

Kathy Holian, Chairperson
Board of County Commissioners
Santa Fe County, New Mexico

[End Form of Notice]

Section 20. All acts and resolutions in conflict or inconsistent with this Resolution are hereby rescinded, annulled and repealed, but only to the extent of such conflict or inconsistency.

(Signature page follows)

PASSED, ADOPTED AND APPROVED this 30th day of April, 2013.

BOARD OF COUNTY COMMISSIONERS
SANTA FE COUNTY, NEW MEXICO

By: _____
Kathy Holian, Chairperson

ATTEST:

By: _____
Geraldine Salazar, County Clerk

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

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

By: _____
Peter Franklin

EXHIBIT "A"

Affidavit of Publication of
Notice of Sale and Meeting
Published on April __, 2013



Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

Date: April 16, 2013

To: Santa Fe County Board of County Commissioners

From: Bernadette Salazar, Human Resources Director *BJS*

Re: Request Approval of Amendment No. 3 to the Collective Bargaining Agreement between Santa Fe County and the Santa Fe County Deputy Sheriff's Association, a subsidiary of the New Mexico Coalition of Public Safety Officers

BACKGROUND AND SUMMARY

The Santa Fe County Board of County Commissioners approved the collective bargaining agreement in November 2011. Section 40, Wages of the current contract allowed for a wage re-opener to occur in March 2013. The union and management teams negotiated the wage section and discussed the challenges many law enforcement agencies currently face. Recently, the City of Santa Fe increased their starting pay for Cadet Officers to \$19.11 per hour. The average starting pay for Cadet Officers with surrounding agencies to include the City of Santa Fe, Albuquerque, Rio Rancho, and Bernalillo County is \$17.78 per hour. Santa Fe County Sheriff Deputy Cadets earn \$15.60 per hour and this starting pay will be increased to \$17.50 per hour effective April 20, 2013 in an effort to remain competitive with other agencies to assist with recruitment of new cadets.

The increase to starting wages for Cadets causes compaction issues with officers who are certified and have more than one year of experience. The union and management are working together to address this issue and will continue negotiations of the wage section of the collective bargaining agreement for a more long-term resolution. In the interim, both parties acknowledge that certified law enforcement officers with more than one year of experience are often the target of focused recruitment efforts because of their experience, expertise, certification and cost savings to hire certified officers. In addition, many agencies may lose experienced law enforcement officers because of changes to PERA rules which results in a highly competitive environment with regard to recruitment. As a result, the parties have agreed to temporary salary adjustments as retention incentives based on years of experience until the negotiation of a more long-term resolution. The cost of the temporary salary adjustments as retention incentives is approximately \$48,500 which can be sustained with current salary savings.

In addition, although the specialty pay issue, specifically with the Criminal Investigation Division, is not an element of the wage re-opener, it is an issue that requires attention. Both the union and management have identified problems with recruiting and retaining employees to work in the Criminal Investigation Division and have been working together on this issue. In December 2012 the Board of County Commissioners approved an amendment agreed upon by both union and management to decrease the requirement that employees must have at least two (2) years of continuous years of service with Santa Fe County Sheriff's Office to apply to the Criminal Investigations Division. This allows employees who are new to the County but have years of law enforcement experience the opportunity to work in the Criminal Investigation Division. Although this amendment has been helpful, we continue to have challenges filling vacancies in this area. With this, we have mutually agreed to increase the incentive pay \$0.75 per hour. The fiscal impact is approximately \$40,000 annually to include benefits and overtime.

ACTION REQUESTED

We request approval of amendment no. 3 to the Collective Bargaining Agreement between Santa Fe County and the Santa Fe County Deputy Sheriff's Association, a subsidiary of the New Mexico Coalition of Public Safety Officers

Thank you for your consideration.

Attachment:

Amendment No.3 to the Collective Bargaining Agreement Between Santa Fe County and Santa Fe County Deputy Sheriff's Association, a subsidiary of the New Mexico Coalition of Public Safety Officers

**AMENDMENT NO. 3
TO
COLLECTIVE BARGAINING AGREEMENT
BETWEEN SANTA FE COUNTY AND
THE SANTA FE COUNTY DEPUTY SHERIFF'S ASSOCIATION, A SUBSIDIARY OF THE NEW
MEXICO COALITION OF PUBLIC SAFETY OFFICERS/NMCOPS**

THIS AMENDMENT is made and entered into as of this 30 day of April 2013, by and between **Santa Fe County**, a political subdivision of the State of New Mexico (hereinafter referred to as "the County") and the New Mexico Coalition of Public Safety Officers on behalf of the Santa Fe County Deputy Sheriff's Association, a Chapter of the New Mexico Coalition of Public Safety Officers (herein referred to as "the Union").

WHEREAS, the County and the Union entered into the Collective Bargaining Agreement effective November 8, 2011 to October 30, 2015;

WHEREAS, Section 40, Wages the Collective Bargaining Agreement addresses wages for bargaining unit employees and states that the next wage re-opener will occur in March 2013;

WHEREAS, the parties recognize the importance of maintaining a competitive compensation package to recruit and retain qualified law enforcement officers especially with current changes to starting pay scales of surrounding agencies for Cadets to an average of \$17.78 per hour;

WHEREAS, the starting pay for Santa Fe County Sheriff Deputy Cadets is \$15.60 per hour and will be increased to \$17.50 per hour effective April 20, 2013 in an effort to remain competitive;

WHEREAS, both parties are working together to evaluate the effect and impact of the new starting wages for entry-level law enforcement officers and wages of other agencies to determine the most effective method to address compaction and retain current employees;

WHEREAS, both parties acknowledge that certified law enforcement officers are often the target of focused recruitment efforts because of their experience, expertise, certification and cost savings to hire certified officers;

WHEREAS, both parties recognize action is necessary to address the issue until a long-term resolution is implemented;

WHEREAS, Section 43, Specialty Pay of the Collective Bargaining Agreement addresses pay for specialized duty assignments and minimum requirements and it has been difficult to recruit for specialized duty assignments with the current minimum requirements;

WHEREAS, both parties agree that although the Specialty Pay issue is not an element of the wage re-opener, it is an issue that should be addressed immediately;

WHEREAS, the County and the Union agreed that the requirements to apply for specialized duty assignments should be amended to address recruitment issues and were amended as a result,

but continue to face challenges in recruiting deputies specifically for Criminal Investigations as Detectives; and

WHEREAS, the County and the Union agree that action must be taken to ensure adequate staffing in the Criminal Investigations Division.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Section 40, Wages, is amended to add the following:

Section 40: Wages

Upon ratification and approval by the Board of County Commissioners of Amendment No. 3 to Collective Bargaining Agreement Between Santa Fe County and the Santa Fe County Deputy Sheriff's Association, Union employees shall receive the following temporary salary adjustment as a retention incentive:

15+ years of service:	\$1,200.00
10-14 years of service:	\$1,100.00
5-9 years of service:	\$1,000.00
2-4 years of service:	\$800.00
1 year of service:	\$600.00

The temporary pay increase shall be paid over two pay periods. The temporary pay increase will begin the first full pay period after July 1, 2013. The next wage re-opener will begin no later than November 8, 2013.

2. Section 43(A)(2) is deleted and replaced with the following language:

Section 43: Specialty Pay

2. Detective-Bargaining unit employees who are assigned to the Criminal Investigations Division/Narcotics Unit will be compensated at the rate of \$310 per month.
3. All other provisions of the Collective Bargaining Agreement not specifically deleted, replaced or amended by Amendment No. 1, Amendment No. 2, and Amendment No. 3 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

SANTA FE COUNTY

Kathy Holian, Chairperson

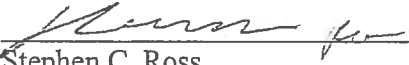
Date

ATTEST:

Geraldine Salazar, Santa Fe County Clerk

Date

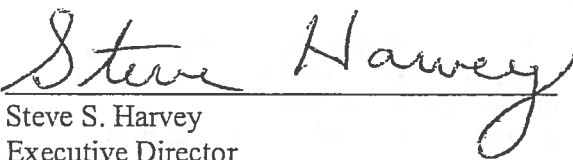
APPROVED AS TO FORM:



Stephen C. Ross
Santa Fe County Attorney

Date

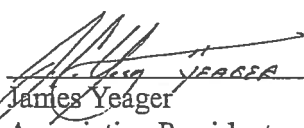
NEW MEXICO COALITION OF PUBLIC SAFETY OFFICERS



Steve S. Harvey
Executive Director

04/16/2013

Date



James Yeager
Association President

4.17.2013
Date

Santa Fe County

Fiscal Impact Report

Department / Division: CMO/HR

Action Item to be Considered: Approval of Amendment #3 for CWA-Sheriff ...

Agreement Number:

Indicate with a <input checked="" type="checkbox"/> below	Section 1 - Identify the type of document below for BCC Consideration and Approval
<input type="checkbox"/>	Revenue, e.g. Grant, charges and fees, etc.
<input type="checkbox"/>	Contractual Services (includes change orders), e.g. Professional services agreement, construction, price agreement, joint powers agreement, lease agreement, etc.
<input type="checkbox"/>	Loan/Grant Agreement
<input checked="" type="checkbox"/>	Other: Amendment to a Collective Bargaining Agreement, specifically CWA-Sheriff's Union Contract

Indicate with a <input checked="" type="checkbox"/> below	Section 2 - Funding Source Identify the item below for BCC Consideration and Approval
<input checked="" type="checkbox"/>	General Fund, e.g. property taxes, gross receipt taxes, etc.
<input type="checkbox"/>	Special Revenue Funds, e.g. Fire, Indigent, etc.
<input type="checkbox"/>	Capital Outlay GRT, (capital infrastructure only, does not include maintenance or repair costs)
<input type="checkbox"/>	Bond Proceeds (general obligation and gross receipt tax revenue bonds)
<input type="checkbox"/>	Grant Funds. If yes, indicate the percentage and amount required % and/or \$, and source. % <input type="text"/> \$ <input type="text"/> Source <input type="text"/>
<input type="checkbox"/>	Other: <input type="text"/>

Section 3 - Ongoing operations and maintenance (O&M) requirements:

Short Term (Specify needs for the current fiscal year only)

For the temporary salary adjustment, the fiscal impact is approximately \$48,500 for FY2014, but can be sustained with current salary savings. For the increase to detective pay, the fiscal impact is approximately \$40,000 annually to include benefits and overtime. For the remaining fiscal year, the increase can be sustained with salary savings and for future fiscal years the amount will need to be budgeted to the base.

New FTE's # * Position *Detective Incentive (not new FTE) Hourly Rate \$ 0.75 e...

Current Fiscal Year Cost \$ 10,000 Annual Cost \$ 40,000

Initial Costs (Vehicle, computer, office space, etc.)

O & M (Concisely identify the recurring needs, supplies, equipment, and the resources necessary for carrying out the job duties)

n/a

Current Fiscal Year Cost \$

Annual Cost \$

Long Term (Specify the needs for the next four (4) years. This will include staff, O & M, asset renewal and replacement costs, and additional capital needs)

Salary & Benefits:

The new salary base should include the \$40,000 increase totaling \$160,00 over 4 years

All other expenses:

n/a

Section 4 - Revenue

Short Term (Specify the revenue potential for the current fiscal year only. If a grant, specify the total grant award amount and the term. If a fee or charge for service, explain basis of revenue projection).

n/a

Current FY Estimate \$

Long Term (Specify the revenue potential for the next four (4) fiscal years. If a grant, specify the total grant award amount and the term. If a fee or charge for service, explain basis of revenue projection).

n/a

Annual Estimate \$

Total (next 4 years) \$

Additional Narrative

(Should include additional information such as significant issues, administrative issues and technical issues. What consequences, if any, may occur if this item is not acted upon):

This request is for temporary salary adjustments as a retention incentive to address compaction issues with law enforcement officers within the bargaining unit. This is a temporary resolution until negotiations are completed and a more long-term resolution is identified. The intent is to assist in the retention of current officers to maintain our level of service and experience and to minimize costs associated with recruiting, training, and providing equipment to new employees.

Prepared by Bernadette Salazar

Reviewed by Carole Jaramillo



**cost for increase to detective
pay april 2013.xlsx**
Microsoft Excel Worksheet
13.7 KB



**amendment #3 for sheriff's
union cba April 2013.docx**
Microsoft Word Document
29.9 KB



File Attachment



Memorandum

To: Santa Fe Board of County Commissioners

From: David Sperling, Fire Chief *DS*

Thru: Pablo Sedillo, Public Safety Director *PS*
Katherine Miller, County Manager

Date: April 30, 2013

Re: *Requesting BCC approval of an Emergency Ordinance Declaring Hazardous Fire Conditions and Imposing Restrictions on Open Fires, Smoking, and Other Ignition Sources (Public Safety/Fire).*

ISSUE:

The Fire Department is requesting BCC approval of an Emergency Ordinance declaring hazardous fire conditions in Santa Fe County and imposing restrictions on open fires, smoking, and other ignition sources. This Emergency Ordinance shall take effect upon approval and expire in 90 days unless renewed at a subsequent Board meeting.

BACKGROUND:

Approval of these emergency restrictions is necessitated by persistent and severe drought compounded by abnormally warm temperatures and frequent and erratic spring winds. Wild land fire danger measurements utilized by the US Forest Service rate our local conditions as "very high" in areas of our grass land, pinion-juniper, and ponderosa fuel types throughout Santa Fe County and the surrounding areas. These conditions of below normal precipitation, above normal temperatures, and severe drought are forecast to persist throughout the spring and early summer. Without significant moisture, the Fire Department anticipates that wildland fire conditions will continue to deteriorate to severe or extreme during the 90 day period. This emergency ordinance will reduce the likelihood of an accidental wildland fire during the next 90 days, improve public and firefighter safety, and preserve property in Santa Fe County.

ACTION REQUESTED

Approval of the Emergency Ordinance Declaring Hazardous Fire Conditions and Imposing Restrictions on Open Fires, Smoking, and Other Ignition Sources within Santa Fe County. The Fire Chief or Fire Marshal shall have the authority to grant exemptions to the Emergency Ordinance to burn permit applicants after assuring adequate fire protection is available and all reasonable measures have been taken to mitigate the severe fire danger.

Santa Fe County

Fiscal Impact Report

Department / Division: Public Safety / Fire Department

Action Item to be Considered: Emergency Ordinance for Burn Restrictions

Agreement Number: _____

Indicate with a <input checked="" type="checkbox"/> below	Section 1 - Identify the type of document below for BCC Consideration and Approval
<input type="checkbox"/>	Revenue, e.g. Grant, charges and fees, etc.
<input type="checkbox"/>	Contractual Services (includes change orders), e.g. Professional services agreement, construction, price agreement, joint powers agreement, lease agreement, etc.
<input type="checkbox"/>	Loan/Grant Agreement
<input checked="" type="checkbox"/>	Other: Emergency Ordinance

Indicate with a <input checked="" type="checkbox"/> below	Section 2 - Funding Source Identify the item below for BCC Consideration and Approval
<input type="checkbox"/>	General Fund, e.g. property taxes, gross receipt taxes, etc.
<input type="checkbox"/>	Special Revenue Funds, e.g. Fire, Indigent, etc.
<input type="checkbox"/>	Capital Outlay GRT, (capital infrastructure only, does not include maintenance or repair costs)
<input type="checkbox"/>	Bond Proceeds (general obligation and gross receipt tax revenue bonds)
<input type="checkbox"/>	Grant Funds. If yes, indicate the percentage and amount required % and/or \$, and source. % \$ Source
<input checked="" type="checkbox"/>	Other: No Funding Source is Required

Section 3 - Ongoing operations and maintenance (O&M) requirements:		
Short Term (Specify needs for the current fiscal year only)		
This is an emergency ordinance declaring hazardous fire conditions in Santa Fe County imposing restrictions on open fires, smoking, and other ignition sources. This ordinance would take effect upon approval at the April 30, 2013 BCC meeting and expire in 90 days unless renewed at a subsequent BCC meeting.		
New FTE's #	Position	Hourly Rate \$
Current Fiscal Year Cost \$	Annual Cost \$	
Initial Costs (Vehicle, computer, office space, etc.)		

necessary for carrying out the job duties)

This ordinance will be enforced utilizing the current Fire Department staff, no additional staff, equipment or supplies will be needed

Current Fiscal Year Cost \$

Annual Cost \$

Long Term (Specify the needs for the next four (4) years. This will include staff, O & M, asset renewal and replacement costs, and additional capital needs)

This ordinance will be in effect for 90 days which will expire July 30, 2012 which will be effective in the first month of fiscal year 2014 with the possibility of renewal at that time depending on the hazardous fire conditions in Santa Fe County.

Salary & Benefits:

N/A

All other expenses:

N/A

Section 4 - Revenue

Short Term (Specify the revenue potential for the current fiscal year only. If a grant, specify the total grant award amount and the term. If a fee or charge for service, explain basis of revenue projection).

N/A

Current FY Estimate \$

Long Term (Specify the revenue potential for the next four (4) fiscal years. If a grant, specify the total grant award amount and the term. If a fee or charge for service, explain basis of revenue projection).

N/A

Annual Estimate \$

Total (next 4 years) \$

Additional Narrative

(Should include additional information such as significant issues, administrative issues and technical issues. What consequences, if any, may occur if this item is not acted upon):

The approval of these emergency restrictions is necessitated by persistent and severe drought compounded by abnormally warm temperatures and frequent and erratic spring winds. Wildland fire danger measurements utilized by the US Forest Service rate the conditions in Santa Fe County as "very high" in areas of our grass land, pinion-juniper, and ponderosa fuel types throughout the county. Without significant moisture, the Fire Department anticipates that wildland fire conditions will continue to deteriorate to severe or extreme during the 90 day period of the ordinance. The approval of this ordinance will reduce the likelihood of an accidental wildland fire during the next 90 days as well as improve public and firefighter safety, and preserve property in Santa Fe County.

Prepared by Donna Morris

Reviewed by David Sperling 

SANTA FE COUNTY

ORDINANCE NO. 2013-__

**AN EMERGENCY ORDINANCE DECLARING HAZARDOUS FIRE
CONDITIONS AND IMPOSING RESTRICTIONS ON
OPEN FIRES, SMOKING AND OTHER IGNITION SOURCES**

Be it ordained by the Board of County Commissioners of Santa Fe County that because the current dry conditions and fire hazards represent a significant and imminent threat to the safety, health and welfare in Santa Fe County, the following prohibitions are hereby **ADOPTED**:

1. Consistent with its authority pursuant to NMSA 1978, Section 59A-52-18, the following are prohibited for a period of ninety (90) days within the unincorporated areas of Santa Fe County:
 - a. Campfires
 - b. Open fires of any kind
 - c. Open burning of vegetation or rubbish
 - d. Smoking within a County park, campground or any wildland area except within an enclosed vehicle or building
 - e. Littering on public roadways/areas with ignited smoking materials
 - f. Use of off-road vehicles and motor bikes within county parks, campground and wild land areas
 - g. The issuance of licenses or permits for open burning except as noted below.
2. The Fire Chief or Fire Marshal shall have the authority to grant exemptions to the Emergency Ordinance to burn permit applicants after assuring that adequate fire protection is available and all reasonable measures have been taken to mitigate the hazardous fire conditions.
3. Nothing herein shall be construed to limit the authority or responsibilities of the Santa Fe County Fire Marshal or the Santa Fe County Sheriff under the provisions of other ordinances.
4. Any individual, firm, partnership or other entity found violating this emergency ordinance shall be deemed guilty of a petty misdemeanor and shall be punished by imprisonment for up to ninety days or a fine not to exceed three hundred dollars, or both.

This Ordinance shall take effect immediately and shall remain in effect for ninety days.

APPROVED, ADOPTED AND PASSED this ____ day of April, 2013.


BOARD OF COUNTY COMMISSIONERS

Kathy Holian, Chair

Attest:

Geraldine Salazar,
Santa Fe County Clerk

Approved as to form:

_____
Stephen C. Ross,
Santa Fe County Attorney



