

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

Date: November 25, 2014

To: Board of County Commissioners

From: Kathy Holian, County Commissioner

Via: Katherine Miller, County Manager *Kim*

Re: A Resolution in Support of New Mexico Grown Fresh Fruits and Vegetables for School Meals. (Commissioner Holian)

ISSUE

On the agenda for your consideration is a resolution respectfully requesting that the New Mexico State Legislature appropriate \$1.44 million to support the purchase of locally grown fruits and vegetables for school lunches.

BACKGROUND

Studies show that fruits and vegetables enhance children's diets promoting healthier lifestyles and increasing academic achievement. By purchasing New Mexico-grown fresh fruits and vegetables schools across the state are providing high quality produce to students; and encouraging kids to eat fresh fruits and vegetables for the rest of their lives.

Selling fresh fruits and vegetables to schools helps strengthen New Mexico's farming economy and agricultural heritage by increasing market opportunities for small and mid-scale producers across the state. New Mexican farmers selling to schools have earned enough income to expand crop production, invest in infrastructure such as season extension and water conservation, and have stopped relying on farmers markets sales to make a living.

ACTION REQUESTED

Commissioner Holian seeks board approval for the resolution.

**THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY**

RESOLUTION No. 2014- _____

**A RESOLUTION IN SUPPORT OF NEW MEXICO GROWN FRESH FRUITS AND
VEGETABLES FOR SCHOOL MEALS**

WHEREAS, approximately fourteen percent of kindergarteners and almost twenty one percent of third graders in New Mexico are considered overweight or obese;

WHEREAS, the National School Lunch Program makes it possible for school children in the United States to receive a nutritious lunch every school day;

WHEREAS, 345,000 children participate in the school lunch programs throughout New Mexico, and more than 231,000 of those children are eligible to participate in free or reduced price school meal programs;

WHEREAS, the National School Lunch Program provides a reimbursement of \$2.98 for free lunches and \$2.58 for reduced-price lunches;

WHEREAS, for the 2014-2015 school year, school meal programs are anticipated to see an average increase in the cost of food equivalent to \$0.25 to \$0.75 per meal, but there will be a minimal National School Lunch Program increase of only \$0.06 reimbursement per meal;

WHEREAS, the healthy kid, healthy economy concept promotes the purchase of New Mexico fruits and vegetables for school lunch programs in order to enhance the diet of school children and help school meal programs comply with new Federal rules that require additional servings of fruits and vegetables in school lunches;

WHEREAS, there is an emerging agricultural sector in New Mexico comprised of small and medium size fruit and vegetable farmers, who can respond to this new food market for local produce in the school meal programs;

WHEREAS, increased funding from the state legislature will enable school meal programs and local school districts to purchase New Mexico grown produce and serve more fresh fruits and vegetables to our children for their health and well-being;

WHEREAS, increased funding from the state legislature for school meals programs also supports economic development and opportunities for our local farmers; and,

WHEREAS, increasing funding would assist school children and farmers within Santa Fe County.

NOW THEREFORE, be it resolved, that the Board of the County Commissioners of Santa Fe County respectfully requests that the New Mexico State Legislature appropriate \$1.44 million to support the purchase of locally grown fruits and vegetables for school lunches.

APPROVED, ADOPTED AND PASSED THIS 25th day of November 2014.

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By: _____
Daniel W. Mayfield, Chair

ATTEST:

Geraldine Salazar, County Clerk

APPROVED AS TO FORM:

Gregory S. Shafer, County Attorney



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

DATE: November 5, 2014

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager *KM*

FROM: *CB* Chris M. Barela, Constituent Service Liaison District 3

RE: Resolution to support Gold Level Status with the International Mountain Biking Association (IMBA) and to direct staff to work with stakeholders to achieve Gold Level Status and to pursue new trail development opportunities

Board of County Commission meeting, November 25, 2014

BACKGROUND AND SUMMARY:

Santa Fe County adopted the Sustainable Growth Management Plan (SGMP) in 2010, which identified Outdoor Recreation/Ecotourism as a target industry for economic development.

Santa Fe County and City have received numerous awards for their high quality of life in outdoor recreation and ecotourism. Between Santa Fe County, the City of Santa Fe, the US Forest Service, the Bureau of Land Management, and private land, the County currently has over 200 miles of trails for mountain biking, hiking, and equestrian purposes, and pursuing new trail development in order to achieve Gold IMBA Ride Center Status.

REQUEST ACTION:

Commissioner Robert A. Anaya respectfully request that the Board of Santa Fe County Commissioners support this resolution to achieve Gold Level Ride Center Status with the international Mountain Biking Association (IMBA), Directing Staff to work with stakeholders to achieve Gold Level Status and to pursue new trail development opportunities.

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

RESOLUTION NO. 2014--

**A RESOLUTION IN SUPPORT OF ACHIEVING GOLD LEVEL RIDE CENTER
STATUS WITH THE INTERNATIONAL MOUNTAIN BIKING ASSOCIATION
(IMBA); DIRECTING STAFF TO WORK WITH STAKEHOLDERS TO ACHIEVE
GOLD LEVEL STATUS AND TO PURSUE NEW TRAIL DEVELOPMENT
OPPORTUNITIES**

WHEREAS, Santa Fe County adopted the Sustainable Growth Management Plan (SGMP) in 2010, which identified Outdoor Recreation/Ecotourism as a target industry for economic development;

WHEREAS, Santa Fe County adopted Ordinance 2014-7, which adopted by reference the County's Economic Development Plan, identifying Outdoor Recreation/Ecotourism as a target industry for economic development;

WHEREAS, the Outdoor Industry Association states on its website that the outdoor recreation economy in New Mexico has an economic impact of \$6.1 billion annually, and generates 68,000 direct jobs throughout New Mexico;

WHEREAS, the City of Santa Fe adopted Resolution 2014-24, encouraging collaboration between the City, County, and SF Fat Tire Society (the local chapter of the International Mountain Biking Association (IMBA)) to achieve IMBA Ride Center status, which, according to the IMBA website, "represents IMBA's Model Trail recognition for large-scale mountain bike facilities that offer something for every rider";

WHEREAS, achieving IMBA Ride Center status allows Santa Fe enhanced marketing opportunities as a mountain bike destination, which in turn can increase outdoor recreation tourism and can provide additional gross receipts taxes and jobs for Santa Fe County;

WHEREAS, Santa Fe County, SF Fat Tire Society, and the City of Santa Fe were collectively awarded IMBA Silver-level Ride Center status, in recognition of our trail infrastructure;

WHEREAS, there is only one Gold level IMBA Ride Center in the world, in Park City, Utah;

WHEREAS, Santa Fe County and City have received numerous awards for their high quality of life in outdoor recreation and ecotourism, including:

- Singletracks.com voted Santa Fe one of the Top Ten mountain biking destinations in North America

- League of American Bicyclists awarded Santa Fe a Silver designation for its bicycle transportation infrastructure
- USA Today listed Santa Fe as one of America's top mountain biking towns
- Outside Magazine listed Santa Fe as one of the top 10 towns for high altitude running
- Runners World Magazine rated Santa Fe's Dale Ball trail system one of 25 best trail runs in America
- Conde Nast voted Santa Fe as the best small town in America
- International Mountain Biking Association awarded Santa Fe a Silver-level Ride Center; and

WHEREAS, between Santa Fe County, the City of Santa Fe, the United States Forest Service, the Bureau of Land Management, and private land, the County currently has over 200 miles of trails for mountain biking, hiking, and equestrian purposes, and pursuing new trail development in order to achieve Gold IMBA Ride Center status is aligned with:

- the SGMP
- the Economic Development Plan
- the City of Santa Fe Economic Development Implementation Plan
- the Regional Economic Development Initiative, a regional strategic plan for economic development encompassing Santa Fe County, Rio Arriba County, Los Alamos County, and Taos County
- the City Convention and Visitors Bureau Marketing Plan.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County, as follows:

1. Santa Fe County staff shall collaborate with appropriate stakeholders in order to attempt to achieve Gold level IMBA Ride Center status;
2. Santa Fe County staff shall continue to pursue the addition of new trails for mountain biking, hiking, and equestrian purposes within Santa Fe County; and
3. Santa Fe County shall support Santa Fe National Forest and Bureau of Land Management efforts to build new trails on public lands within Santa Fe County.

APPROVED, ADOPTED AND PASSED THIS ____ day of November, 2014


**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By: _____
Daniel W. Mayfield, Chair

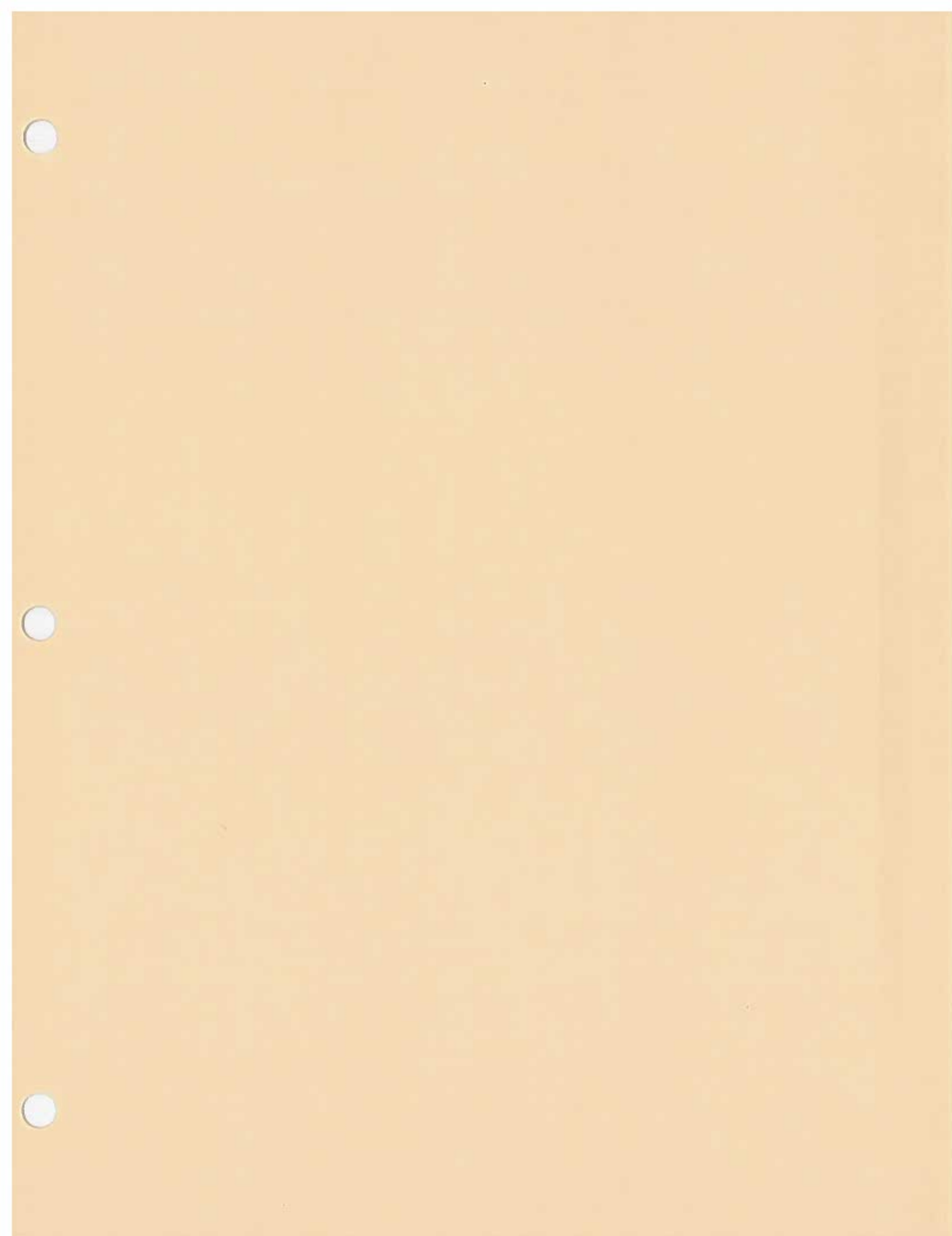
ATTEST:

Geraldine Salazar, County Clerk

APPROVED AS TO FORM:



Gregory S. Shaffer, County Attorney



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

To: Board of County Commissioners

From: Gregory S. Shaffer, County Attorney

Via: Katherine Miller, County Manager

Date: November 12, 2014

Re: **A Resolution Determining Reasonable Notice for Public Meetings During Calendar Year 2015 of the Board of County Commissioners of Santa Fe County and For Boards and Committees Appointed By or Acting Under the Authority of the Board of County Commissioners; Establishing Permissible Meeting Locations and A Webcast and Broadcast Policy; and Rescinding Parts of Resolution No. 2014-58**

Issue. The Open Meetings Act, NMSA 1978, Chapter 10, Article 15, requires the Board of County Commissioners (Board) to annually determine what constitutes reasonable notice of its meetings. The above-referenced resolution, which is attached as Exhibit A, does that for calendar year 2015.

Background. The Board adopted its current Open Meetings Act resolution, Resolution No. 2014-58, on July 8, 2014. A copy of Resolution No. 2014-58 is attached as Exhibit B. In addition to correcting minor typographical and other non-substantive changes, the only substantive differences between the attached resolution and the one adopted in July are as follows:

1. Paragraph 1(A)(i) was updated to reflect calendar year 2015 meeting dates and times; and
2. Appendix 1 was updated to reflect calendar year 2015 meeting dates and times.

Recommendation. Approve the Resolution.

**THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY, NEW MEXICO**

RESOLUTION NO. 2014-_____

A RESOLUTION

**DETERMINING REASONABLE NOTICE FOR PUBLIC MEETINGS DURING
CALENDAR YEAR 2015 OF THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY AND FOR BOARDS AND COMMITTEES APPOINTED BY OR
ACTING UNDER THE AUTHORITY OF THE BOARD OF COUNTY
COMMISSIONERS; ESTABLISHING PERMISSIBLE MEETING LOCATIONS AND A
WEBCAST AND BROADCAST POLICY; AND RESCINDING PARTS OF
RESOLUTION NO. 2014-58**

WHEREAS, the Open Meetings Act, NMSA 1978, Chapter 10, Article 15 (hereinafter referred to as "the Act") provides that "[a]ll meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of . . . any county, . . . held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or taking any action within the authority of or the delegated authority of any board, commission or other policymaking body are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the [Act]" (NMSA 1978, Section 10-15-1(B) (2013));

WHEREAS, the Act further provides that "[a]ny meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs and at which a majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public" (NMSA 1978, Section 10-15-1(D));

WHEREAS, the Act further requires a public body to "determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body" (NMSA 1978, Section 10-15-1(D)); and

WHEREAS, for calendar year 2015, the Board of County Commissioners of Santa Fe County (hereinafter referred to as "the Board") desires to determine what constitutes reasonable notice to the public of its meetings and for meetings of boards and committees appointed by or acting under the authority of the Board, as required by the Act, and to otherwise specify important elements of its continuing compliance with the Act, establish permissible meeting locations, and establish a policy concerning the webcasting and broadcasting of meetings.

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

1. Regular Meetings.

A. Board Meetings.

i. Time and Place; Schedule for Calendar Year 2015. In calendar year 2015, regular meetings of the Board will be held beginning at 2:00 p.m. on the second Tuesday of each month and beginning at 11:00 a.m. on the last Tuesday of each month, except that (i) the second Board meeting in June shall be held on June 23, 2015, and (ii) there will be only one

Board meeting in December, on December 8, 2015. A copy of the complete calendar of regular meetings of the Board for calendar year 2015 is attached to this resolution as Appendix 1.

ii. Notice. This Resolution and Appendix 1 shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building. So long as the meetings are held on the days and times and at the location specified in Appendix 1, posting of this Resolution and Appendix 1 shall constitute reasonable and appropriate notice of each regular meeting of the Board.

iii. Notice of Rescheduled Regular Meeting. If a regular meeting is rescheduled from the date, time, or location specified in Appendix 1, notice of the rescheduled meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days prior to the date of the meeting.

iv. Notice to Radio, Television and Print Media. Notice of a regular meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such Notice.

B. Other Meetings Requiring Notice.

i. Time and Place. A regular meeting of a board or committee appointed by or acting under the authority of the Board shall be held at a time and place to be specified in the resolution creating such board or committee or, if not specified, upon a decision of the board or committee.

ii. Notice, Annual Schedule. Notice of a regular meeting of each board or committee shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days before such meeting. Alternatively, a regular meeting schedule of a board or committee may be developed for calendar year 2015 and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building; if so posted and so long as meetings are held on the days and times and at the location specified, posting of the annual meeting schedule shall constitute reasonable and appropriate notice of each regular meeting of the board or committee.

iii. Notice of Rescheduled Regular Meeting. If a regular meeting is rescheduled from the date, time, or location specified on the annual schedule, notice of the rescheduled meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days prior to the date of the meeting.

iv. Notice to Radio, Television and Print Media. Notice of a regular meeting of a board or committee shall also be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notices.

2. Special Meetings.

A. When Held. A special meeting of the Board may be called by the Chair or by a majority of the members of the Board at such time and place as the Chair or a majority of the members of the Board deem appropriate. A special meeting of a board or committee appointed by or acting under the authority of the Board may be called by the chair of that board or committee or by a majority of the members of that board or committee at such time or place as

the chair of that board or committee or a majority of members of the board or committee deem appropriate.

B. Notice of Special Meeting. Notice of a special meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least three (3) days before such meeting.

C. Notice to Radio, Television and Print Media. Notice of a special meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

3. Emergency Meetings.

A. Board Emergency Meeting, When, Where Held. An emergency meeting of the Board may be called by the Chair or by a majority of the members of the Board to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss to the County. An emergency meeting may be conducted at a time and place as the Chair or a majority of the members of the Board deem appropriate.

B. Board or Committee, When, Where Held. An emergency meeting of a board or committee appointed by or acting under the authority of the Board may be called by the chair of that board or committee or by a majority of the members of that board or committee to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss to the County, to be held at such time or place as the chair of that board or committee or a majority of members of the board or committee deem appropriate.

C. Notice. If possible given the emergency circumstances, notice of an emergency meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least twenty-four (24) hours prior to the meeting. If twenty-four (24) hours advance notice cannot be given, notice shall be posted as soon as possible.

D. Notice to Radio, Television and Print Media. Notice of an emergency meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

E. Required Report. Any action taken at an emergency meeting shall be reported to the Attorney General's Office as described in paragraph 4 of this Resolution.

4. Agendas. Meeting notices shall include an agenda containing a list of specific items of business to be discussed or transacted at the meeting or information on how the public may obtain a copy of such an agenda. If not included in the notice of meeting, a final agenda shall be prepared and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building and on the County's internet web site at least seventy-two (72) hours before the meeting. Except for emergency matters, action shall be taken only on items appearing on the final agenda. An "emergency" refers to "unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial loss to the public body." NMSA 1978, Section 10-15-1(F). Within ten (10) days of taking action on an emergency matter, the County shall report to the Attorney General's Office

the action taken and the circumstances creating the emergency, except in the event of a declared state or federal emergency.

5. **Recessed Meetings.** A meeting may be recessed to a later day, if, prior to recessing, the date, time and place for continuation of the meeting is specified, and, immediately following the recessed meeting, notice of the date, time and place for the reconvened meeting is posted on or near the door of the place where the original meeting was held. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting unless notice of the reconvened meeting is provided as otherwise set forth herein.

6. **Cancelled Meetings.** A meeting may be cancelled by posting a notice of cancellation in a conspicuous and appropriate place at the Santa Fe County Administrative Building and posting notices of the cancelled meeting on the doors of the building where the meeting was to be held as soon as practicable prior to the time and date of the cancelled meeting.

7. **Participation by Conference Telephone.** A member of the Board may participate in a meeting of the Board by means of conference telephone or other similar communications equipment when it is difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the Board who speaks, during the meeting.

8. **Closed Meetings.** A meeting may be closed in the following manner:

A. If the Board or board or committee appointed by or acting under the authority of the Board is in an open meeting when a closed meeting is desired and authorized by the Act, then the closed meeting shall be approved on motion by a majority of a quorum of the Board, or committee and the authority for the closure shall be stated in the motion. The votes of the members on the motion shall be recorded in the minutes.

B. If the Board or committee appointed by or acting under the authority of the Board is not in a public meeting and a closed meeting is desired and authorized, public notice of the closed meeting, appropriate under the circumstances, shall be given stating the authority for the closure.

C. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state that the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

9. **Application to County Boards, Committees.** This Resolution shall apply to each meeting of a board or committee whose members are appointed by the Board or which is acting under the authority of the Board, except the Extraterritorial Land Use Authority, the Extraterritorial Land Use Commission, the Buckman Direct Diversion Board, the Regional Planning Authority, the Regional Emergency Communications Committee, the Northern Central Regional Transit District, and the Solid Waste Management Authority.

10. **Definitions.**

A. "Board." For purposes of this Resolution, Board means the Board of County Commissioners of Santa Fe County.

B. "Meeting." For purposes of this Resolution, the term "meeting" shall be defined as a meeting of a quorum of the members of the Board and each meeting of a board or committee whose members are appointed by the Board held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of the Board or board or committee whose members are appointed by the Board.

C. "Santa Fe County Administrative Building." For purposes of this Resolution, the term "Santa Fe County Administrative Building" means 102 Grant Avenue Santa Fe NM 87501.

11. Meeting Locations. Pursuant to NMSA 1978, Section 4-38-8 (1981), Board meetings shall be held in the City of Santa Fe, except that meetings concerning matters of local interest only may be held in the community affected. All Board meetings shall be held in a public building owned by the State, County, or public schools.

12. Webcasting and Broadcasting. Unless it is impracticable or impossible to do so, Board meetings shall be webcast live on the County's internet site and broadcast live on local radio and television stations. In addition, video recordings of Board meetings shall be made available on the County's internet site.

13. Parts of Prior Resolution Rescinded. Resolution No. 2014-58, except for Paragraph 13 of that resolution, is hereby rescinded.

14. Effective Date. This Resolution shall become effective on January 1, 2015.

APPROVED AND ADOPTED this 25th day of November, 2014.


**THE BOARD OF COUNTY
COMMISSIONERS OF SANTA FE COUNTY**

Daniel W. Mayfield, Chair

ATTEST:

Geraldine Salazar, County Clerk

APPROVED AS TO FORM:



Gregory S. Shaffer, County Attorney

APPENDIX 1

**NOTICE OF REGULAR MEETINGS OF THE BOARD OF COUNTY
COMMISSIONERS OF SANTA FE COUNTY TO BE HELD DURING CALENDAR
YEAR 2015 IN THE COMMISSION CHAMBERS ON THE SECOND FLOOR OF THE
SANTA FE COUNTY ADMINISTRATIVE BUILDING
LOCATED AT 102 GRANT AVENUE SANTA FE NM 87501**

January 13, 2015	2:00 PM
January 27, 2015	11:00 AM
February 10, 2015	2:00 PM
February 24, 2015	11:00 AM
March 10, 2015	2:00 PM
March 31, 2015	11:00 AM
April 14, 2015	2:00 PM
April 28, 2015	11:00 AM
May 12, 2015	2:00 PM
May 26, 2015	11:00 AM
June 9, 2015	2:00 PM
June 23, 2015	11:00 AM
July 14, 2015	2:00 PM
July 28, 2015	11:00 AM
August 11, 2015	2:00 PM
August 25, 2015	11:00 AM
September 8, 2015	2:00 PM
September 29, 2015	11:00 AM
October 13, 2015	2:00 PM
October 27, 2015	11:00 AM
November 10, 2015	2:00 PM
November 24, 2015	11:00 AM
December 8, 2015	2:00 PM

Final agendas for these meetings shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building located at 102 Grant Avenue Santa Fe NM 87501 and on the County's internet web site at least seventy-two (72) hours before the meeting.

THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY, NEW MEXICO

RESOLUTION NO. 2014- 58

**A RESOLUTION
DETERMINING REASONABLE NOTICE FOR PUBLIC MEETINGS OF THE BOARD
OF COUNTY COMMISSIONERS OF SANTA FE COUNTY AND FOR BOARDS AND
COMMITTEES APPOINTED BY OR ACTING UNDER THE AUTHORITY OF THE
BOARD OF COUNTY COMMISSIONERS; ESTABLISHING PERMISSIBLE
MEETING LOCATIONS AND A WEBCAST AND BROADCAST POLICY; AND
RESCINDING RESOLUTION NOS. 2013-54 AND 2013-129 AND PARTS OF
RESOLUTION NO. 2009-205.**

WHEREAS, the Open Meetings Act, NMSA 1978, Chapter 10, Article 15 (hereinafter referred to as "the Act") provides that "[a]ll meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of . . . any county, . . . held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or taking any action within the authority of or the delegated authority of any board, commission or other policymaking body are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the [Act]" (NMSA 1978, Section 10-15-1(B) (2013));

WHEREAS, the Act further provides that "[a]ny meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs and at which a majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public" (NMSA 1978, Section 10-15-1(D));

WHEREAS, the Act further requires a public body to "determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body" (NMSA 1978, Section 10-15-1(D)); and

WHEREAS, the Board of County Commissioners of Santa Fe County (hereinafter referred to as "the Board") desires to determine what constitutes reasonable notice to the public of its meetings and for meetings of boards and committees appointed by or acting under the authority of the Board, as required by the Act, and to otherwise specify important elements of its continuing compliance with the Act, establish permissible meeting locations, and establish a policy concerning the webcasting and broadcasting of meetings.

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

1. Regular Meetings.

A. Board Meetings.

i. Time and Place; Schedule for Remainder of Calendar Year 2014.

From July 9, 2014, through December 31, 2014, regular meetings of the Board will be held beginning at 2:00 p.m. on the second Tuesday of each month and beginning at 11:00 a.m. on the last Tuesday of each month, except as follows: the Board meeting on August 12, 2014, shall

begin at 10:00 a.m., and there will be no Board meeting on November 11, 2014, or December 30, 2014. A copy of the complete calendar of regular meetings of the Board from July 9, 2014, through December 31, 2014 is attached to this resolution as Appendix 1.

ii. **Notice.** This Resolution and Appendix 1 shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building; so long as the meetings are held on the days and times and at the location specified in Appendix 1, posting of this Resolution and Appendix 1 shall constitute reasonable and appropriate notice of each regular meeting of the Board.

iii. **Notice of Rescheduled Regular Meeting.** If a regular meeting is rescheduled from the date, time, or location specified on Appendix 1, notice of the rescheduled meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days prior to the date of the meeting.

iv. **Notice to Radio, Television and Print Media.** Notice of a regular meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such Notice.

B. Other Meetings Requiring Notice.

i. **Time and Place.** A regular meeting of a board or committee appointed by or acting under the authority of the Board shall be held at a time and place to be specified in the resolution creating such board or committee or, if not specified, upon a decision of the board or committee.

ii. **Notice, Annual Schedule.** Notice of a regular meeting of each board or committee shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days before such meeting. Alternatively, a regular meeting schedule of a board or committee may be developed for the calendar year 2014 and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building; if so posted and so long as meetings are held on the days and times and at the location specified, posting of the annual meeting schedule shall constitute reasonable and appropriate notice of each regular meeting of the board or committee.

iii. **Notice of Rescheduled Regular Meeting.** If a regular meeting is rescheduled from the date, time, or location specified on the annual schedule, notice of the rescheduled meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days prior to the date of the meeting.

iv. **Notice to Radio, Television and Print Media.** Notice of a regular meeting of a board or committee shall also be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notices.

2. Special Meetings.

A. **When Held.** A special meeting of the Board may be called by the Chair or by a majority of the members of the Board at such time and place as the Chair or a majority of the members of the Board deem appropriate. A special meeting of a board or committee appointed by or acting under the authority of the Board may be called by the chair of that board or

committee or by a majority of the members of that board or committee at such time or place as the chair of that board or committee or a majority of members of the board or committee deem appropriate.

B. Notice of Special Meeting. Notice of a special meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least three (3) days before such meeting.

C. Notice to Radio, Television and Print Media. Notice of a special meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

3. Emergency Meetings.

A. Board Emergency Meeting, When, Where Held. An emergency meeting of the Board may be called by the Chair or by a majority of the members of the Board to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss to the County. An emergency meeting may be conducted at a time and place as the Chair or a majority of the members of the Board deem appropriate.

B. Board or Committee, When, Where Held. An emergency meeting of a board or committee appointed by or acting under the authority of the Board may be called by the chair of that board or committee or by a majority of the members of that board or committee to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss to the County, to be held at such time or place as the chair of that board or committee or a majority of members of the board or committee deem appropriate.

C. Notice. If possible given the emergency circumstances, notice of an emergency meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least twenty-four (24) hours prior to the meeting. If twenty-four (24) hours advance notice cannot be given, notice shall be posted as soon as possible.

D. Notice to Radio, Television and Print Media. Notice of an emergency meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

E. Required Report. Any action taken at an emergency meeting shall be reported to the Attorney General's Office as described in paragraph 4 of this Resolution.

4. Agendas. Meeting notices shall include an agenda containing a list of specific items of business to be discussed or transacted at the meeting or information on how the public may obtain a copy of such an agenda. If not included in the notice of meeting, a final agenda shall be prepared and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building and on the County's internet web site at least seventy-two (72) hours before the meeting. Except for emergency matters, action shall be taken only on items appearing on the final agenda. An "emergency" refers to "unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial loss to the public body." NMSA 1978, Section 10-15-1(F). Within ten (10) days of taking action on an emergency matter, the County shall report to the Attorney General's Office

the action taken and the circumstances creating the emergency, except in the event of a declared state or federal emergency.

5. **Recessed Meetings.** A meeting may be recessed to a later day, if, prior to recessing, the date, time and place for continuation of the meeting is specified, and, immediately following the recessed meeting, notice of the date, time and place for the reconvened meeting is posted on or near the door of the place where the original meeting was held. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting unless notice of the reconvened meeting is provided as otherwise set forth herein.

6. **Cancelled Meetings.** A meeting may be cancelled by posting a notice of cancellation in a conspicuous and appropriate place at the Santa Fe County Administrative Building and posting notices of the cancelled meeting on the doors of the building where the meeting was to be held as soon as practicable prior to the time and date of the cancelled meeting.

7. **Participation by Conference Telephone.** A member of the Board of County Commissioners may participate in a meeting of the Board by means of conference telephone or other similar communications equipment when it is difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the Board who speaks, during the meeting.

8. **Closed Meetings.** A meeting may be closed in the following manner:

A. If the Board or board or committee appointed by or acting under the authority of the Board is in an open meeting when a closed meeting is desired and authorized by the Act, then the closed meeting shall be approved on motion by a majority of a quorum of the Board, board, or committee and the authority for the closure shall be stated in the motion. The votes of the members on the motion shall be recorded in the minutes.

B. If the Board or board or committee appointed by or acting under the authority of the Board is not in a public meeting and a closed meeting is desired and authorized, public notice of the closed meeting, appropriate under the circumstances, shall be given stating the authority for the closure.

C. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state that the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

9. **Application to County Boards, Committees.** This Resolution shall apply to each meeting of a board or committee whose members are appointed by the Board or which is acting under the authority of the Board, except the Extraterritorial Land Use Authority, the Extraterritorial Land Use Commission, the Buckman Direct Diversion Board, the Regional Planning Authority, the Regional Emergency Communications Committee, the Northern Central Regional Transit District, and the Solid Waste Management Authority.

10. **Definitions.**

A. "Meeting." For purposes of this Resolution, the term "meeting" shall be defined as a meeting of a quorum of the members of the Board and each meeting of a board or

committee whose members are appointed by the Board held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of the Board or a Committee.

B. "Santa Fe County Administrative Building." For purposes of this Resolution, the term "Santa Fe County Administrative Building" means 102 Grant Avenue Santa Fe NM 87501.

11. **Meeting Locations.** Pursuant to NMSA 1978, Section 4-38-8 (1981), Board meetings shall be held in the City of Santa Fe, except that meetings concerning matters of local interest only may be held in the community affected. All Board meetings shall be held in a public building owned by the State, County, or public schools.


12. **Webcasting and Broadcasting.** Unless it is impracticable or impossible to do so, Board meetings shall be webcast live on the County's internet site and broadcast live on local radio and television stations. In addition, video recordings of Board meetings shall be made available on the County's internet site.

13. **Prior Resolutions Rescinded.** Resolution No. 2013-54, Resolution No. 2013-129, and the Audio and Video provisions of Resolution No. 2009-205, as amended by Resolution No. 2011-72, are hereby rescinded.

14. **Effective Date.** This Resolution shall become effective on July 9, 2014.

APPROVED AND ADOPTED this 8th day of July, 2014.


THE BOARD OF COUNTY
COMMISSIONERS OF SANTA FE COUNTY

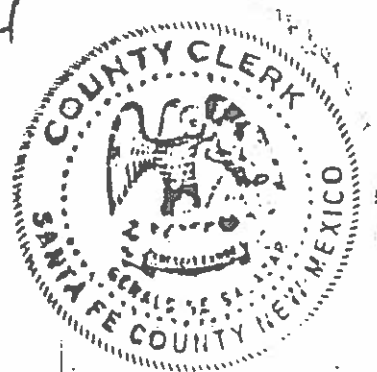

Daniel Mayfield, Chair

ATTEST:


Geraldine Salazar, County Clerk 7-8-2014

APPROVED AS TO FORM:


Gregory S. Shaffer, County Attorney



APPENDIX 1

NOTICE OF REGULAR MEETINGS OF THE BOARD OF COUNTY
COMMISSIONERS OF SANTA FE COUNTY TO BE HELD FROM JULY 9, 2014, TO
DECEMBER 31, 2014, IN THE COMMISSION CHAMBERS ON THE SECOND FLOOR
OF THE SANTA FE COUNTY ADMINISTRATIVE BUILDING LOCATED AT 102
GRANT AVENUE SANTA FE NM 87501

July 29, 2014	11:00AM
August 12, 2014	10:00AM
August 26, 2014	11:00AM
September 9, 2014	2:00PM
September 30, 2014	11:00AM
October 14, 2014	2:00PM
October 28, 2014	11:00AM
November 25, 2014	11:00AM
December 9, 2014	2:00PM

Final agendas for these meetings shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building located at 102 Grant Avenue Santa Fe NM 87501 and on the County's internet web site at least seventy-two (72) hours before the meeting.

2014 JUL 9 12:13 PM
SANTA FE COUNTY CLERK



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
PAGES: 6

I Hereby Certify That This Instrument Was Filed for
Record On The 9TH Day Of July, 2014 at 12:13:33 PM
And Was Duly Recorded as Instrument # 1741017
Of The Records Of Santa Fe County

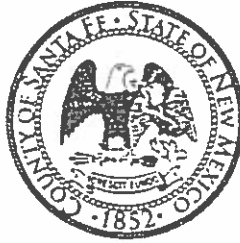
Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy *Marcia Salazar* County Clerk, Santa Fe, NM



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

MEMORANDUM

DATE: November 5, 2014

TO: Board of County Commissioners

FROM: Teresa Martinez, Finance Director *TM*

VIA: Adam Leigland, Public Works Department Director
Katherine Miller, County Manager *KM*

ITEM AND ISSUE: BCC Meeting November 25, 2014

Resolution 2014 - ____ A Resolution Requesting a Budget Increase to the State Special Appropriations Fund (318) to Budget a Grant for the Santa Fe County Fairgrounds in Santa Fe County. / \$160,000 (Finance/Teresa Martinez)

SUMMARY:

The purpose of this resolution is to budget Grant 14-1992 in State Special Appropriation Fund (318) in the amount of \$160,000 to plan design and construct improvements to the Santa Fe County Fairgrounds in Santa Fe County.

BACKGROUND:

Santa Fe County received Grant 14-1992 in the 2014 Legislative Session to plan, design and construct improvements to the Santa Fe County Fairgrounds in the amount of \$160,000. Staff will use the grant to make improvements at the site located at 3229 Rodeo Road in Santa Fe including improvements to facilities and utilities.

ACTION REQUESTED:

Public Works is requesting approval to budget Grant 14-1992 in the amount of \$160,000 to plan, design and construct improvements to the Santa Fe County Fairgrounds in Santa Fe County.

SANTA FE COUNTY

Page 1 of 4

RESOLUTION 2014 - _____

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

Whereas, the Board of County Commissioners meeting in regular session on November 25, 2014, did request the following budget adjustment:

Department / Division: Public Works/Project Development Fund Name: State Special Appropriation Fund (318)

Budget Adjustment Type: Budget Increase Fiscal Year: 2014 (July 1, 2014 - June 30, 2015)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
318	0759	371	9000	Grants/State/Other	\$160,000	
TOTAL (if SUBTOTAL, check here)					\$160,000	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
318	0759	481	8001	Capital Purchases/Buildings & Structures	\$160,000	
TOTAL (if SUBTOTAL, check here)					\$160,000	

Requesting Department Approval: _____ Title: _____ Date: _____

Finance Department Approval: [Signature] Date: 11/10/14 Entered by: _____ Date: _____

County Manager Approval: [Signature] Date: 11-13-14 Updated by: _____ Date: _____

SANTA FE COUNTY

Page 2 of 4

RESOLUTION 2014 -

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Agnes Leyba-Cruz Dept/Div: Public Works/Project Development Phone No.: 995-6516

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.
Santa Fe County received Grant 14-L-1992 to plan, design and construct improvements to the Santa Fe County Fairgrounds in the amount of \$160,000. The funds will be used to make improvements to facilities and utilities at the Fairgrounds located on Rodeo Road in Santa Fe.

a) Employee Actions

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

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

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount
8001	Improvements to the Santa Fe County Fairgrounds including facilities and utility upgrades.	\$160,000

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

SANTA FE COUNTY

Page 3 of 4

RESOLUTION 2014 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: Agnes Leyba-Cruz Dept/Div: Public Works/Project Development Phone No.: 995-6516

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, 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: Fund 318 State Special Appropriations Fund.
 - a) If this is a state special appropriation, YES X NO _____
If YES, cite statute and attach a copy.

Laws of 2014. Chapter 66, Section 22/ISS, one hundred sixty thousand dollars (\$160,000) to plan, design and construct improvements to the fairgrounds in Santa Fe County.

- b) Does this include state or federal funds? YES X NO _____
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.

Grant#: 14-1991

Grant Name: Santa Fe County Fairgrounds

Executed Date: October 3, 2014

Grant Amount: \$160,000

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

SANTA FE COUNTY

Page 4 of 4

RESOLUTION 2014 - _____

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 25th Day of November, 2014.

Santa Fe Board of County Commissioners

Daniel W. Mayfield, Chairperson

ATTEST:

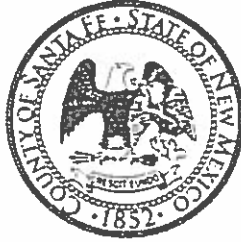
Geraldine Salazar, County Clerk



Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

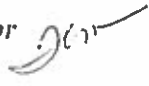
Liz Stefanics
Commissioner, District 5


Katherine Miller
County Manager

MEMORANDUM

DATE: November 3, 2014

TO: Board of County Commissioners

FROM: Teresa Martinez, Finance Director 

VIA: Adam Leigland, Public Works Department Director
Katherine Miller, County Manager 

ITEM AND ISSUE: BCC Meeting November 25, 2014

Resolution 2014 - _____ A Resolution Requesting a Budget Increase to the State Special Appropriations Fund (318) to Budget a Grant for the Pojoaque Sports Fields in Pojoaque in Santa Fe County. / \$225,000 (Finance/Teresa Martinez)

SUMMARY:

The purpose of this resolution is to budget Grant 13-1765 in State Special Appropriation Fund (318) in the amount of \$225,000 to purchase and/or make improvements to the Pojoaque Sports Fields in Pojoaque in Santa Fe County.

BACKGROUND:

In June 2012, the Board of County Commission approved the 2012 Capital Improvement Plan which included funds to purchase and make improvements to the Pojoaque Sports Fields. In addition, the County received Grant 13-1765 to purchase and/or make improvements to the fields. The property was purchased by the County on November 22, 2014. The Public Works Department hired a contractor to design improvements to the fields. The design is complete and the work has been bid. The grant will be used to make the improvements to the property.

ACTION REQUESTED:

Public Works is requesting approval to budget Grant 13-1765 in the amount of \$225,000 to make improvements to the Pojoaque Sports Fields.

SANTA FE COUNTY

Page 1 of 4

RESOLUTION 2014 - _____

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

Whereas, the Board of County Commissioners meeting in regular session on November 25, 2014, did request the following budget adjustment:

Department / Division: Public Works/Project Development Fund Name: State Special Appropriation Fund (318)

Budget Adjustment Type: Budget Increase Fiscal Year: 2014 (July 1, 2014 - June 30, 2015)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
318	0736	371	9000	Grants/State/Other	\$225,000	
TOTAL (if SUBTOTAL, check here)					\$225,000	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
318	0736	481	8010	Capital Purchases/Buildings & Structures	\$225,000	
TOTAL (if SUBTOTAL, check here)					\$225,000	

Requesting Department Approval: _____ Title: _____ Date: _____

Finance Department Approval: Deborah M. ... Date: 11/13/14 Entered by: _____ Date: _____

County Manager Approval: [Signature] Date: 11.13.14 Updated by: _____ Date: _____

SANTA FE COUNTY

RESOLUTION 2014 - _____

Page 2 of 4

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Agnes Leyba-Cruz Dept/Div: Public Works/Project Development Phone No.: 995-6516

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.

Santa Fe County received Grant 13-1765 to purchase and make improvements to the Pojoaque Sports Field in Pojoaque in Santa Fe County. The property was purchased on September 22, 2014. The design of Phase I improvements is complete and the project has been bid. The grant will be applied to the purchase and/or to the improvements to the fields.

a) Employee Actions

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

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

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount
8010	Improvements to the Pojoaque Sports Fields	\$225,000

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

SANTA FE COUNTY

RESOLUTION 2014 - _____

Page 3 of 4

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: Agnes Leyba-Cruz Dept/Div: Public Works/Project Development Phone No.: 995-6516

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, 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 X NO State Special Appropriations Fund (318)
If YES, cite statute and attach a copy.

Laws of 2013, Chapter 226, Section 31, Paragraph 176, two hundred twenty five thousand dollars (\$225,000) to purchase, plan, design, construct, equip, and improve the recreational and baseball fields in the Pojoaque Valley in Santa Fe County.

- b) Does this include state or federal funds? YES X NO
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.

Grant#: 13-1765

Grant Name: Pojoaque Valley Rec. Fields

Executed Date: November 2014

Grant Amount: \$225,000

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

SANTA FE COUNTY

Page 4 of 4

RESOLUTION 2014 - _____

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.

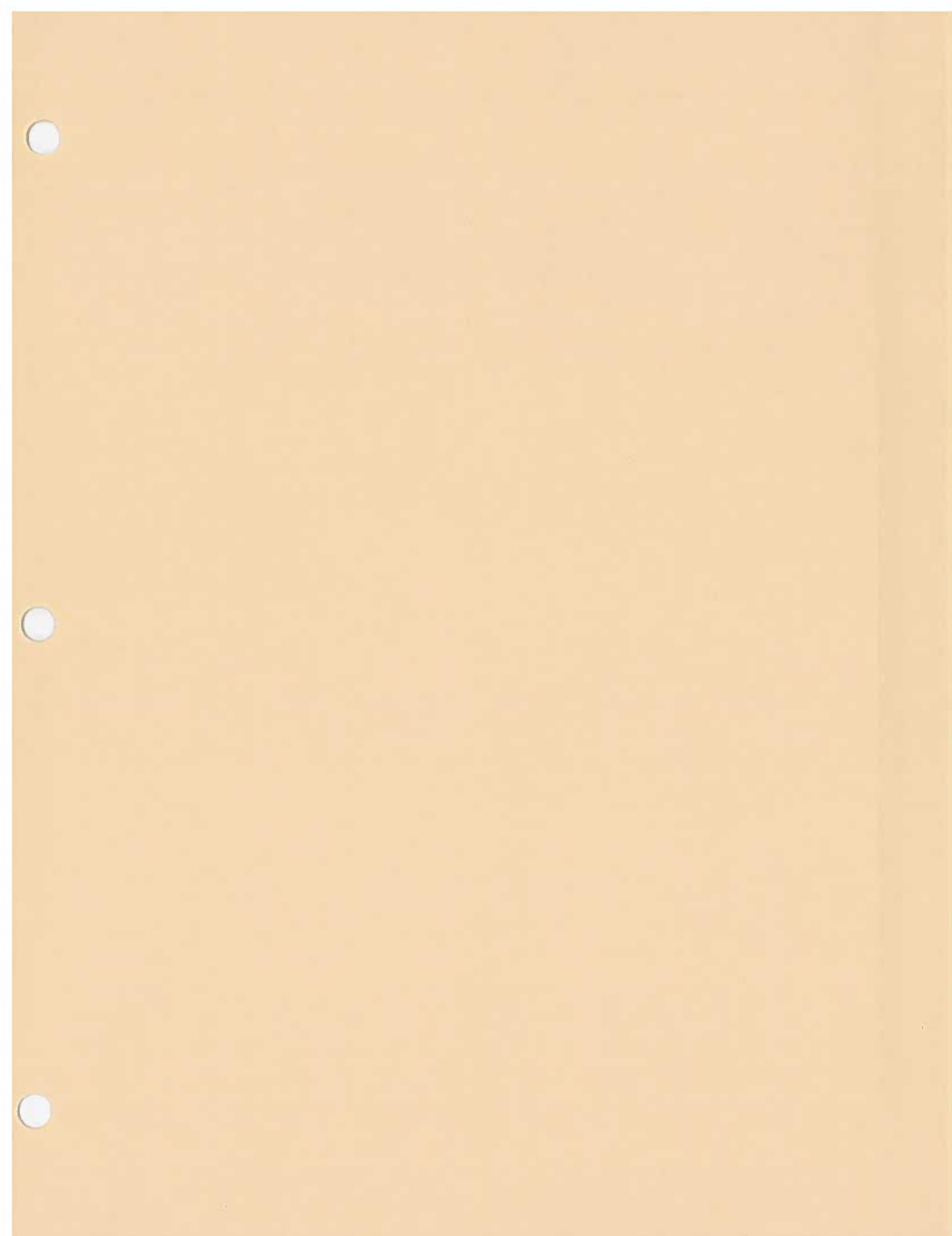
Approved, Adopted, and Passed This 25th Day of November, 2014.

Santa Fe Board of County Commissioners

Daniel W. Mayfield, Chairperson

ATTEST:

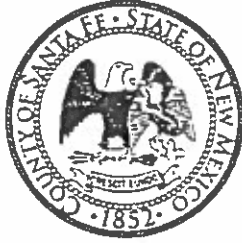
Geraldine Salazar, County Clerk



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

MEMORANDUM

DATE: November 3, 2014

TO: Board of County Commissioners

FROM: Teresa Martinez, Finance Director *[Signature]*

VIA: Adam Leigland, Public Works Department Director
Katherine Miller, County Manager *[Signature]*

ITEM AND ISSUE: BCC Meeting November 25, 2014

Resolution 2014 - ____ A Resolution Requesting a Budget Increase to the GOB Series 2013 Fund (351) to Budget Cash Carryover to Construct Improvements to the Quill Plant. / \$400,000 (Finance/Teresa Martinez)

SUMMARY:

The purpose of this resolution is to budget GOB Series 2013 funds allocated through the 2012 Capital Improvement Plan to make improvements to the Quill Plant in the amount of \$400,000.

BACKGROUND:

History of the Quill Plant

The Quill Wastewater Treatment Facility (QWWTF) located at the New Mexico State Penitentiary (NMSP) is currently operated by the Public Works Department of Santa Fe County. The site of the QWWTF is located on land owned by the New Mexico General Services Department (NMGSD) and leased to Santa Fe County through a Lease and Operating Agreement Dated June 12, 2012 (Recorded by the Santa Fe County Clerk 07/19/2012).

Detail of this phase of the improvements

BAR SCREEN UPGRADE

The function of the Bar Screen is to remove non-biological matter from the wastewater treatment system before it can reach the Wastewater Treatment Ponds. The existing Bar Screen is located in the main building of the Quill Wastewater Treatment Facility and is beyond its useful life and is requiring extensive maintenance. All of the work identified is to be performed inside of the main

building of the Wastewater Treatment Facility and there is no work to be performed exterior to the building.

IRRIGATION SYSTEM UPGRADE

The function of the Irrigation System is to distribute treated effluent across open fields. The original irrigation system has been on-line for over 20 years, requires a significant amount of maintenance and not all zones are functional. The existing system cannot be operated reliably during freezing conditions, which has greatly limited when treated wastewater (effluent) can be applied to the fields. This, in combination with limited storage at the treatment plant, impairs the ability of the facility to manage increasing volumes of wastewater. There have also been problems with runoff from the irrigated fields, resulting in violations of state and federal water quality protection regulations and investigations from both the New Mexico Environment Department and the US EPA. The upgrades would restore full distribution of the treated effluent and would relieve some of the burden on the retention pond system by allowing operation during cold weather.

ACTION REQUESTED:

Public Works is requesting approval to budget GOB Series 2013 funds allocated through the 2012 Capital Improvement Plan to construct improvements to the Quill Plant in the amount of \$400,000.

SANTA FE COUNTY

Page 1 of 4

RESOLUTION 2014 -

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

Whereas, the Board of County Commissioners meeting in regular session on November 25, 2014, did request the following budget adjustment:

Department / Division: Public Works/Project Development Fund Name: GOB Series 2013 (351)

Budget Adjustment Type: Budget Increase Fiscal Year: 2015 (July 1, 2014 - June 30, 2015)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
351	0000	385	0400	Budgeted Cash	\$400,000	
TOTAL (if SUBTOTAL, check here)					\$400,000	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
351	1473	482	8080	Capital Purchases/Leasehold Infra. Improv.	\$400,000	
TOTAL (if SUBTOTAL, check here)					\$400,000	

Requesting Department Approval: _____ Title: _____ Date: _____

Finance Department Approval: Frederick Martinez Date: 11/20/14 Entered by: _____ Date: _____

County Manager Approval: Robert M. Jones Date: 11-13-14 Updated by: _____ Date: _____

SANTA FE COUNTY

RESOLUTION 2014 - _____

Page 2 of 4

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Agnes Leyba-Cruz Dept/Div: Public Works/Project Development Phone No.: 995-6516

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.
The County leases property from the State Corrections Department to maintain and operate a waste water treatment plant. The Board of County Commissioners approved a Capital Improvement Plan in June of 2012 which includes \$3,290,000 to make improvements to the plant. Staff hired a contractor to design improvements to the bar screen and the effluent irrigation system at the plant and the design is complete. The contractor has provided an estimate of probable cost for the construction of both the improvements of \$366,742. Staff is requesting \$400,000 be budgeted to be able to bid the project and provide a contingency for the construction.

a) Employee Actions

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

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

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount
8080	Construct improvements to the Bar Screen and Irrigation System at the Quill Plant.	\$400,000

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

SANTA FE COUNTY

Page 3 of 4

RESOLUTION 2014 -

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: Agnes Leyba-Cruz Dept/Div: Public Works/Project Development Phone No.: 955-6516

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, 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 ☐
If YES, cite statute and attach a copy.
 - b) Does this include state or federal funds? YES ☐ NO ☒
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.
 - c) Is this request is a result of Commission action? YES ☒ NO ☐
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
The Board of County Commission approved the 2012 Capital Improvement Plan that included improvements to the Quilt Plant.
 - d) Please identify other funding sources used to match this request.
NA

SANTA FE COUNTY

Page 4 of 4

RESOLUTION 2014 - _____

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.

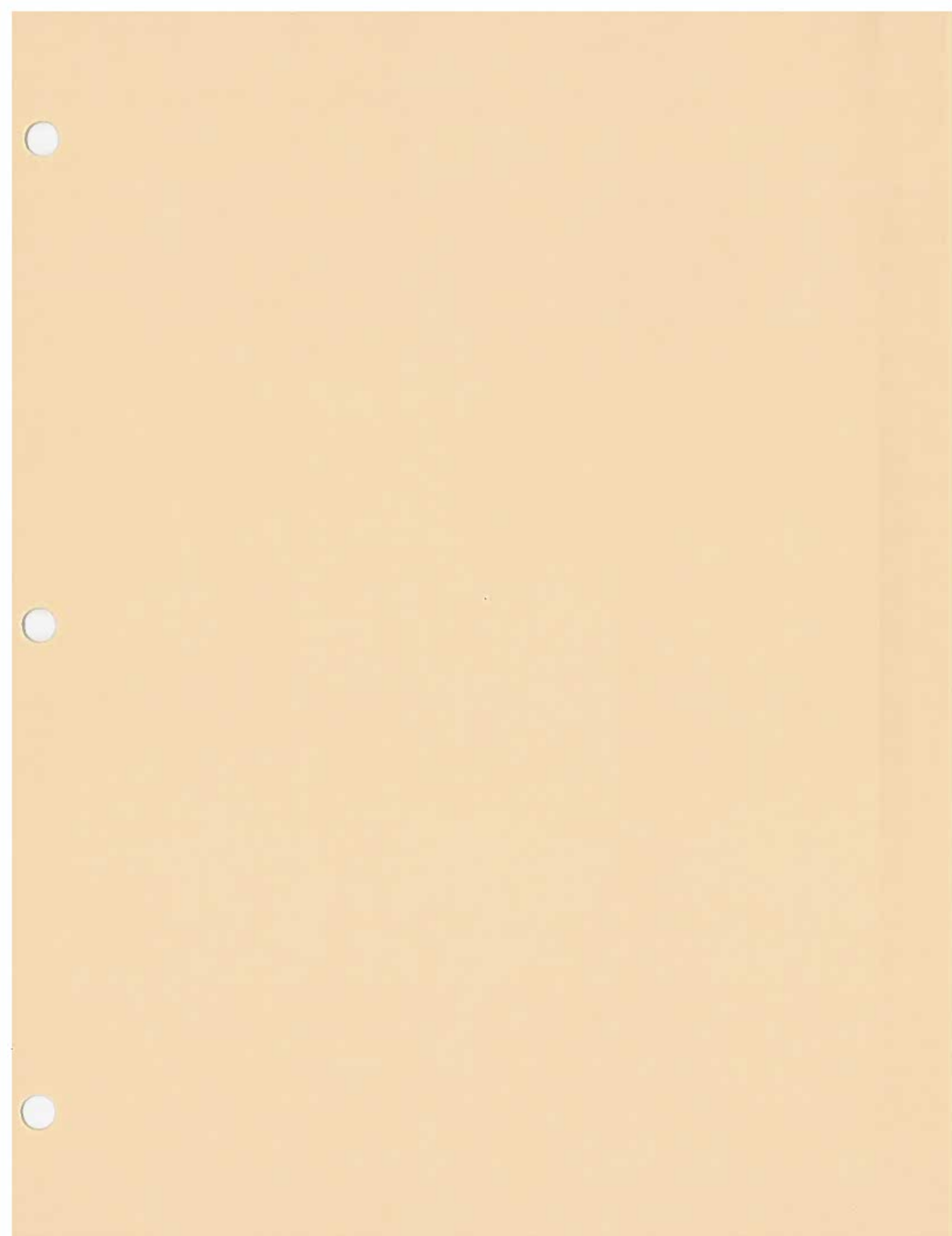
Approved, Adopted, and Passed This 25th Day of November, 2014.

Santa Fe Board of County Commissioners

Daniel W. Mayfield, Chairperson

ATTEST:

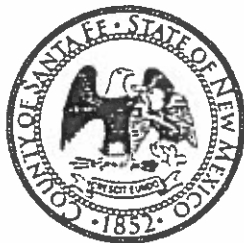
Geraldine Salazar, County Clerk



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

MEMORANDUM

DATE: *October 24, 2014*

TO: *Board of County Commissioners*

FROM: *Teresa Martinez, Finance Director*

VIA: *Adam Leigland, Public Works Department Director*
Katherine Miller, County Manager 

ITEM AND ISSUE: *BCC Meeting November 25, 2014*

Resolution 2014 - ____ A Resolution Requesting A Budget Increase To The Capital Outlay GRT Fund (313) For The Design And Construction Of The Expansion And Improvements To The Public Safety Complex / \$2,145,515. (Finance/Teresa Martinez)

SUMMARY:

The purpose of this resolution is to budget funds allocated through the 2012 Capital Improvement Plan for the design build of the expansion of the Public Safety Complex in the amount of \$2,145,515.

BACKGROUND:

In June 2012, the BCC allocated \$2.70 million for the design and improvements to the Public Safety Complex through the Capital Improvement Plan. A contractor was hired to conduct an architectural programming study that identified short and long term needs at the facility. This programming study has identified the need for expansion of the building to allow for additional space for the Regional Emergency Communication Center (RECC) operations, construction of the Information Technology Disaster Recovery Center (ITDRC), along with various building improvements. Items identified in the proposed first phase will address, as budget is available, the following items:

- a. RECC renovation and expansion,
- b. Construction of an addition to support the ITDRC
- c. Building improvements for systems integrity (primarily heating and cooling)
- d. Sheriff's vehicle evidence storage

In August of 2014, staff budgeted \$350,000 in anticipation of hiring an architect to design the improvements identified in the study, however the Public Works Department Staff and the

Procurement Division have determined advantages to bidding the project as a design/build contract. Design/build is a method in which the design and construction services are contracted by a single entity known as the design-build contractor. A design build process is preferred based on the functionality of the Public Safety Complex RECC. The RECC operates 24 hours per day, 365 days a year. In order to perform any modifications to this facility it is critical to seamlessly transition from the existing facility to a temporary facility and then back to a remodeled facility without any loss of service. This will require a design analysis of the RECC functionality and a construction schedule that analyzes the RECC operation and ensures that there will be no loss of service and the design and construction will be designed as a single entity to ensure the integrity of operations.

To date of the \$2.7 million, \$192,019 has been spent and \$362,466 is budgeted and available. Staff is requesting to budget the balance of \$2,145,515 to have all funds available for the design/build process.

ACTION REQUESTED:

Staff is requesting that the balance of unbudgeted funds allocated for the Public Safety Complex upgrades be budgeted to bid the project as a design/build project in the amount of \$2,145,515.

SANTA FE COUNTY

Page 1 of 4

RESOLUTION 2014 -

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

Whereas, the Board of County Commissioners meeting in regular session on November 25, 2014, did request the following budget adjustment:

Department / Division: Public Works/Project Development Fund Name: Capital Outlay GRT Fund (313)

Budget Adjustment Type: Budget Increase Fiscal Year: 2015 (July 1, 2014 - June 30, 2015)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
313	0000	385	0200	Budgeted Cash	\$2,145,515	
TOTAL (if SUBTOTAL, check here)					\$2,145,515	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
313	0150	481	8001	Capital Purchases/Bldg Capitalized cont. Svc	\$2,145,515	
TOTAL (if SUBTOTAL, check here)					\$2,145,515	

Requesting Department Approval: _____ Title: _____ Date: _____

Finance Department Approval: _____ Date: _____ Entered by: _____ Date: _____

County Manager Approval: [Signature] Date: 11/13/14 Updated by: _____ Date: _____

SANTA FE COUNTY

Page 2 of 4

RESOLUTION 2014 -

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Agnes Leyba-Cruz Dept/Div: Public Works/Project Development Phone No.: 995-6516

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.
The Public Works Department received \$2,700,000 in the 2012 CIP Plan to plan, design and construct upgrades to the Public Safety Complex. Staff has completed the programming phase for the project and is ready to bid the design and construction of the upgrades as a design/build contract. Staff is requesting that the balance of unbudgeted funds allocated through the 2012 CIP be budgeted to bid the project.

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclasse, Overtime)	Position Type (permanent, term)	Position Title

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

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount
8001	Design and Construct improvements to the Public Safety Building.	\$2,145,515

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

SANTA FE COUNTY

Page 3 of 4

RESOLUTION 2014 -

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: Agnes Leyba-Cruz Dept/Div: Public Works/Project Development Phone No.: 995-6516

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, 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: GRT Fund (313)
 - a) If this is a state special appropriation, YES ☒ NO ☐
If YES, cite statute and attach a copy.
 - b) Does this include state or federal funds? YES ☐ NO ☒
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.
 - c) Is this request is a result of Commission action? YES ☒ NO ☐
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).

The Board of County Commission approved the Capital Improvement Plan in June of 2012 to include improvements to the Public Safety Complex.

- d) Please identify other funding sources used to match this request.
N/A

SANTA FE COUNTY

Page 4 of 4

RESOLUTION 2014 - _____

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.

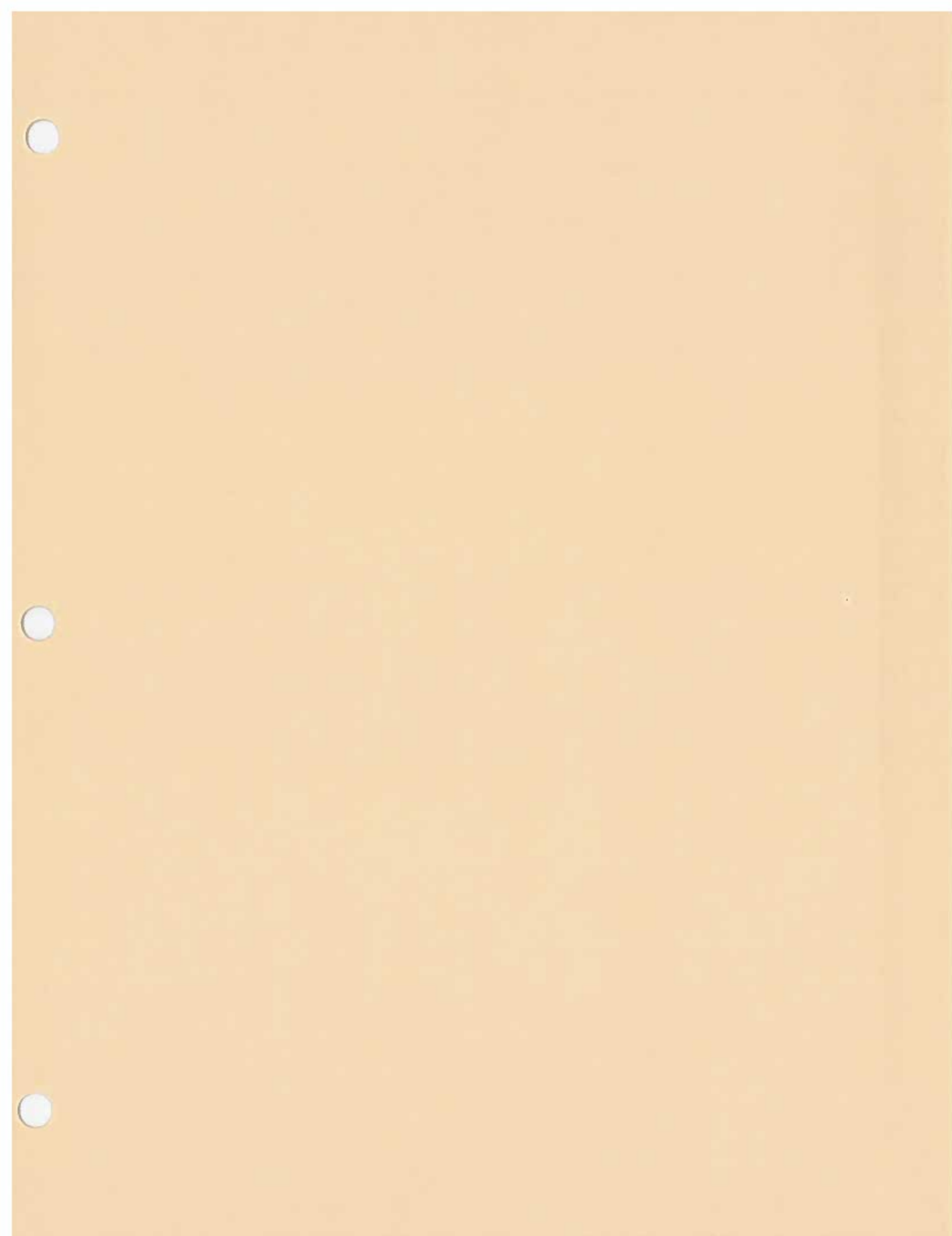
Approved, Adopted, and Passed This 25th Day of November, 2014.

Santa Fe Board of County Commissioners

Daniel W. Mayfield, Chairperson

ATTEST:

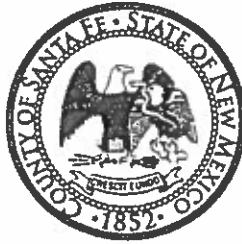
Geraldine Salazar, County Clerk



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

Date: November 10, 2014

To: Board of County Commissioners

From: Steven Brugger, Affordable Housing Administrator *SRB*

Via: Katherine Miller, County Manager
Gregory S. Shaffer, County Attorney
Penny Ellis-Green, Growth Management Director *PEG*
Robert Griego, Planning Manager *RG*

Re: Resolution 2014- A Resolution Amending Resolution 2012-94 (The Affordable Housing Roof Repair or Replacement and Renovation Regulations)

Issue. Staff requests approval of this Resolution which would enable amendments to Resolution 2012-94, which includes the regulations for the Happy Roofs program. This is a companion to the Ordinance which BCC previously approved relating to amendments to Ordinance 2011-3, which enabled the Happy Roofs program.

Background. This is a request to make three changes to Resolution 2012-94, the resolution which provides regulations for the "Happy Roofs" roof repair and replacement program. The requested changes are limited: 1) change maximum limit of assistance from \$10,000 to \$14,999; 2) increase Affordability periods from 5 to 10 years for assistance up to \$14,999; 3) limit eligibility only to low income households at or below 80% of Area Median Income, rather than including moderate income households at or below 120% of Area Median Income.

The rationale for change (1) is that the cost of roof replacements are routinely going over \$10,000 and our typical recipient has no additional disposable income to pay or borrow the difference. The last five low bids that have come in on roof replacements for homes in Chimayo, Glorieta, El Dorado have ranged from \$11,850 to \$13,425, including gross receipts tax. Unless the existing limit of \$10,000 is raised, work on these jobs will not be able to proceed.

The rationale for change (2) is that in return for a greater amount of assistance, it is logical to extend the term of our deferred payment loan beyond the MFA minimum of 5 years, which does not pose a problem for long term residents. At present, the deferred payment loan is forgiven at the end of 5 years.

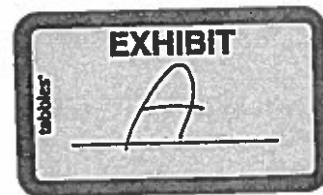
The rationale for change (3) is to focus limited resource use on those households in the greatest need, which would be low income households.

The attached draft ordinance has been reviewed and approved by both the County Attorney's office and legal counsel for the NM Mortgage Finance Authority.

Recommendation. Approve the attached Resolution which amends Resolution 2012-94.

Attachments.

Attachment A:	Draft Resolution 2014-
Attachment B:	Resolution 2012-94
Attachment C:	FY2014 Income Limits for Santa Fe County
Attachment D:	Fiscal Impact Report



**THE BOARD OF COUNTY COMMISSIONERS
SANTA FE COUNTY**

RESOLUTION NO. 2014-

**A RESOLUTION AMENDING RESOLUTION 2012-94 (THE AFFORDABLE HOUSING ROOF REPAIR
OR REPLACEMENT AND RENOVATION REGULATIONS)**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY that
Resolution 2012-94 is amended as follows:**

Section One. Section 2.5.5 is deleted and replaced with the following:

“2.5.5 The County or designee may approve change orders that are presented by the contractor when unforeseen issues arise during construction, provided that the total amount of change orders does not exceed twenty five percent (25%) of the contract amount and further provided that the total contract amount does not exceed \$14,999.”

Section Two. Section 3.2.1 is deleted and replaced with the following:

“Pursuant to Section 5(M) of Ordinance 2011-3, the Affordability Period for a Roof Repair or Replacement Housing Assistance Grant from \$1 to \$14,999 shall be ten (10) years and the Qualifying Grantee shall enter into a restrictive covenant agreement to maintain the Qualifying Residence as his/her primary residence for the duration of the Affordability Period.”

Section Three. Section 3.2.2 is amended and replaced with the following:

“Pursuant to Section 7(H) of Ordinance 2011-3, the Affordability Period for a Renovation Housing Assistance Grant from \$1 to \$14,999 shall be ten (10) years and the Qualifying Grantee shall enter into a restrictive covenant agreement to maintain the Qualifying Residence as his/her primary residence for the duration of the Affordability Period.”

Section Four. The phrases “to moderate” and “or moderate” are hereby deleted from Sections 1.4, 1.4.1, 1.4.2, 2.1.4(c)(v), and 2.2.2.

Section Five. All provisions of Resolution 2012-94 not herein amended shall remain in full force and effect.

PASSED, APPROVED, and ENACTED on the _____ day of _____, 2014 by the Board of County Commissioners of Santa Fe County.

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

Daniel W. Mayfield, Chair

ATTEST:

Geraldine Salazar, County Clerk

APPROVED AS TO FORM:



Gregory S. Shaffer, County Attorney



REC'D CLERK RECORDED 08/25/2012

SANTA FE COUNTY

BOARD OF COUNTY COMMISSION RESOLUTION NO. 2012-94

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS RESCINDING
RESOLUTION NO. 2011-82 AND ADOPTING NEW AFFORDABLE HOUSING ROOF
REPAIR OR REPLACEMENT AND RENOVATION REGULATIONS
FOR THE HAPPY ROOFS PROGRAM**

WHEREAS, roof repair or replacement and renovation can be an expense that is beyond the resources of low to moderate income households;

WHEREAS, the Affordable Housing Fund was established pursuant to Ordinance 2006-02, as amended, to enable Santa Fe County to support affordable housing within Santa Fe County, which includes the cost of owning and maintaining safe affordable housing;

WHEREAS, Santa Fe County Ordinance 2011-3, the Affordable Housing Roof Repair or Replacement and Renovation Ordinance, authorizes the Affordable Housing Administrator to provide financial assistance to make qualifying renovations, repairs or to replace a roof that poses health and safety hazards for the occupants of a Qualifying Residence;

WHEREAS, on May 31, 2011, the Board of County Commissioners approved Resolution No. 2011-82 approving the Affordable Housing Roof Repair or Replacement and Renovation Regulations, also known as the Happy Roofs Program;

WHEREAS, the Happy Roofs Program was previously coordinated with the assistance of the weatherization services provider Los Amigos, and should continue to be coordinated with the provision of home weatherization services performed under the New Mexico Energy Smart program; and

WHEREAS, staff has revisited the existing program regulations and has determined that they needs to be changed in order to further improve administration of the program and better articulate processes and procedures which will improve the fair and efficient allocation of scarce resources.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners hereby repeals Resolution 2011-82 and adopts the Affordable Housing Roof Repair or Replacement and Renovation Regulations, attached hereto as Exhibit "A".

APPROVED, ADOPTED AND PASSED this 28 day of August, 2012.

BOARD OF COUNTY COMMISSIONERS

Liz Stefanics
Liz Stefanics, Chairperson

ATTEST:

Valerie Espinoza
Valerie Espinoza, County Clerk

APPROVED AS TO FORM:

Stephen C. Ross
Stephen C. Ross, County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
PAGES: 10

I Hereby Certify That This Instrument Was Filed for
Record On The 5TH Day Of September, 2012 at 01:10:11 PM
And Was Duly Recorded as Instrument # 1680532
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Valerie Espinoza
Deputy Marcelita County Clerk, Santa Fe, NM

SFC CLERK - RECORDED - 03/05/2012

Exhibit A
Santa Fe County
Affordable Housing Roof Repair or Replacement and Renovation Regulations

Article I
Short Title, Authority, Effective Date, Purpose

- 1.1. Short Title:** These regulations shall be known as the "Affordable Housing Roof Repair or Replacement and Renovation Regulations."
- 1.2. Authority:** These regulations are adopted by the Board of County Commissioners of Santa Fe County pursuant to Santa Fe County Ordinance No. 2011-3, as amended.
- 1.3. Effective Date:** These regulations shall become effective immediately upon their filing with the Santa Fe County Clerk.
- 1.4. Purpose:** The purpose of the Affordable Housing Roof Repair or Replacement and Renovation program is to address substandard housing conditions of low to moderate income homeowners residing within the unincorporated areas of Santa Fe County. The program provides financial Assistance to make repairs or to replace a roof that poses health and safety hazards for the occupants of a Qualifying Residence and to support Infrastructure for programs that address special housing needs, including services for seniors. These Regulations are adopted for the following purposes:
- 1.4.1.** To establish a process to pay all or a portion of the cost of repairing or replacing the roof of the Qualifying Residence of Low to Moderate Income homeowners residing within the unincorporated areas of Santa Fe County.
 - 1.4.2.** To establish a process to pay all or a portion of the cost to renovate existing Infrastructure and a single-family residence or multi-family housing project occupied or intended primarily for occupancy by persons of Low or Moderate Income.
 - 1.4.3** To establish procedures, forms and guidelines for the development, implementation and operation of the Affordable Housing Roof Repair or Replacement and Renovation program as authorized by Ordinance No. 2011-3.
 - 1.4.4.** To establish internal controls to ensure proper administration of the Affordable Housing Roof Repair or Replacement and Renovation program and provisions for adequate security against the loss of public funds.
- 1.5. Definitions.** Capitalized words herein shall have the meaning assigned by the Santa Fe County Affordable Housing Roof Repair or Replacement and Renovation Ordinance No. 2011-3.

Article II
Housing Assistance Grants

2.1. Roof Repair or Replacement Application.

- 2.1.1. All applicants for a Housing Assistance Grant for roof repair or replacement shall complete, and submit to the Administrator, an application for Assistance.
- 2.1.2. The application form shall be approved by the Administrator and be available on the County website and at the County Administration office.
- 2.1.3. The application shall include all information required by Ordinance No. 2011-3, these Regulations, the Act, MFA Rules including, but not limited to, the following information:
- (a) name of applicant and each household member;
 - (b) date of birth for each household member;
 - (c) social security number of applicant;
 - (d) relationship of each household member to applicant;
 - (e) applicant's mailing address and phone number; and
 - (f) address of residence proposed for roof repair or replacement;
- 2.1.4. Applicants shall submit the following supporting material upon submission of the application:
- (a) Proof of income for all household members 19 years of age and older;
 - i. copy of the two most recent Income Tax Returns (Federal or State) and W-2s; and
 - ii. copy of current Award Letter for Social Security and SSI income recipients; or
 - iii. last three (3) paycheck stubs with year to date totals; or
 - iv. notarized statement indicating applicant and/or household member over 18 is unemployed (if receiving unemployment also include a copy of award letter or printout of unemployment weekly benefit).
 - v. copy of the most recent month's account statement of all financial accounts, including but not limited to checking accounts, savings accounts, certificates of deposit, money market accounts, brokerage accounts, IRA accounts, deferred compensation accounts and 401(k) accounts.
 - (b) Proof of home ownership;
 - i. copy of Warranty Deed; or
 - ii. copy of Mortgage Payment Coupon; or
 - iii. copy of County Property Tax Bill.
 - (c) A signed agreement:
 - i. to maintain the Qualified Residence as an owner-occupied, single family residential property for residential purposes only, until the expiration of the Affordability Period or so long as any or the entire assistance is unpaid and outstanding, whichever is later;

CLERK - RECORDED 03/05/2012

- ii. to maintain the Qualifying Residence in good repair and to keep current any mortgages or notes on the property until the expiration of the Affordability Period or so long as any or the entire assistance is unpaid and outstanding, whichever is later;
- iii. to certify that the entire amount of the Assistance will be used to perform the roof repair or replacement on the Qualifying Residence;
- iv. to expressly authorize inspection of the Qualifying Residence by the County or the County's designee prior to and following completion of the work;
- v. The property may be transferred subject to the mortgage or lien if the transfer is to a person or family relation who has low or moderate income, as established by MFA and covenants in writing to maintain the property as Affordable Housing for the remainder of the Affordability Period and otherwise to comply with and assume all the terms and conditions of the applicable agreement or if a non-individual, the entity covenants in writing to maintain the Qualifying Residence as Affordable Housing or as a facility which provides housing related services to Persons of Low or Moderate Income for the duration of the Affordability Period.
- vi. to acknowledge that it is the responsibility of the Qualifying Grantee and the person or business repairing or replacing the roof to resolve any disputes regarding the quality of the work performed both during and after construction;
- vii. to acknowledge that Santa Fe County is not responsible for any Warranty claims by the person or business repairing or replacing the roof of the Qualifying Residence; and
- viii. to acknowledge that Santa Fe County will only release Housing Assistance Grants directly to the person or business repairing or replacing the roof following the Administrator's receipt of the required Final Inspection Report.
- ix. to acknowledge that the Qualifying Grantee is responsible for selecting and entering into an agreement with the contractor, to be selected in a bid process managed by the County or its designee, from an approved list of contractors to be maintained by the County or its designee;
- x. to acknowledge that the contractor shall only perform work that has been identified in a scope of work prepared by the County or its designee and included in the agreement between the Qualifying Grantee and contractor, unless the additional work is disclosed during the roof repair or replacement process to be necessary and is approved by the County as a change order;
- xi. to certify that the Qualifying Grantee has not previously received assistance under this program or the down payment assistance program;
- xii. to acknowledge that the Qualifying Grantee is responsible for complying with the terms of the note and mortgage which provide security for the amount of the financial assistance provided by the County.

(d)

- Proof of Occupancy;
- i. copy of utility bills for the last three months and

- ii(a) copy of cable TV bill for the last three months; or
- ii(b) voter registration card or drivers license; or
- ii(c) other proof satisfactory to the Administrator.
- (e) Proof of Value;
 - (i) appraisal within the last twelve (12) months or
 - (ii) current notice of value from County Assessor.

2.1.5. The County may designate a person, business, non-profit or agency to act as the County's agent for the purpose of receiving, processing or making decisions on applications, in which case the application shall be submitted to the County's designee. Any such designation shall be subject to auditing and periodic reporting, as specified in the delegation.

2.2. Eligibility for Roof Repair or Replacement Housing Assistance Grant.

2.2.1 An applicant must submit a completed application and all required supporting documentation.

2.2.2. An applicant's household income must be low or moderate, as established by the New Mexico Mortgage Finance Authority and the Department of Housing and Urban Development. Income shall be imputed from the cash value of that portion of a household's assets in excess of \$25,000.00, at the rate of 20% per annum, for applicants under the age of 65 and at a rate of 10% per annum, for applicants age 65 or older. The imputed income is determined by multiplying the asset value by the appropriate percentage and shall be added to the annual household income for the purpose of determining income eligibility. Exclusions from assets that are not subject to imputation of income are set forth in 2.2.3.

2.2.3. The applicant shall not have aggregate assets greater than \$125,000. The following assets shall not count toward the asset limitation: owner-occupied real estate and other non-income producing improved real estate; retirement funds that cannot be accessed without the payment of a penalty; the principal of trust funds, to the extent that the principal cannot be invaded by the household; personal property; education accounts committed to a dependent; life insurance policies and other assets that cannot be converted to cash quickly without significant impact to the price received.

2.2.4 If the ownership of the property is one of joint tenancy, the combined incomes and assets of both joint tenants, regardless of whether they both reside on the property, will be considered in the determination of income and asset eligibility for this program.

2.2.5. An applicant must own and occupy the home as a primary residence for which assistance is applied.

2.2.6. An Initial Inspection Report prepared by the County or its designee must determine that the roof poses health and safety concerns and needs to be repaired or replaced.

2.2.7. An applicant may not own additional residential real estate from which rents are received, as reported on federal tax form Schedule E, Supplemental Income and Loss.

2.2.8. The value of an applicant's property, as determined by appraisal or County assessor's valuation, may not exceed the Federal Housing Administration (FHA) mortgage loan limits for Santa Fe County, unless the household is an extremely low income household with income of thirty percent (30%) or less of area median income (AMI).

2.2.9 If the subject property is a mobile home, it must be set on a permanent foundation in order to be eligible for funding under this program.

2.3 Application Review for Roof Repair or Replacement Housing Assistance Grant.

2.3.1. Within ten (10) business days of receiving an application the Administrator shall review the application and notify the applicant if additional information is needed.

2.3.2. Upon receipt of a completed application the Administrator shall review the application and determine if the applicant is eligible to receive assistance under Ordinance No. 2011-3. If an applicant is eligible, the Administrator shall initiate an Initial Inspection.

2.3.3. If the Initial Inspection Report verifies a roof repair or replacement is necessary the Administrator shall approve the eligible applicant as a Qualifying Grantee.

2.3.4. Within twenty (20) business days of receiving a completed application the Administrator shall send the applicant a notice stating whether the applicant is a Qualifying Grantee or is not eligible for Assistance. A Qualifying Grantee shall be noticed that the approval is valid for six (6) months.

2.3.5. Following approval of the application, the Qualifying Grantee shall execute liens, mortgages or other documents required by Ordinance 2011-3 as a condition precedent to receiving the assistance. The Administrator shall be responsible for filing the mortgage or lien prior to the commencement of the roof repair or replacement.

2.3.6. The Administrator may prioritize applicants for funding based upon extremely low household income (30% or under Area Median Income), emergency nature of roof problems as verified in the Initial Inspection Report, presence of elderly and/or disabled household members, veterans status, and amount of assets available to the applicant.

2.4 Renovation Application.

2.4.1. All applicants for a Housing Assistance Grant for renovation shall complete, and submit to the Administrator, an application for Assistance.

2.4.2. The application form shall be approved by the Administrator and available at the County Administration office.

2.4.3. The application shall include all information required by Ordinance No. 2011-3, these Regulations, the Act, and MFA Rules.

2.5 Roof Repair or Replacement Construction Process

2.5.1 The County or designee shall create and maintain an approved contractors list. To be eligible for the program, contractors must have a GS-21 license, a business license, be bonded and insured, must provide a minimum of five (5) references of past residential roofing jobs and must be willing to accept County terms of payment.

2.5.2 The County or designee shall create a scope of work and a general cost estimate for each roofing job, based on the findings of the Initial Inspection Report, and shall distribute that scope of work to all firms on the approved contractors list.

2.5.3 The County or designee shall evaluate the responsiveness of bids to the scope of work, determine the cost reasonableness of the bid based on the general cost estimate and shall provide the Qualifying Grantee with those firms who have submitted a responsive, reasonable bid.

2.5.4 The Qualifying Grantee shall select and enter into a contract for roof repair or replacement with the contractor and shall direct the contractor to proceed, once Construction Industries Commission has reviewed contractor's plans and issued a building permit.

2.5.5 The County or designee may approve change orders that are presented by the contractor when unforeseen issues arise during construction, provided that the total amount of change orders does not exceed twenty percent (20%) of the contract amount and further provided that the total contract amount does not exceed \$10,000.

Article III **Long Term Affordability**

3.1. Mortgage or Lien.

3.1.1. The Roof Repair or Replacement Housing Assistance Grant shall be subject to a Mortgage or Lien securing the assistance as set forth in Ordinance No. 2011-3.

3.1.2. The Renovation Housing Assistance Grant shall be subject to a Mortgage or Lien securing the assistance as set forth in Ordinance No. 2011-3.

SFC CLERK RECORDED 05/05/2012

3.2 Affordability Period.

- 3.2.1. Pursuant to Section 5(M) of Ordinance 2011-3 the Affordability Period for a Roof Repair or Replacement Housing Assistance Grant from \$1 to \$10,000 shall be five (5) years and the Qualifying Grantee shall enter into a restrictive covenant agreement to maintain the Qualifying Residence as his/her primary residence for the duration of the Affordability Period.
- 3.2.2. Pursuant to Section 7(H) of Ordinance 2011-3 the Affordability Period for a Renovation Housing Assistance Grant from \$1 to \$10,000 shall be five (5) years and the Qualifying Grantee shall enter into a restrictive covenant agreement to maintain the Qualifying Residence as his/her primary residence for the duration of the Affordability Period.

Article IV **Disbursement of Housing Assistance Grants**

4.1. Final Inspection.

- 4.1.1. Prior to disbursement of a Roof Repair or Replacement Housing Assistance Grant the Administrator shall initiate and receive a Final Inspection Report verifying that the roof repair or replacement is complete and meets the following requirements:
 - (a) Qualifying Grantee acknowledges the roof repair or replacement is complete by signing a Final Disclosure and Acceptance of Repair or Replacement of Roof.
 - (b) The Administrator has a copy of the final inspection certificate or permitting software entry evidencing that approval has been received from the State of New Mexico Construction Industries Division.
 - (c) The contractor has executed a final release of liens upon acceptance of payment.
 - (d) The County or its designee certifies that the contractor's work on the property was performed in accordance with the scope of work, the contractor's bid and the contractor's contract with the Qualifying Grantee.
- 4.1.2. Prior to disbursement of a Renovation Housing Assistance Grant the Administrator shall initiate and receive a Final Inspection Report verifying that the renovation is complete and meets the following requirements:
 - (a) Qualifying Grantee acknowledges the renovation is complete by signing a Final Disclosure and Acceptance of Renovation; and
 - (b) The Administrator has a copy of the final inspection certificate or permitting software entry evidencing that approval has been received from the State of New Mexico Construction Industries Division.
 - (c) The contractor has executed a final release of liens upon acceptance of payment.

(d) The County or its designee certifies that the contractor's work on the property was performed in accordance with the scope of work, the contractor's bid and the contractor's contract with the Qualifying Grantee.

4.2. Recordation and Release of Mortgage or Lien.

4.2.1. The Administrator shall be responsible for verifying that the mortgage or lien is properly executed and filed with the office of the Santa Fe County Clerk prior to disbursement of a Housing Assistance Grant.

4.2.2 The Administrator shall be responsible for releasing the mortgage or lien following the termination of the Affordability Period.

Article V

Affordable Housing Roof Repair and Replacement Regulations Review

5.1 The Board of County Commissioners shall review and may consider appropriate amendments to these Regulations or may repeal these Regulations in whole or in part.

5.2 Pursuant to Section 6-27-1 NMSA 1978 *et seq.*, MFA Rules Section 4, and Ordinance 2011-3, these Regulations and any amendments shall be consistent with MFA Rules.

Article VI

Severability

The provisions of these Regulations are severable and if any individual provision of these Regulations are held invalid by a Court of competent jurisdiction, then the offending provision shall be stricken but the remaining provisions shall remain in full force and effect.

AMI Income Limits by county

FY2014 Income Limits Effective Date:

12/18/2013

Santa Fe MSA, New Mexico. Includes Santa Fe County only.

FY 2014 Income Limit Area	FY 2014 Income Limit Category	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Santa Fe County	200%	\$91,500	\$104,500	\$117,600	\$130,600	\$141,100	\$151,600	\$162,000	\$172,500
	150%	\$68,650	\$78,400	\$88,200	\$97,950	\$105,850	\$113,700	\$121,500	\$129,400
	120%	\$54,900	\$62,700	\$70,550	\$78,350	\$84,650	\$90,950	\$97,200	\$103,500
	115%	\$52,600	\$60,100	\$67,600	\$75,100	\$81,150	\$87,150	\$93,150	\$99,200
	100%	\$45,750	\$52,250	\$58,800	\$65,300	\$70,550	\$75,800	\$81,000	\$86,250
	80%	\$36,600	\$41,600	\$47,050	\$52,250	\$56,450	\$60,650	\$64,800	\$69,000
	75%	\$34,300	\$39,200	\$44,100	\$48,000	\$52,000	\$56,850	\$60,750	\$64,700
	70%	\$32,000	\$36,600	\$41,150	\$45,700	\$49,400	\$53,050	\$56,700	\$60,350
	65%	\$29,750	\$33,950	\$38,200	\$42,450	\$45,850	\$49,250	\$52,650	\$56,050
	60%	\$27,450	\$31,350	\$35,300	\$39,200	\$42,350	\$45,500	\$48,600	\$51,750
	50%	\$22,900	\$26,150	\$29,400	\$32,650	\$35,300	\$37,800	\$40,500	\$43,150

Albuquerque MSA, New Mexico. Includes Bernalillo, Sandoval, Torrance and Valencia Counties. Rio Rancho is in Sandoval County.

FY 2014 Income Limit Area	FY 2014 Income Limit Category	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
Albuquerque MSA	150%	\$62,850	\$71,850	\$80,850	\$89,700	\$97,000	\$104,200	\$111,300	\$118,500
	120%	\$50,300	\$57,500	\$64,700	\$71,750	\$77,800	\$83,350	\$89,050	\$94,800
	115%	\$48,200	\$55,100	\$62,000	\$68,750	\$74,350	\$79,850	\$85,350	\$90,850
	100%	\$41,900	\$47,900	\$53,900	\$59,800	\$64,650	\$69,450	\$74,200	\$79,000
	80%	\$33,500	\$38,300	\$43,100	\$47,850	\$51,700	\$55,550	\$59,350	\$63,200
	70%	\$29,350	\$33,550	\$37,750	\$41,850	\$45,250	\$48,600	\$51,950	\$55,300
	65%	\$27,250	\$31,150	\$35,050	\$38,850	\$42,000	\$45,150	\$48,250	\$51,350
	60%	\$20,950	\$23,950	\$26,950	\$29,900	\$32,350	\$34,750	\$37,100	\$39,500

D

SANTA FE COUNTY FISCAL IMPACT REPORT (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed ordinance or resolution as to its direct impact upon the County's operating budget and is intended for use by staff of the Human Resources and Finance Divisions, the County Manager and the governing body of Santa Fe County. Ordinances/resolutions with a fiscal impact must be reviewed by the Finance Division Director or the Budget Administrator. Ordinances/resolutions with proposed staffing increases must be reviewed and approved by the Human Resources staff and approved by the County Manager before presentation to the Board of County Commissioners (BCC). Please refer to the instructions on how to complete this form.

Section A. General Information

☒ Ordinance ☐ Resolution ☐ Other

A single FIR may be used for related ordinances and/or resolutions

Short Title(s): Ordinance Amending Ordinance 2011-3 Roof Replacement
 Reviewing Division(s): Growth Management
 Person Completing FIR: Steven Brugger
 Date: 9/17/2014 ☒ Phone: 505.992.6752

Section B. Summary

Briefly explain the purpose and major provisions of the ordinance/resolution.

Increase maximum assistance from \$10,000 to \$14,999. Increase Affordability periods for the deferred payment loan from 5 to 10 years. Limit eligibility to low income households, rather than including moderate income households with incomes at or below 120% OF Area Median Income.

Section C. Fiscal Impact

NOTE: Financial information on this FIR does not directly translate into a Santa Fe County budget increase.

- The item must be presented to the Finance Division for analysis and recommendation as a potential request to increase the existing budget for the county.
- Detailed budget information must be included, such as funding source, amounts and justification.
- Detailed salary and benefit for new full-time equivalents (FTEs) must be included. The request must be approved by the staff of the Human Resources Division for each new FTE request.

1. Projected Expenditures:

- Indicate Fiscal Year(s) affected - the current fiscal year and the following three fiscal years, where applicable
- Indicate "A" if current budget and level of staffing will absorb the costs
"R" if new, additional, or increased budget or staffing will be required
- Indicate "R" if recurring annual costs
Indicate "NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- Attach additional projection schedules if four years does not adequately project revenue and costs patterns
- Costs may be netted or show as an offset if some cost savings are projected (please explain further in Section 3 Narrative)
- Please provide additional fiscal impact information for years 3 and 4 in the Expenditure/Revenue Narrative.
- This form allows for information related to two fiscal years. Please note info relation to other fiscal years in narrative 3.

Exp Classification	FY 15	"A" or "R"	"R" or "NR"	FY 16	"A" or "R"	"R" or "NR"	Funds affected
Salary and Benefits		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Select or type _____
Maintenance		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Select or type _____
Other Operating		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Select or type _____
Contractual Services	\$60,000	A	R	\$60,000	A	R	Special Revenue _____
Capital Requirements		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Select or type _____

Total \$60,000 \$60,000

*Any indication that additional staffing would be required must be reviewed and approved in advance by the County Manager by attached memo before release of FIR to the Board of County Commissioners (BCC).

** For salary and benefit information contact the Finance Division, or attach the New FTE Request form to provide necessary information.

2. Revenue Sources:

a. To indicate new revenues and/or

b. Required for costs for which new expenditure budget is proposed above in Item 1.

c. Please provide additional fiscal impact information for years 3 and 4 in the Expenditure/Revenue Narrative.

Type of Revenue	FY 2015	"A" or "NA"	FY 2016	"A" or "NA"	Funds Affected
General	\$60,000	<input checked="" type="checkbox"/> YR	\$60,000	<input checked="" type="checkbox"/> YR	Special Revenue
Total	\$60,000		\$60,000		

☐ Insert Note

3. Expenditure/Revenue Narrative:

Explain expenditures, grant match requirements, justify salary and benefit costs for new FTE request, detail capital and operating uses, etc. Explain revenue source(s) include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. (Attach supplemental page, if necessary). Also, provide expanded information for fiscal year three and four impact for both revenue and expenditures.

Raising the maximum limit of assistance from by \$5,000 from \$10,000 to \$14,999 could potentially increase expenditures by \$60,000 per year, assuming that 12 roof repair jobs are performed per year and that the maximum allowed is the actual cost of the job. In reality, the fiscal impact should be less than this amount. The funds would be taken from affordable housing fund monies, not the general fund. It is reasonable to assume that this fiscal impact would extend into fiscal year three and four.

Section D. General Narrative

1. Conflicts:

Does this proposed ordinance/resolution duplicate/conflict with/companion to/relate to any County code, approved ordinance or resolution, other adopted policies and legislation? Include details of county adopted ordinances/resolutions and dates. Summarize the relationships, conflicts or overlaps.

This ordinance is an amendment to existing Ordinance 2011-3, which enables the Happy Roofs program. It does not conflict with this Ordinance but rather would make the program more

2. Consequences of Not Enacting This Ordinance/Resolution:

Are there consequences of not enacting this ordinance/resolution? If so, describe.

The program would not be fully utilized given that typical costs for roof replacements are now coming in over \$10,000. Typical clients are low income and do not have the capacity to pay the difference between the bid amount and the current program limit of \$10,000.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

N/A

4. Community Impact:

Briefly describe the major positive or negative effects the ordinance/resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The proposed amendment would enable the program to be more fully utilized, would better safeguard County resources and would focus the program on lower income households.

☐ Click here to attach a file ☐ Click here to attach a file ☐ Click here to attach a file

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