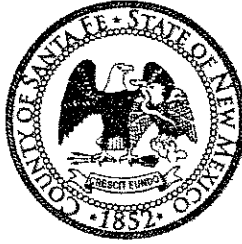


Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

To: The Board of County Commission
From: Don Moya, Finance Director 
Via: Katherine Miller, County Manager
Date: July 11, 2017

Subject: Resolution No. 2017-___, A Resolution Authorizing The Disposition Of Fixed Assets In Accordance With State Statute. (Finance/Don Moya)

ISSUE:

On an annual basis, department staff/elected officials are required to collect information related to inoperable or obsolete property and equipment of Santa Fe County in order to determine its eligibility for surplus.

BACKGROUND:

Santa Fe County follows the State of New Mexico statutory policies to dispose of surplus property and equipment pursuant to NMSA 1978, Section 13-6-1 (2012). The Santa Fe County Sheriff's Office has submitted twenty-five (25) vehicles and one (1) Message Board American Signal Trailer for disposition. Upon approval, the fixed assets will be sold at a public auction. The proceeds will be receipted to the funds where the vehicles were originally purchased from.

REQUEST ACTION:

The Finance Division requests the Board's consideration and approval of the attached resolution to dispose of obsolete personal property. Upon approval of the resolution by the Board of County Commissioners, a copy of the resolution will be submitted to the State Auditor's Office. The items will be disposed of 30 days after notification to the State Auditor.

SANTA FE COUNTY

RESOLUTION NO. 2017-

A RESOLUTION AUTHORIZING THE DISPOSITION OF FIXED ASSETS IN ACCORDANCE WITH STATE STATUTE

WHEREAS, Santa Fe County (County) desires to dispose of certain personal property identified in Exhibit A, attached; and

WHEREAS, Exhibit A details each item of personal property by department or office, tag number, description of fixed asset, serial number, reason for surplus, condition of fixed asset, location of fixed asset, and/or estimated value; and

WHEREAS, the Board of County Commissioners (BCC) hereby determines that (i) each item of personal property on Exhibit A is worn-out, unusable, or obsolete to the extent that the item is no longer economical or safe for continued use by the County and (ii) each item on Exhibit A has an estimated current resale value of five thousand dollars (\$5,000) or less.

NOW, THEREFORE, BE IT RESOLVED that the BCC (i) approves of the disposal of the personal property listed on Exhibit A, pursuant to NMSA 1978, Section 13-6-1 (2012), and (ii) directs that, to the extent feasible, the personal property shall be sold at public auction and, if that it is not feasible, that it be disposed of as otherwise allowed by law.

PASSED, APPROVED, AND ADOPTED THIS 11th DAY OF JULY, 2017.

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

Henry P. Roybal, Chair

ATTEST:

Geraldine Salazar, County Clerk

APPROVED AS TO FORM:


Gregory S. Shaffer, County Attorney

**SANTA FE COUNTY
FIXED ASSETS SURPLUS FORM - FISCAL YEAR 2017
VEHICLES/HEAVY EQUIPMENT**

DEPARTMENT: Sheriff's Office

PERSON COMPLETING

THE FORM: Rufino Ray Romero

TELEPHONE NO.: 505-986-2466

TAG NUMBER	DESCRIPTION OF FIXED ASSET	VEHICLE ID NO.	MILEAGE/MACHINE HOURS	REASON FOR SURPLUS	CONDITION OF FIXED ASSET	LOCATION OF FIXED ASSET	ESTIMATED VALUE
386674	2013 FORD EXPLORER	1FM5K8AR2DGB84734	133,466	Excessive Cost to Repair	Poor	Sheriff's Office	\$4,575.00
385635	2013 FORD EXPLORER	1FM5K8AR3DGA51173	156,875	Excessive Cost to Repair	Poor	Sheriff's Office	\$4,915.00
379201	2010 FORD F150	1FTNF1EV1AKB36576	208,622	Excessive Cost to Repair	Poor	Sheriff's Office	\$3,650.00
379202	2010 CHEVY IMPALA	2G1WD5EM1A1172947	143,543	Excessive Cost to Repair	Poor	Sheriff's Office	\$1,200.00
385634	2013 FORD EXPLORER	1FM5K8AR5DGA51174	149,633	Excessive Cost to Repair	Poor	Sheriff's Office	\$4,915.00
386676	2013 FORD EXPLORER	1FM5K8AR6DGB84736	177,200	Excessive Cost to Repair	Poor	Sheriff's Office	\$4,915.00
385633	2013 FORD EXPLORER	1FM5K8AR7DGA51175	196,860	Excessive Cost to Repair	Poor	Sheriff's Office	\$4,915.00
393PWX/G90803	2010 CHEVY IMPALA	2G1WD5EM9A1170475	144,299	Excessive Cost to Repair	Poor	Sheriff's Office	\$1,200.00
386976	2013 FORD TAURUS	1FAHP2L88DG134656	136,696	Excessive Cost to Repair	Poor	Sheriff's Office	\$2,630.00
379204	2010 CHEVY IMPALA	2G1WD5EM9A1172453	84,502	Excessive Cost to Repair	Poor	Sheriff's Office	\$3,750.00
363800	2010 FORD F150	1FTNF1EVXAKB36575	184,509	Excessive Cost to Repair	Poor	Sheriff's Office	\$4,325.00
387007	2013 FORD TAURUS	1FAHP2L87DG139055	150,972	Excessive Cost to Repair	Poor	Sheriff's Office	\$2,630.00
379208	2010 CHEVY IMPALA	2G1WD5EM5A1170439	148,579	Excessive Cost to Repair	Poor	Sheriff's Office	\$1,085.00
367795	2007 CHEVY COLORADO	1GCDT14E078109302	92,165	Excessive Cost to Repair	Poor	Sheriff's Office	\$4,075.00
383940	2011 CHEVY TAHOE	1GNSK2E01BR371617	149,203	Excessive Cost to Repair	Poor	Sheriff's Office	\$4,350.00

NOTE: Possible Reasons for Surplus: *Obsolete; excessive cost to repair, or working but not currently used by department.*

Condition of the Asset: *Damaged, destroyed, working (note the condition-good, fair, or poor)*

Fleet Maintenance Approval / Certification:

6-9-2017

We hereby certify that the assets noted above have been examined and the information is accurate to the best of our knowledge.

Department Director

Date:

6/9/2017

County Manager

Date:

6.12.17

SANTA FE COUNTY
FIXED ASSETS SURPLUS FOR FISCAL YEAR 2017
VEHICLES/HEAVY EQUIPMENT

DEPARTMENT: Sheriff's Office

PERSON COMPLETING

THE FORM: Rufino Ray Romero

TELEPHONE NO.: 505-986-2466

TAG NUMBER	DESCRIPTION OF FIXED ASSET	VEHICLE ID NO.	MILEAGE/ MACHINE HOURS	REASON FOR SURPLUS	CONDITION OF FIXED ASSET	LOCATION OF FIXED ASSET	ESTIMATED VALUE
86683	2013 FORD TAURUS	1FAHP2L89DG188922	178,646	Excessive Cost to Repair	Poor	Sheriff's Office	\$2,630.00
79212	2010 CHEVY IMPALA	2G1WD5EM6A1170885	152,056	Excessive Cost to Repair	Poor	Sheriff's Office	\$1,085.00
86690	2013 FORD TAURUS	1FAHP2L81DG188929	155,462	Excessive Cost to Repair	Poor	Sheriff's Office	\$2,630.00
14PFS/G87077	2007 CHEVY IMPALA	2G1W555R279415614	175,204	Excessive Cost to Repair	Poor	Sheriff's Office	\$805.00
G8402/G85586	2009 CHEVY IMPALA	2G1W557M391280016	113,697	Excessive Cost to Repair	Poor	Sheriff's Office	\$1,300.00
79211	2010 CHEVY IMPALA	2G1WD5EM9A1170752	147,884	Excessive Cost to Repair	Poor	Sheriff's Office	\$1,085.00
30000	2014 FORD EXPLORER	1FMSK8AR7EGA92104	184,966	Excessive Cost to Repair	Poor	Sheriff's Office	\$4,230.00
19NZL/G82271	2006 FORD EXPLORER	1FMEU72E16UB19734	133,152	Excessive Cost to Repair	Poor	Sheriff's Office	\$3,100.00
95FB	1994 AUDI S4Q	WAUHR84A4RN013857	177,599	Excessive Cost to Repair	Poor	Sheriff's Office	\$2,925.00
18720	1989 Ford CF6000	98FPH60P9KDM00213	67,670	Obsolete	Poor	Sheriff's Office	\$4,000.00
1406	Message Board American Signal Trailer	1A9BS3314B2228068	N/A	Excessive Cost to Repair	Poor	Sheriff's Office	\$300.00

NOTE: Possible Reasons for Surplus: Obsolete; excessive cost to repair, or working but not currently used by department.
Condition of the Asset: Damaged, destroyed, working (note the condition-good, fair, or poor)

Let Maintenance Approval / Certification:  6-9-2017

I hereby certify that the assets noted above have been examined and the information is accurate to the best of our knowledge.

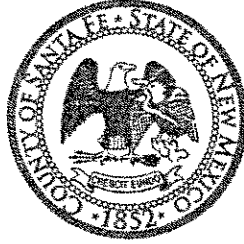
Department Director  Date: 6/9/2017

County Manager  Date: 6-12-17

Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

DATE: June 28, 2017

TO: Board of County Commissioners

FROM: Michael Kelley, Public Works Department Director MK 6/28/17

VIA: Katherine Miller, County Manager

ITEM AND ISSUE: BCC Meeting July 11, 2017

Approval of a Resolution Authorizing the County Attorney to Bring Condemnation Actions, if Necessary, to Acquire the Necessary Property Interests for the Mt. Chalchihuitl Open Space Project (Public Works / Mark Hogan)

SUMMARY:

The purpose of this resolution is to authorize the County Attorney to bring condemnation actions on behalf of the County to acquire the necessary real property interests for the Mt. Chalchihuitl Open Space Project in the event that the County Manager is not able to negotiate a reasonable purchase and sale agreement.

BACKGROUND:

Mt Chachihuitl is one of the smallest but most important of the Cerrillos Hills. The turquoise mine at Mt. Chalchihuitl is the largest and most significant prehistoric turquoise mine in North America. The mine was a major source of the turquoise that was traded throughout the Southwest. The Cerrillos Hills have been mined extensively by Spanish, Mexican and American miners looking for precious metals. Next to the Mt. Chalchihuitl turquoise mine is another historically important mine, the Cash Entry Mine. The Cash Entry Mine was the source of the most significant "galena" (lead) lode in New Mexico. The processing operations at the Cash Entry Mine left lead tailings at the head of an arroyo. The tailings are washing down the arroyo onto the adjacent property owned by Mr. Brad Aitken and will eventually enter the County owned Cerrillos Hills State Park. The site was identified as a Brownfield in 2002 by the Environmental Protection Agency (EPA) and New Mexico Environment Department (NMED).

The Board of County Commissioners approved the acquisition of the Mt. Chalchihuitl property under the Open Space and Trails Program in 2001. Since then County has been working with the EPA and NMED on the environmental due diligence. The County completed the due diligence and began negotiating the acquisition of suitable real property interests necessary to complete open space acquisition and remediation of the environmental conditions resulting from the mining operations.

On March 9, 2017 Santa Fe County entered into a purchase agreement with the Glockhoff Trust to purchase the Mt. Chalchihuitl property. The County must close on the purchase by December 31, 2017.

Due to the recognized environmental conditions on the property, the County requires the protections offered by the Voluntary Remediation Program (VRP) administered by the NMED whereby the County as the purchaser may be relieved from further liability by taking voluntary remediation action pursuant to a NMED approved work plan. The County must enter the VRP prior to closing on the Glockhoff property. In order to enter the VRP the County must demonstrate prospective ownership of all of the real property interests necessary to complete the remediation, outlined in black on Exhibit A of the resolution. Santa Fe County is currently in negotiations with Mr. Aitken for the purchase of his property.

ACTION REQUESTED:

Approval of the Resolution Authorizing the County Attorney to Bring Condemnation Actions, if Necessary, to Acquire the Necessary Property Interests for the Mt. Chalchihuitl Open Space Project.

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

RESOLUTION NO. 2017 - _____

**A RESOLUTION
AUTHORIZING THE COUNTY ATTORNEY TO BRING CONDEMNATION
ACTIONS, IF NECESSARY, TO ACQUIRE PROPERTY FOR THE MT.
CHALCHIHUITL OPEN SPACE**

WHEREAS, by Resolution No. 2014-127, the Board of County Commissioners ("Board") of Santa Fe County ("County") authorized the County Manager to acquire by negotiated sale two properties ("Properties") for the Mt. Chalhchihuitl Open Space; and

WHEREAS, as shown on Exhibit A to Resolution No. 2014-127 and the current Resolution, the Properties are currently under separate private ownership; and

WHEREAS, as described in Resolution 2014-127, the Properties possess significant archeological, historical, and cultural values but also contain lead-contaminated tailings related to historic mining operations; and

WHEREAS, the New Mexico Department of the Environment ("NMED") operates the Voluntary Remediation Program pursuant to 20.6.3 NMAC; and

WHEREAS, under the Voluntary Remediation Program, a prospective owner of a contaminated site such as the County may be released from certain environmental liabilities by remediating the site after acquisition in accordance with a voluntary remediation agreement with NMED; and

WHEREAS, Resolution No. 2014-127 authorizes the County Manager to, among other things, execute a voluntary remediation agreement on behalf of the County; and

WHEREAS, the County will not acquire the Properties unless and until it has negotiated and executed an acceptable voluntary remediation agreement with NMED and has otherwise fully entered into the Voluntary Remediation Program; and

WHEREAS, NMED will not execute a voluntary remediation agreement with a prospective owner of a contaminated site unless the prospective owner is under contract to acquire the site, or, for entities having the power of eminent domain, demonstrates an intent to acquire the site by condemnation; and

WHEREAS, the County is under contract to acquire one of the Properties and must complete that acquisition on or before December 31, 2017; and

WHEREAS, the County Manager will make an offer on the remaining Property in the near future; and

WHEREAS, the County will acquire the Properties for a public purpose; and

WHEREAS, the County Attorney should be authorized to bring condemnation actions to acquire the Properties if the County Manager is unable to timely negotiate an acceptable purchase agreement or if the purchase agreement is breached.

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

1. The Board authorizes the County Attorney to bring condemnation actions on behalf of the County to acquire the Properties. However, the County Attorney shall not bring such an action against any property owner unless the County Manager first notifies the County Attorney that:

(a) the County Manager was not able to timely negotiate a reasonable purchase and sale agreement with the property owner; or

(b) the property owner executed a purchase and sale agreement but thereafter refused to grant the Property in accordance with the agreement, in which case the County Attorney may include other causes of action related to breach of contract.

2. The Board further authorizes and directs the County Attorney to seek dismissal of any condemnation action brought against a property owner pursuant to this Resolution upon the property owner's voluntary grant of the Property pursuant to a purchase and sale agreement between the property owner and the County.

PASSED, APPROVED, AND ADOPTED THIS 11th DAY OF JULY 2017.

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

By: _____
Henry P. Roybal, Chair

ATTEST:

Geraldine Salazar, County Clerk

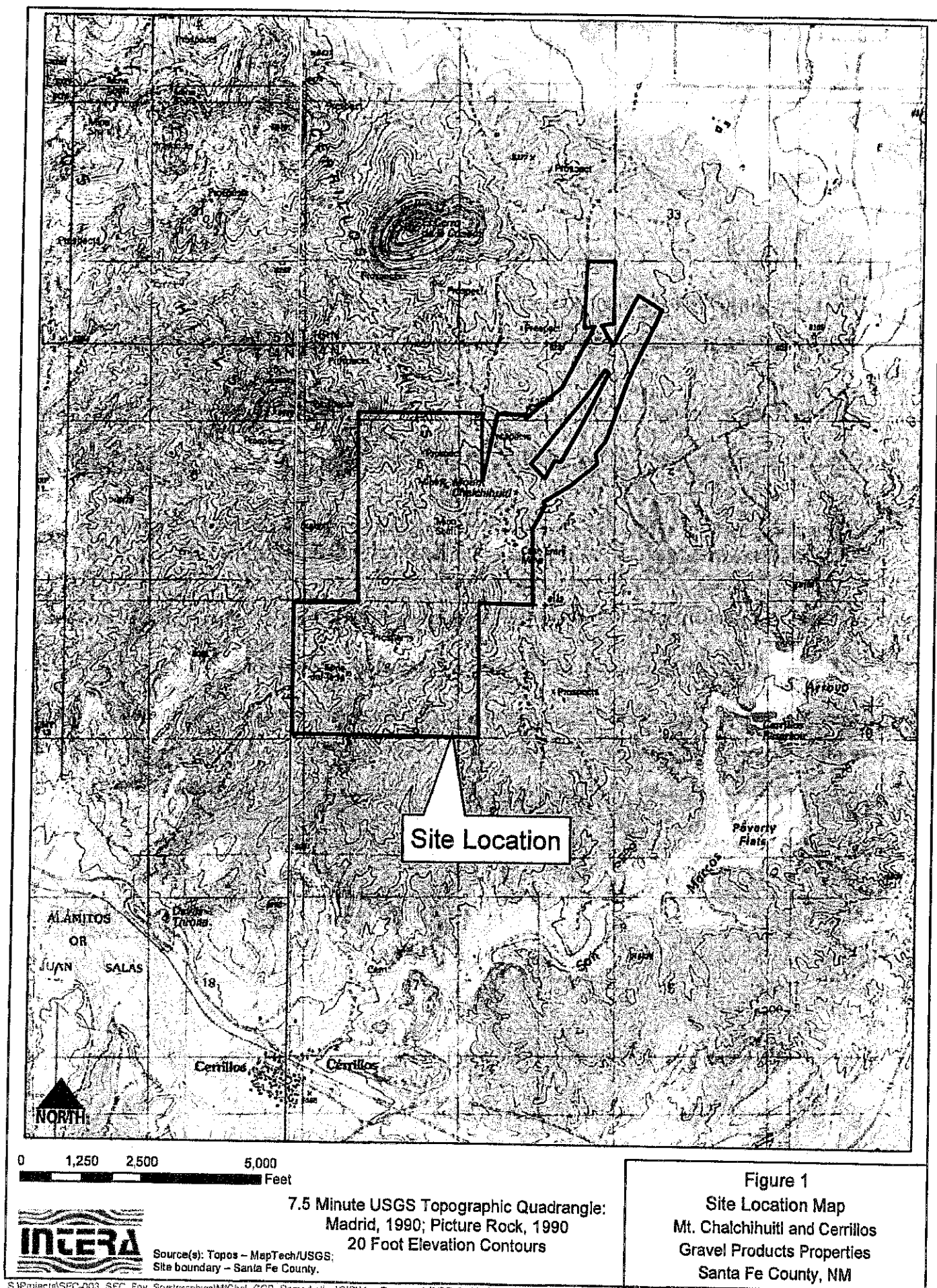
Date: _____

APPROVED AS TO FORM:



Gregory S. Shaffer, County Attorney

Date: 6/28/2017



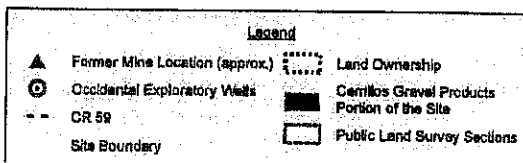
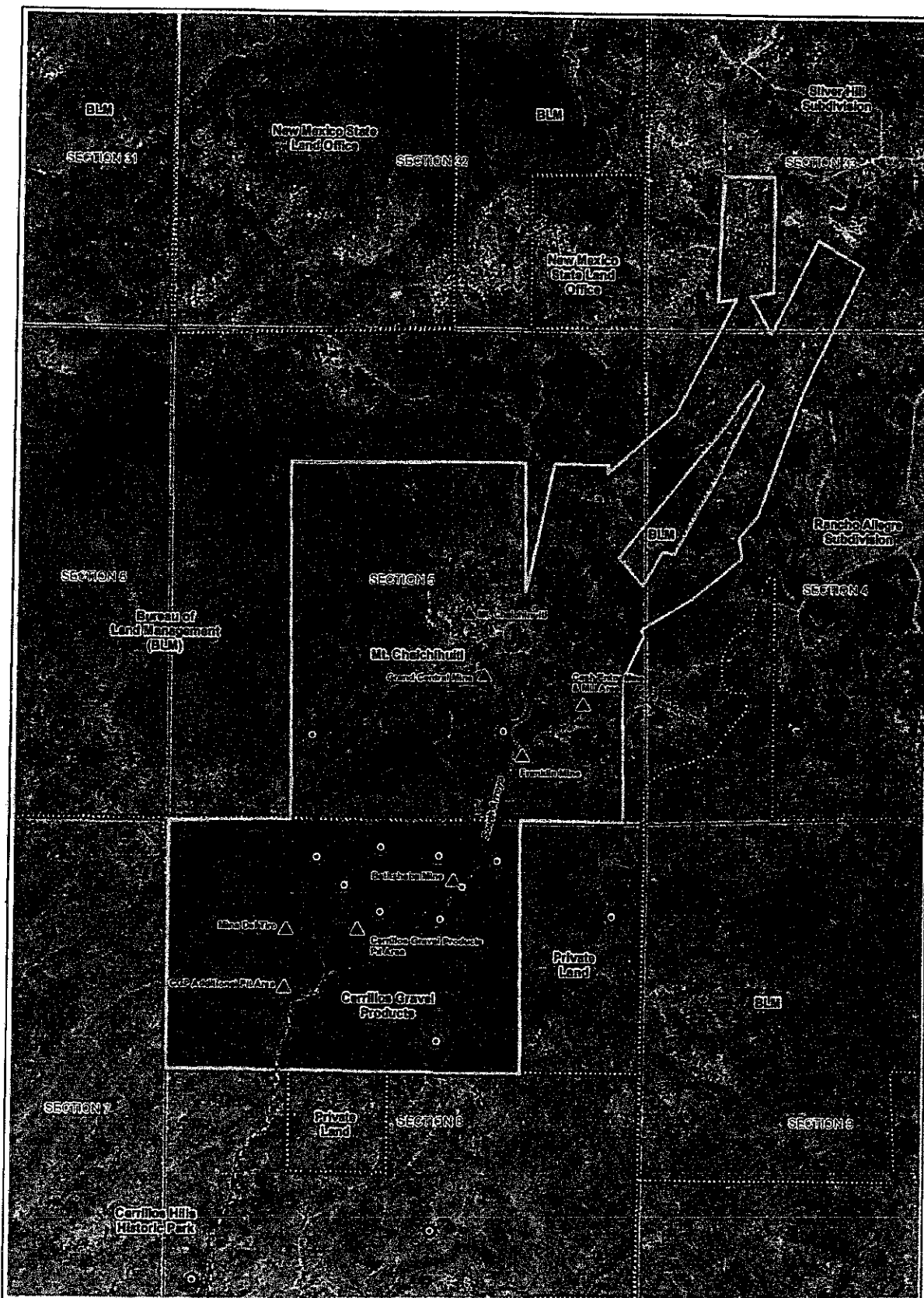


Figure 2
Site Map
 Mt. Chelchihuitl and Cerillos
 Gravel Products Properties
 Santa Fe County, NM

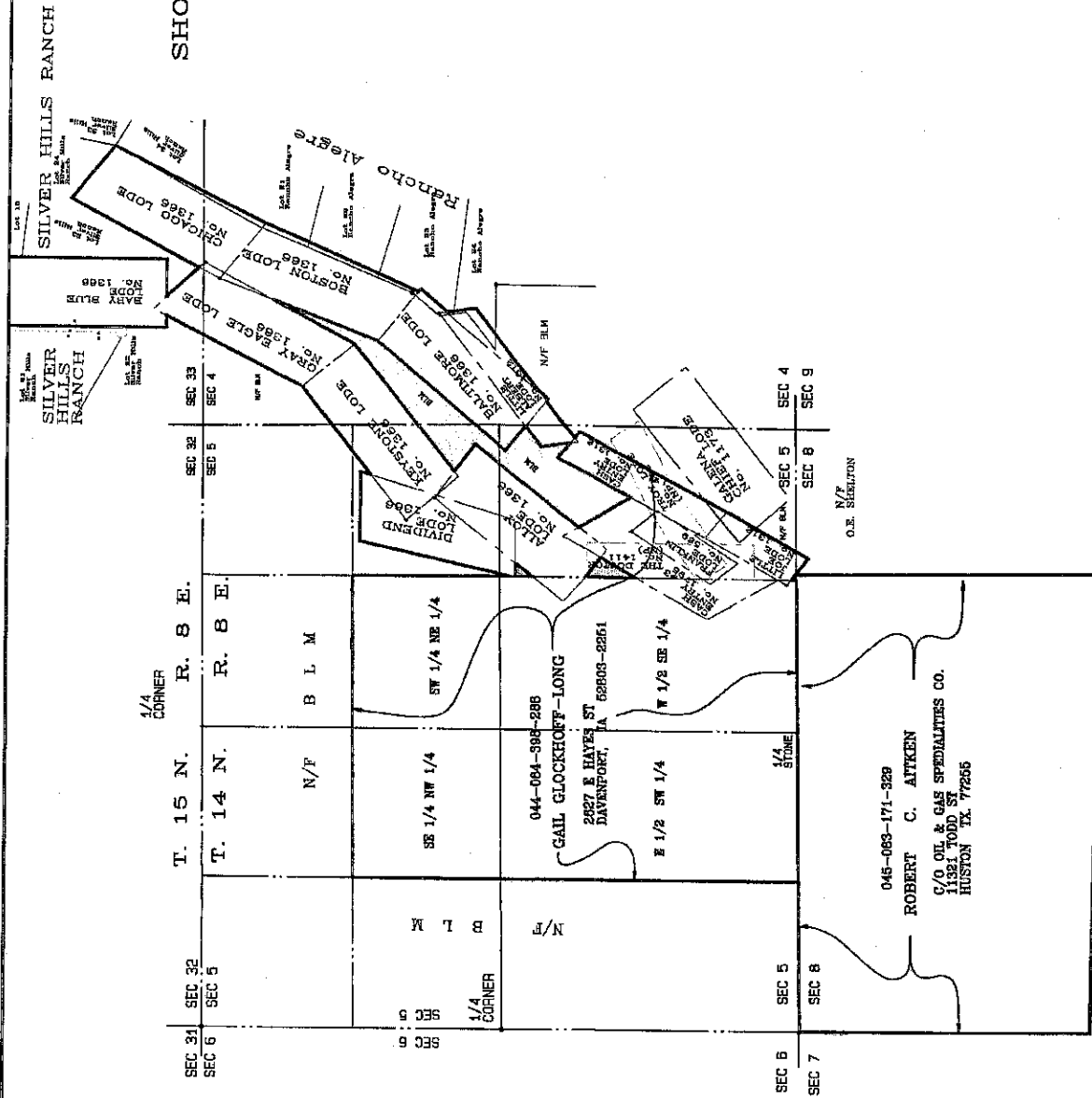


Source(s) Wells - C&E, Surface Data Report, T14N, R08E, Sec. 04, 05, & 08 wells, Sept. 25, 2001.
 Aerial - RGIS website, dated 2011; Site boundary - Santa Fe County; Mine locations - Levine and Goodman, 1990.

T:\Projects\GFCD-003_Santa Fe County Phase I EIA\Cerillos Hill\graphics\GIS Maps\CH-figures_T.png

EXHIBIT

SHOWING OWNERSHIP OF LANDS
AT CERRILLOS HILLS
FOR SANTA FE COUNTY



MORRIS
surveying engineering

1316 A Parkway Drive Phone: (505) 438-9100
Santa Fe, NM 87507-7255

DRAWN BY: BAW SCALE: 1" = 1000' CHECKED BY: BAW
CERRILLOS HILLS PROPERTY OWNERSHIP PROJECT NO. 77005

