





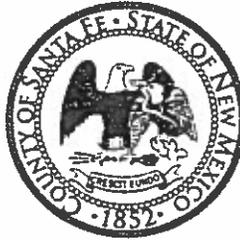




**Daniel "Danny" Mayfield**  
*Commissioner, District 1*

**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: April 18, 2014

To: Board of County Commission

From: Katherine Miller, County Manager 

Re: Santa Fe County Employee of the Quarter

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It is with great honor that I present the Nominees for the Employee of the Quarter, for the first quarter of 2014. Each of these employees has been selected from their Department or Group. Their hard work, dedication and significant contributions to Santa Fe County are greatly appreciated. In addition to completing job duties with a positive attitude, these employees took on extra tasks, streamlined processes and regularly exceed the expectations of their work units.

These employees are:

1. Leo Leyba – Public Works Group
2. Vidella Montoya – Community Services Group
3. Deputy Julie York – Sheriff Office Group
4. Erika Romero – Elected Official Group
5. Victor Montoya – Public Safety Group
6. Carlos Sisneros – Support Services Group

This is the first quarter of this improved Employee of the Quarter Program. Each of the six groups throughout County operations receives nominations for employees in the group. Teams from each Group then select the Group Employee of the Quarter. The County-wide employee will be selected from these six nominees. I would also like to give special thanks to Erle Wright from Growth Management for working with management to develop this program.

I extend many congratulations to the nominee recipients and to the one employee selected as 2014 Quarter One Employee of the Quarter.

Once again, congratulations for their hard work and great attitude!



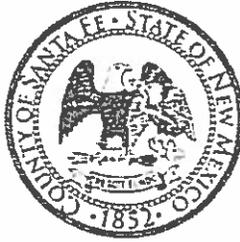




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*Commissioner, District 5*

**Katherine Miller**  
*County Manager*

**CASE NO. V 13-5350**

**VARIANCE**

**JOSEPH LUJAN, APPLICANT**

**ORDER**

**THIS MATTER** came before the Board of County Commissioners (hereinafter referred to as "the BCC") for hearing on March 11, 2014 on the Application of Joseph Lujan (hereinafter referred to as "the Applicant") for a variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code (the Code) to allow three dwelling units on 2.371 acres. The BCC, having reviewed the Application and supplemental materials, staff reports and having conducted a public hearing on the request, finds that the Application is well-taken and should be granted, and makes the following findings of fact and conclusions of law:

1. The Applicant requests a variance of Article III, Section 10 (Lot Size Requirements) of the Code to allow three dwelling units on 2.371 acres.
2. In 1991 the Applicant received approval for a small lot family transfer to allow one dwelling unit on each lot, however the Applicant failed to move forward with the family transfer.
3. The property is located at #27262 I-25 East Frontage Rd, in the Chuck Taylor Subdivision, Within Section 4, Township 15 North, Range 8 East ("Property").

4. Article III, Section 10 of the Code provides that a minimum lot size in this area is 10 acres per dwelling unit. Lot size may be further reduced to 2.5 acres with signed and recorded water restrictions.
5. There are currently three dwelling units and two accessory structures on the property.
6. None of the dwelling units or accessory structures are permitted.
7. The Applicant testified that their residence was constructed prior to adoption of the Code in approximately 1977 and an aerial photograph confirmed that the primary residence was present in 1981, prior to adoption of the Code.
8. According to a 1992 aerial photograph the following unpermitted development occurred on the subject property: an addition was added to the main residence; a detached garage was erected; and a manufactured home was installed.
9. According to a 2001 aerial photograph another manufactured home was installed on the property without a development permit.
10. According to an aerial photograph from 2005, an addition was constructed on one of the manufactured homes and a detached garage was erected, both without development permits.
11. The Applicant confirmed that one manufactured home was moved onto the property approximately 16 years ago.
12. The Applicant testified the property is properly assessed, and the Applicant is paying property taxes for all structures on the property.

13. Staff confirmed that property taxes have been paid for the subject property.
14. The Applicant advised that there are separate septic systems for each residence and that a well on the property was drilled in 1977 or 1978 which is the water source for all of the residences.
15. The Applicant's children and their families occupy all of the residences other than the primary residence placed on the property in approximately 1977.
16. At the Public Hearing before the BCC on March 11, 2014, staff recommended denial of the requested variance.
17. In the event the Application for a variance is approved, Staff recommended imposition of the following conditions of approval:
  - A. Water use shall be restricted to 0.25 acre feet per year per home. A water meter shall be installed for each residence. Annual water meter readings shall be submitted to the Land Use Administrator by January 1st of each year. Water restrictions shall be recorded in the County Clerk's Office.
  - B. The Applicant must obtain a Development Permit from the Building and Development Services Department for all structures on the property.
  - C. The placement of additional dwelling units or Division of land is prohibited on the property.
  - D. The Applicant shall comply with all Fire Prevention Division requirements at time of Development Permit Application.

E. All Junk Vehicles Litter and Debris must be removed from the property.

F. The Applicant shall comply with all conditions of approval within 90 days.

18. In Support of the Application, the Applicant agreed with staff's recommended conditions of approval.

19. One member of the public spoke in favor of the Applicant's request. There was no opposition to the Application.

20. 3. Article II, Section 3.1 of the Code states that where in the case of a proposed development it can be shown that strict compliance with the requirements of the Code would result in extraordinary hardship to the Applicant because of unusual topography or other such non-self-inflicted conditions or that these conditions would result in inhibiting the achievement of the purposes of the Code, an Applicant may file a written request for a variance. It further states that the BCC may vary, modify or waive the requirements of the Code upon adequate proof that compliance with the Code provision at issue will result in an arbitrary and unreasonable taking of the property or exact hardship, and proof that the variance from the Code will not result in conditions injurious to health or safety. Section 3.1 provides that in no event shall a variance be granted by the BCC if by doing so the purpose of the Code will be nullified. Additionally, it states that in no case shall any variation or modification be more than a minimum easing of the requirements.

21. Strict compliance with the requirements of the Code would result in extraordinary hardship to the Applicant.

22. The granting of the requested variance is a minimal easing of the Code requirements.

23. Granting this variance request will not nullify the purpose of the Code.

24. The Application for a variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to allow three dwelling units on 2.371 acres at #27262 East Frontage Rd, in the Chuck Taylor Subdivision, conditioned on the Applicant complying with staff's conditions as stated above is approved.

**WHEREFORE** the Board of County Commissioners of Santa Fe County hereby approves a variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to allow three dwelling units on 2.371 acres at #27262 East Frontage Rd, in the Chuck Taylor Subdivision, within Section 4, Township 15 North, Range 8 East ("Property") subject to the staff conditions set forth in paragraph 17. The motion to approve the variance passed by a 3-0 vote, with Commissioners Anaya, Mayfield, and Chavez voting in favor of the motion. Commissioners Holian and Stefanics were not present during the Public Hearing.

**IT IS SO ORDERED**

This Order was approved by the Board of County Commissioners of Santa Fe County on this \_\_\_ day of \_\_\_\_\_, 2014.

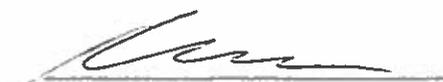
**Santa Fe County Board of County Commissioners**

By: \_\_\_\_\_  
Daniel W. Mayfield, Chair

**Attest:**

\_\_\_\_\_  
Geraldine Salazar, County Clerk

**Approved as to form:**

  
\_\_\_\_\_  
Stephen C. Ross, County Attorney

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## VII. PUBLIC HEARING

### A. Land Use Cases

1. **CDRC Case # V13-5350 Joseph Lujan Variance. Joseph Lujan, Applicant, Requests a Variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to Allow Three Dwelling Units on 2.371 Acres. The Property is Located at #27262 I-25 East Frontage Road, in the Chuck Taylor Subdivision, within Section 4, Township 15 North, Range 8 East (Commission District 5)**

MIKE ROMERO (Case Manager): Good evening. The Applicant requests a variance of Article III, Section 10 of the Land Development Code to allow three dwelling units on 2.371 acres. The subject lot was created in 1977, and is recognized as a legal non-conforming lot. There are currently three dwelling units and two accessory structures on the subject property. The Applicant states their residence was constructed shortly after the purchase of the property in 1977, an aerial photograph from 1981 shows only one residence on the property. A pre-code home would not have received a development permit. A 1992, aerial photograph shows that an addition was added to the main residence, a detached garage was constructed for the main residence and a singlewide mobile home was placed on the property where the applicant's son lives. The addition was not permitted by Santa Fe County.

A 2001 aerial photograph shows that the applicant's daughter had already moved her manufactured home onto the property without a development permit from Santa Fe County. An aerial photograph from 2005, shows that the applicant's son had constructed an addition to his residence and built a detached garage without permits from Santa Fe County.

According to the applicant, approximately 16 years ago the applicant's daughter moved her manufactured home onto the property due to a divorce and financial hardship. The applicant along with his son and his daughter all reside in their individual homes on the subject property.

On September 27, 2013, the applicant applied for a development permit for roof mounted solar panels to be placed on his residence. On October 24, 2013, Santa Fe County Code Enforcement conducted an inspection at the applicant's residence pertaining to the development permit application and observed multiple dwelling units and accessory structures on the property. During the inspection Code Enforcement staff reviewed the application to find that the applicant only listed one residence on the development permit application. At that time Code Enforcement issued the applicant a Notice of Violation for Unpermitted Development and Exceeding Density.

In 1991 the applicant requested a variance, CDRC # V 1991-1, to allow two dwelling units on 2.37 acres. At that time staff recommended recognizing the lot as 2.5 acres so the applicant could qualify for a family transfer. The BCC approved the variance for a family transfer and to recognize the lot as 2.5 acres with the following staff conditions:

1. Mike and Henrietta Lujan can only divide the property for family transfer purposes or through the approval of a positive geohydro report.
2. Both mobile homes will need to be properly skirted and anchored as per

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- State Mobile Housing guidelines.
3. Installation and location of the mobile homes must meet all applicable state and County ordinance standards.
  4. The variance will be for a second dwelling unit only. Changes deviating from this approval will not be allowed unless approved by the CDRC/BCC.
  5. A County development permit must be obtained from the Land Use Department prior to placement of a second dwelling unit.
  6. The mobile home will need to meet fire separation requirements as required by the State and County Fire Marshals.
  7. Any improvements or modifications made to the existing septic system or installation of a new system must meet all applicable CID, EID requirements prior to issuance of a mobile home permit. An approved septic tank permit must be submitted prior to issuance of a mobile home permit.
  8. Water restrictive covenants be imposed for each dwelling unit/lot if created not to exceed .25 acre-feet of water usage per year per lot and installation of meters to monitor water usage. Annual reports must be provided if determined necessary by the Land Use Department.
  9. All inoperable vehicles and debris must be removed from the property within a reasonable period of time, not to exceed three months from the date of approval
  10. The second dwelling unit should be sited on the property so as not to adversely impact the view of adjacent property owners.
  11. A plat be prepared by a certified surveyor for the family transfer lot.

Since that time the applicant has not moved forward with a family transfer nor has he complied with staff conditions or obtained a development permit. The applicant has been informed by staff that they could still move forward with a small-lot family transfer. However, the applicant now states that rather than divide the property it is their intention to move forward and request a variance to allow three homes on the property.

Staff recommendations: Denial of a variance of Article III, Section 10, Lot Size Requirements, of the Land Development Code. The decision of the CDRC was to recommend denial of the applicant's request. If the decision of the BCC is to approve the applicant's request staff recommends imposition of the following conditions:

1. Water use shall be restricted to 0.25 acre-feet per year per home. A water meter shall be installed for each residence. Annual water meter readings shall be submitted to the Land Use Administrator by January 1<sup>st</sup> of each year. Water restrictions shall be recorded in the County Clerk's Office.
2. The Applicant must obtain a development permit from the Building and Development Services Department for all structures on the property .
3. The placement of additional dwelling units or Division of land is prohibited on the property.
4. The Applicant shall comply with all Fire Prevention Division requirements at time of Development Permit Application, as per 1997 Fire Code and 1997 Life Safety Code.
5. All junk vehicles, litter and debris must be removed from the property.

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6. The Applicant shall comply with all conditions of approval within 90 days.  
I stand for any questions.

CHAIR MAYFIELD: Thank you, Mr. Romero. Does the Commissioners have any questions of staff? Commissioner Chavez, please.

COMMISSIONER CHAVEZ: So, Mr. Romero, this request to increase the density by allowing more dwelling units is really after the fact because the three units are already there.

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

COMMISSIONER CHAVEZ: And could you, for the record, tell us the allowable density in most cases for a lot that's 2.37 acres? What would the density allow them to do following the ordinance?

MR. ROMERO: According to this hydrological zone, the minimum lot size per code is ten acres per dwelling unit, but the lot size may be further reduced to 2.5 acres with signed and recorded water restrictions.

COMMISSIONER CHAVEZ: So they've exceeded by one dwelling unit without doing any of the hydrological reports?

MR. ROMERO: Correct.

VICKI LUCERO (Growth Management): Mr. Chair, Commissioner Chavez, if I could just clarify, the lot itself is 2.3 acres so it's a non-conforming lot so it doesn't meet the 2.5-acre requirement that we have today. It's a pre-code lot. So it was created before our code came into effect.

COMMISSIONER CHAVEZ: So that makes it a non-conforming lot?

MS. LUCERO: That's correct.

COMMISSIONER CHAVEZ: But it's legal –

MS. LUCERO: It's a legal non-conforming lot, right. That would allow for one dwelling unit. The applicants currently have three on there so they're actually exceeding density by two dwelling units.

COMMISSIONER CHAVEZ: By two units.

MR. ROMERO: Mr. Chair, Commissioner Chavez, the lot was created in 1977 and then the residence, the main residence where the applicants live was created – was developed shortly after that, making the residence and the lot legal non-conforming. So after the code there were two more residences placed on the property without any development permits or approval from Santa Fe County.

COMMISSIONER CHAVEZ: Yes.

MR. ROMERO: So at this time the applicant wants to move forward with a variance to allow the two additional homes. There's three homes actually on the current density of the property, which is 2.37 acres.

COMMISSIONER CHAVEZ: Okay. Thank you. And I guess the reason I ask this question, it's not to discriminate or anything like that, because I know that housing can be very expensive and cost prohibitive and you want to be able to allow the extended family to reside on a parcel. But that parcel I think has to be big enough to support the extended family. And also, when we increase density, whether it's through a family transfer or a lot split you're adding future load to the water system, to the septic systems, to the roads. We have to factor that in because the County and County staff, not us sitting up here, are going to be responsible for responding to calls or to situations that happen in your neighborhood. So density can be a good thing. Family transfer can be a

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good thing but it can also be abused and I think that for me, we need to be cautious in how we're approving variances to begin with and then when they're after the fact, what do you do? I think it would be hard for the County Commission to say to anyone remove one of those manufactured homes or, you know. I can see that that would cause a lot of problems and so it would be better for all of us if that planning was done at the front end instead of after the fact. I think that we need to encourage people to apply for the permits before construction is done, not after the construction is done, so I don't know how we're going to get to that point but to me this doesn't seem to be the best approach in approving land use cases or accommodating future growth. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioner Chavez. Commissioner Anaya, do you have any questions for staff at this point?

COMMISSIONER ANAYA: Not right now.

CHAIR MAYFIELD: Thank you. Mr. Romero, do we have the applicant here and does applicant representation care to make comments?

MR. ROMERO: Mr. Chair, yes.

[Duly sworn, Joseph Lujan testified as follows:]

JOSEPH LUJAN: My name is Joseph Mark Lujan.

CHAIR MAYFIELD: Mr. Lujan, the floor is yours, please.

MR. LUJAN: We're here, like the gentleman indicated, to request a variance for the three dwellings that we have on our property. Due to unforeseen circumstances my son and my daughter and myself – I went through a time that I was pretty sick because I was suffering from post-traumatic stress disorder because I'm a Vietnam veteran. So I really didn't have a handle about what was going on at that time. But our purpose was not to skirt the issue or to break any ordinances or any laws. Like the gentleman just stated there are aerial photographs prior to this but at no time was I confronted by staff at the County to say that I was in violation of these things.

On September 27<sup>th</sup> when I applied it was a solar company that applied for that permit and it states in here that I failed to tell them that I had three dwelling units. Well, I wasn't putting solar collectors on all three houses. It was just for my house. So in that regard I don't think that I misled the County because that was not my intention, like I say. The solar company is the one that applied for the permit, not me.

And I respectfully submit to Commissioners and we have a situation where my daughter got divorced and two young boys were left in this dwelling and they don't have a father so to me that provides a hardship for me because we had to take over the finances of paying the trailer and all this stuff, so we were caught between a rock and a hard place. But like I say, it's nobody's fault but my own, so I'm here to take responsibility for whatever you decide to do.

CHAIR MAYFIELD: Thank you, Mr. Lujan. Ms. Lujan.

[Duly sworn, Henrietta Lujan testified as follows:]

HENRIETTA LUJAN: I would just like to state one thing. Mr. Romero, I told Mr. Romero that they haven't been by to check out the property but the Assessor's Office had and all that we have on that property has been properly assessed, taxes that we've been paying on them. That's all I needed to say.

CHAIR MAYFIELD: Thank you. Mr. Romero, on Ms. Lujan's point, can you talk to me on the Assessor's tax assessments on this property please?

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MR. ROMERO: From my understanding, Mr. Chair, Commissioners, from my understanding, the assessors go out and they just assess the assessments on the property and if staff can correct anything or maybe add anything. But still, that isn't anything – the Assessor's Office and the Land Use Department are two different departments as you well know. But the situation is that even though the assessors assessed three different residences on the property they're still in violation of the land development code. And Mr. Lujan did state before that staff did not go out there and basically tell him what he was doing wrong. However, it was very clear in the variance from 1991, not only through CDRC but the BCC, there was a list of staff recommendations. I read those to you. And it was made very clear then what needed to be done. And so therefore even the developments that took place without the Lujans proceeding with a lot split and permitting but they still continued to add dwelling units and accessory structures.

CHAIR MAYFIELD: And Mr. Romero, I appreciate that and you're just the one I was talking to you today, because we don't have anybody from the Assessor's Office, I believe. And let's see if our County Attorney is here. But on that note, was it the three different households receiving a tax bill or was one household receiving a tax bill? Do you know?

MR. ROMERO: As far as taxes paid for the property, according to what the applicant brought in, they're paid – they're up to date in payment for the property. As far as each individual residence, I'm not too sure; I don't have that information.

CHAIR MAYFIELD: We'll ask the applicant. And then again, just a little earlier in the County Commission meeting discussion a little earlier, it's just the coordination between our offices on the dialogue that needs to happen between our offices. Because if there was some permitting requirements that were asked of the applicants to comply with and if they were in compliance or not in compliance, yet our Assessor is taxing all of these properties, I still think the County needs to cue with one another with what's happening or what is not happening. And I just think that there needs to be some communication that happens internally between elected offices and non-elected offices and just departments. Because it can cause the public to be confused of what's going on. Now we're paying our taxes on each individual property. So that's just maybe a side note, just as it rolls into this case.

So if I can ask the applicant this question. Mr. Lujan, on your property assessments, do you know if they were going individually to yourself and to your children or were they all just going to –

MR. LUJAN: One was coming to me, the other one was coming to my son and the other one was going to my daughter.

CHAIR MAYFIELD: Okay. Thank you.

MR. LUJAN: Can I address this, Commissioner Mayfield?

CHAIR MAYFIELD: Yes.

MR. LUJAN: Going back to what Commissioner Chavez said about the water usage, my residence is just myself and my wife. My son, it's himself and his wife. And then in the third dwelling it's the two boys that live there. So I can't understand why I would be exceeding the water usage.

CHAIR MAYFIELD: Ms. Lujan please.

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MS. LUJAN: Yes. That well was drilled in 1977 or 1978. So there's [inaudible] We never had problems with the water. We have complied with the requirements. They each have their own septic system. They each have their own utilities. We have met all the requirements except we haven't formally divided the property.

CHAIR MAYFIELD: Thank you, Ms. Lujan. Commissioner Chavez please.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I guess I wanted to ask staff again – I'm going to go back to the density. I know that – I understand that you have your individual well and that the size of the lot allowed only the one unit and as you add units to that it's going to impact – it has to impact the water table at some point in time. And the density, as you increase the density septic tanks have to be maintained on a regular basis, otherwise it's going to affect the groundwater and on and on. So again, we have to be careful in how we do that. At one point in time, as staff pointed out earlier, there was a family transfer that had been approved that would have also increased the density on this same lot. Would it have increased the density more than the three units? Or would that have been the allowable density even under the family transfer?

MR. ROMERO: Mr. Chair, Commissioner Chavez, that would have been into two dwelling units as what was required and approved in 1991. County staff was going to allow the Lujans to recognize two lots, each dwelling unit on each lot. That's what they approved in 1991. And it was for only two residences, not three.

COMMISSIONER CHAVEZ: Okay. So that's the difference in the family transfer and what we're discussing today.

MR. ROMERO: yes.

COMMISSIONER CHAVEZ: I guess that's all I have for now. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioner Chavez. This is a public hearing. Is there anybody from the public who wishes to comment on this case? Yes, sir.

[Duly sworn, Vincent Salazar testified as follows:]

VINCENT SALAZAR: My name is Vincent Salazar. I'm just here in support. We all wish and hope that our children can go out and make a perfect living for themselves. Unfortunately, things happen to where they're not able to. Mr. Lujan is able to help his children, his grandchildren, maybe not financially but he does have a place to put them. He was responsible enough to go ahead and make sure they have their own utilities, make sure the taxes are paid, make sure that they have their septic systems in place. Had the County gone out and seen him when those aerial photographs were taken I'm sure he would have done what he needed to do to get the proper permits for these residences. So I am in support. I am a county resident. The CDRC asked me that question. And those guys have my support.

CHAIR MAYFIELD: Thank you, Mr. Salazar. Is there anybody else from the public wishing to comment on this case? Seeing none, this part of the public hearing is closed. Commissioners.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I have a few comments and then I'm going to make a motion.

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CHAIR MAYFIELD: Yes, sir.

COMMISSIONER ANAYA: The comments I'm going to make are consistent with what I've done while I've sat on this bench over the last three-plus years. We've had many discussions on land use cases and many difficult issues that we deal with on a regular basis. And one of the things that at least early on when I sat on this Commission is what time of code and process do we have for making decisions about enforcement of our code. And while sitting here time and time again I came to understand that because of available budget and expenses most of what comes in the way of issues that arise on the County Commission come in a similar fashion as was brought up today where somebody either calls in and turns somebody in, basically, or in this case another solar company came in to follow the permit process and that's how the issue arose.

And every time one of these issues comes up I go through the same process in my mind about what was the intent of the individual and was there or is there any malice associated with that intent. And then I ask the next question about consistency within our code and as Commissioner Chavez, you brought up earlier, which is a very valid point, you can't have an unending process of over and over granting exceptions or increasing density over and over and over again, but I guess I would say it maybe a little different. There also has to be some reasonable in my mind, and we're going into a new code process and maybe now is an opportunity for the County to do, is to engage in some outreach to communities throughout Santa Fe County to say, you know, we're moving into a new code process, here are some of the parameters or some of the requirements and restrictions that the County has. Here as some of the things the County is going to look at in an overall area to evaluate the number of lots that are on a site or the number of lots approved, and then create some process by which people will be able to come in. Not where we found them by – on accident, essentially, but where we do outreach and it's a more holistic approach where we're looking at an entire area and saying let's evaluate this area and if there are code issues and concerns let's figure out some reasonable process so that people can maybe try and rectify the situation.

The other thing that comes to mind is comments that we hear over and over again about capacity or availability of housing and what people try and achieve with the family transfer. Right now we have an ordinance on the books that affords for family transfer. On this particular lot we have two particular lots that were approved that never were fully executed but we also in our new code that we just approved have a provision for accessory dwelling on an individual lot. We have that in our code right now, where you could have – and I think we even tweaked the language some before our final approval and made a note inside our language and talked about accessory dwellings for family. I think we even went that far and had some discussion about that. I think the wording in our code said something to the effect that with the intent – if I remember it correctly, Penny, and correct me if I'm wrong, but the intent of that Section of the ordinance was that that accessory dwelling would be for a family member. That was the intent.

All those things being said, if we have an ordinance that we ask as a County to put forward, my perspective has always been we should be cautious to approve ordinances that we ourselves can go find out or can check and see if there's been violations. And it's a balance because mostly it's reactionary. Mostly it comes by chance or it comes by somebody trying to come in and do something else. That being said I don't see malicious intent in what happened in this case at all. And I also know the area and am familiar with

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the area and that if we did do some methodical review of the area and said we're going to look at all the lots in this whole Section we would be embroiled in an issue that probably the County's never seen if we started saying now we're going to start taking houses down, one by one methodically. If we did that in any Section we would engage ourselves in that kind of determination.

And I'm going to go on a little bit, Mr. Chair. I'm going to go on a little bit, because the other thing that comes to mind is our water ordinance. There's people in La Cienega that have concerns about water use and consumption. And there are some provisions that we put forward, the County, before I sat on this bench. Before my predecessor and their predecessors sat on this bench, there were subdivisions that were approved by the County that said when the County water line gets to within 200 feet or whatever the proximity – I don't remember. Penny, what is it? What are those general provisions? A couple hundred feet?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Anaya, I believe it was 200 feet.

COMMISSIONER ANAYA: 200 feet. So whenever a water's got within 200 feet of a residence, that that residence then had to hook up to the County utility. So here we are now decades in some cases later and we're raising those questions as a Commission, all of us. We're having that discussion not just in La Cienega. We're bringing it up and saying, we've got to figure out how to come to grips with this and we've got to figure out a way to do what? To not just have the requirement but to figure out a way to complement the requirement and help get the hookup established.

So it's easy on the one hand to say hook up and require someone to hook up, what's hard is there wasn't a whole lot of discussion at the time as how are you going to hook them up and who's going to pay for it? So now what I hear is the same. We need to hook into the County utility, which I agree with, but we can't just blindly say, go hook up, sir. That's your responsibility and your obligation. We need to provide some coordinating mechanism to help make that happen. That's the way I see it.

And so for this case can I sit here in good conscience and say we're going to start today? We're going to start today with Mr. Lujan and today with Mr. Lujan we're going to send a message and we're going to go and we're going to take away one of those houses, or two of those houses, and make him go take them away? Because I could do that in good conscience because then my next pattern of thought would be that we better sweep the entire county. And one by one, house by house, what? We're going to go into people's yards and areas and start disconnecting and pulling houses up? I don't think so.

I couldn't do it. I couldn't do it. But what I will say, and I will say it emphatically and we have the opportunity now, and today in an earlier part of our meeting we were talking about procedures and we were talking about practices in the new code and the new opportunity. We have an opportunity now to set the bar and say, no more, in the new code. We have an opportunity to say whereas we may have worked through an issue or provided a mechanism for people to get out of a requirement, I don't have any other way to say it, but moving forward we can set the bar and say we're going to do periodic reviews of areas and we're going to provide the staff that the Land Use Department needs to do that and we're going to catch these things in a more holistic way rather than a case by case basis where some individual may get hurt and another individual may not because nobody found out.

## D R A F T

So that's where I think we need work and actually that's why I think we have an opportunity as we go forward with the new code for new things to make those changes. But now, can I sit here in good conscience listening to individuals that came forward and the intent, three family members on this parcel and say now is the time that we start with you? I can't do that.

So I see the conditions before me that I believe are well thought out and when the time's right I'm going to make a motion. In the interests of my colleagues I'm going to defer and let my colleagues do what they feel is appropriate but I'm prepared to make a motion, Mr. Chair, when the time is appropriate.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: Well, I think, Commissioner Anaya, I think the time is now for the motion. I think that you can make a motion and there could be a second and we could further the discussion. I may even make a motion if you're not, and the motion would be to approve with conditions and I was not suggesting that we start with this case in removing houses from properties. I'm just pointing to a situation that variances after variance after variance, it's a slippery slope. And so if you say, yes to one and no to the other, then yes, you cause some problems. And so I think that we really haven't had a discussion about variances. We're now starting to have a discussion about variances because I think we see the impact. We're now starting to see the consequence of the variances that have been approved to date. And we see a pattern of that on the Commission. I don't think that we can take full responsibility for setting that pattern in motion but it's a pattern that we're going to have to deal with. And I think that you're right, in the new code we hopefully will have the mechanism so that we can thoughtfully approved land use cases that increase density without having to do as many variances as we have in the past.

When you talk about code enforcement, all of our code enforcement is complaint driven. It's on an honor system. That means that if you're supposed to be doing the speed limit, it's 25 miles an hour, it's up to you, the driver to do the speed limit. If you're supposed to have your dog on a leash it's the owner's responsibility. If you have a piece of property and you're making improvements on that property, whether you like it or not, whether I like it or not, I'm supposed to get a permit. It's easy to say, well, the solar guy got a permit and now I'm in trouble. Well, the solar guy didn't ask for the family transfer. The solar guy wouldn't have been there if the owner wouldn't have asked the solar person to go do work on that property. So you can't – it's a series of events that led to where we are today.

And so I agree with the reason and the intent behind the family transfer. I understand the reason and the intent in increasing the density to benefit family members but the consequences in increasing that density will still be there. We can't ignore that. And I just – I have to point that out in each and all of these cases. So, Commissioner Anaya, having had that discussion and raised those questions, I know we can't go back. I'm not suggesting that we tear down one of those houses, but I'm suggesting that we need to be careful in how we move forward so that we don't have to continually regress into this kind of a discussion, after the fact, after the fact.

And so looking at the situation, I agree with you, it has to be case by case but the issues still have to be raised. We still have to have the discussion. So I'm comfortable with the conditions of approval. There's a motion on the floor if you're comfortable in a

# D R A F T

second I would hope for a second and we could continue the discussion and I think we should read the conditions of approval into the record. I made a motion.

COMMISSIONER ANAYA: Mr. Chair, I'd second Commissioner Chavez' motion to approve with conditions.

CHAIR MAYFIELD: [inaudible]

COMMISSIONER CHAVEZ: Under discussion.

CHAIR MAYFIELD: [inaudible] So staff, as far as the conditions, the applicant must [inaudible] Mr. Romero, explain that to me please.

MR. ROMERO: So we're looking at condition #2, correct, Mr. Chair?

CHAIR MAYFIELD: Yes, sir.

MR. ROMERO: Okay. So essentially, the applicant will not have to get a development permit for the residence that was created right after the purchase of the lot in 1977. However, everything on afterwards that was developed on the property would need to get a permit, an after-the-fact permit from our department. That is what is required by our code. I'm not too sure if –

CHAIR MAYFIELD: So, Mr. Romero, I guess my question is, an after-the-fact permit, staff could potentially still deny that after-the-fact permit, could they not?

MR. ROMERO: Mr. Chair, Commissioner, if you guys approve this variance with staff conditions, and at that point, we would allow the applicants to come in and apply for development permits. They would have to complete the development permit application which requires paperwork, including a site plan, elevations of what's on the property and so forth. At that point in time, Code Enforcement will go back out there once the applicant submits the development permit application. I've already spoken with the Lujans as to what we're going to look for, as far as any junked vehicles that are going to be on the property, then we will look at that and we'll work with the applicant to assure that after this process has been approved that the application process is something that can be done – I think what we asked was 90 days.

So approve with conditions, staff will make sure that the applicant, once he submits the application for new developments on the property – additions, accessory structures, additional homes, get permitted and we'll work with the applicant on that.

CHAIR MAYFIELD: And Mr. Romero, if they applicant had to hire somebody to help them with this, can that be accomplished within your 90-day window?

MR. ROMERO: I don't see why now, Mr. Chair.

CHAIR MAYFIELD: You're talking about elevations, site elevations. I mean, they may have to hire professional services to complete this task.

MR. ROMERO: It would be something that the applicants can do themselves. It may be said that the applicant would have to hire someone to do this. At this point in time this would be up to the chain of command to decide whether or not this 90 days would comply with the applicants. If 90 days is not reached that's going to be up to my supervisor to make that determination, whether or not they may need more time. But I think up until that point, up until we do have a problem that way I think we're looking at the 90-day for the applicant. The applicant shall comply with all conditions including the 90 days. So if the applicant comes in, submits the application, we're willing to work with the applicants to get this out. And we'd be willing to work with the applicants.

# D R A F T

CHAIR MAYFIELD: I'm going to defer to Ms. Ellis-Green. Ms. Ellis-Green.

MS. ELLIS-GREEN: Mr. Chair, Commissioners, we have individuals all the time make their own application for mobile homes. These are two mobile homes that need to be permitted. Really, they're not, at that point you're kind of hand-drawing them yourself. You can estimate heights, widths, you can measure those. It's not an overly burdensome application process that you would need to have an architect, for example, draw up a permit for a mobile home.

The one issue that I would raise is on condition #5 is that all junk vehicles, litter and debris must be removed from the property, that had been an issue in 1991, still is an issue, so again, we would want to see that there had been substantial progress within the 90 days, but if Code Enforcement came to me and said the applicants are trying to clean up but they've had to hire whoever to remove some of these vehicles or whatever, as long as we're seeing progress we can still work with somebody.

CHAIR MAYFIELD: Thank you. Commissioner Chavez, please.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I wanted to as part of my motion and part of the second for discussion read into the minutes the conditions of approval.

[The conditions are as follows:]

1. Water use shall be restricted to 0.25 acre-feet per year per home. So that's three meters. A water meter shall be installed for each residence. That's three meters. Annual water meter readings shall be submitted to the Land Use Administrator by January 1<sup>st</sup> of each year. Water restrictions shall be recorded in the County Clerk's Office as per Article III, Section 10.2.2 and Ordinance 2002-13.
  2. The Applicant must obtain a development permit from the Building and Development Services Department for all structures on the property as per Article II, Section 2. As staff just stated earlier it doesn't have to be a real complicated, sophisticated architectural rendering. It could be a simple, hand-rendered scale drawing.
  3. The placement of additional dwelling units or division of land is prohibited on the property as Per Article III, Section 10.
  4. The Applicant shall comply with all Fire Prevention Division requirements at time of Development Permit Application as per 1997 Fire Code and 1997 Life Safety Code.
  5. All junk vehicles, litter and debris must be removed from the property.
- Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioner Chavez.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I'm going to turn my chair towards my colleague over and just say this. Commissioner Chavez, if there's one thing that – and trust me, sitting on this Board of County Commission bench in the last 3 ½ years is not where I cut my teeth in working with boards and committees. It started in Galisteo, in a small village in the fire department and the water association and church organizations and many others. But what I will say to you is that my comments aren't to take away anything of what my colleague, Commissioner Chavez or Commissioner

## D R A F T

Mayfield or Holian or Stefanics might say, but my comments are made to be clear on what I say from my perspective. I have a great deal of respect for all of my colleagues, even though from time to time we have different perspectives.

I actually concur very much that we can't just continually follow a similar path and pattern of issues around land use and look the other way and pretend we're going to get anywhere. We truly do have an opportunity with the new code and we truly do have an opportunity to be – and I like the point you bring up about traffic citations and permits. We're obligated under law to drive the speed limit and we have individual decisions and choices we make all the time. But there are times within laws like that where there are pro-active approaches that are taken by those organizations to say, you know, here's some outreach we're going to try and do and some coordination to try and figure out how we might progress or reduce the number of [inaudible]. There's pro-active things that entities can do aside from an ordinance or a law itself.

So I appreciate Commissioner Chavez and I know that from time to time in the delivery of our thought that maybe we try and impose our rule or impose our thought on someone else. In no way, in no way was that my intent. I just want to, from my perspective, Commissioner, Mr. Chair, Commissioner Chavez, want to convey that we have to be balanced and I didn't hear him say that he wanted to start with Mr. Lujan but I don't want us to start with Mr. Lujan. I want to figure out how to work through it. So I think the conditions – I'll note on the conditions, when things like this do happen it's not a complete negative aspect. I'll say that. There's meters that are going to be put on the three houses and a 1977 well permit – and what's the term for those well permits, Commissioner Mayfield? You know the term.

CHAIR MAYFIELD: 72-12.

COMMISSIONER ANAYA: A 72-12. On a 72-12 well, especially from 1977 we had provisions that could allow Mr. Lujan or an individual holding that permit to use up to three acre-feet of water. So in this action if well meters are put on it, which they are required to and they will be, Mr. Lujan, if this passes, then we do have a mechanism that we didn't have before to assure that there's an opportunity for the family to continue living there but also to protect the natural resource. So I think that's an important point.

And on fire code, I'll say this to Mr. Patty because he's here a lot, but a lot of times the Fire Department takes the brunt of a lot of heat from the Commission asking tough questions but the intent always on the part of the Commission and the part of staff – Penny and the rest of the staff, is the best interests of the people and trying to figure out how best do we provide the safety and the mechanism for safety to save lives.

And so I've said enough but I fully respect your comments, Commissioner Chavez, as yours, Mr. Chair, and I'll gladly second and gladly appreciate the conditions read in. That's all I had, Mr. Chair.

CHAIR MAYFIELD: Thank you, and I just appreciate all of the comments by both my colleagues and we're just going to move this case forward. Please, Ms. Ellis-Green

MS. ELLIS-GREEN: Mr. Chair, Commissioners, I just wanted clarification. Commissioner Chavez read in conditions 1 through 5 but not #6. Was the intent to not include #6? Which is the 90-day period?

COMMISSIONER CHAVEZ: No. I just overlooked that. But, no, I think

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the 90-day time period is fine. Staff did say that they're more than willing to work with the applicant. If it exceeds the 90 days it's not going to be the end of the world but we know that the conditions will stay and that you'll work with the applicant. So all six conditions of approval.

CHAIR MAYFIELD: Commissioners, let me just ask one question. Mr. and Mrs. Lujan, are you aware of these conditions as they were read in by Commissioner Chavez and staff and that they're asking that they be complied with in 90 days? If there is a hardship, that staff will try to adjust and work with you on that, but they are asking that there is compliance with these within 90 days? Are you in agreement with that if this is approved today?

MR. LUJAN: Yes, sir.

CHAIR MAYFIELD: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, and maybe Commissioner Chavez, maybe this is an opportunity to take some proactive steps. Ms. Ellis-Green, what I would like as we're going forward with land use decisions is -- and it may take some time to compile the older ones, but going forward from now if we issue conditions and we get to the end of these terms of time, I think it's important for the County Commission to be aware of what's being upheld and what's not being done. So maybe we could put some triggers in place and maybe we could come up with a simple spreadsheet that articulates somebody coming to the end of a compliance period, so that you could stand up before us or one of your staff and say we have this land use case and this land use case and this particular individual in Stanley or wherever it is hasn't done anything. They haven't fulfilled any of the requirements. They haven't worked with us. And that way we're aware of it and if need be we might need to take some action. I think that may be a trigger for the Commission and as we've talked, all of us and Commissioner Chavez bringing it up, to then be doing a little more pro-active work.

MS. ELLIS-GREEN: Mr. Chair, Commissioner, absolutely we can do that. Maybe what we can start with is looking back for the last year. I submit to the Board a monthly gross management report and we can add that to the growth management report either in the report or as an attached spreadsheet stating the case number, what the time frame was and whether or not it's been complied with.

COMMISSIONER ANAYA: Mr. Chair, thank you, Ms. Ellis-Green, because I would add we're looking at a case from 1991 and I don't see anything else in there, and I'm not picking on anybody, but if we said in the initial process whereby applicants when they would come in would understand what their expectations are of what they're supposed to do, but they may be [inaudible] follow-up, then I think we're going to have less and less non-compliance over time. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioner Anaya. We have a motion and second on the floor. All those in favor of the motion in front of us as stated with staff conditions signify by saying aye.

**The motion passed by unanimous [3-0] voice vote.**



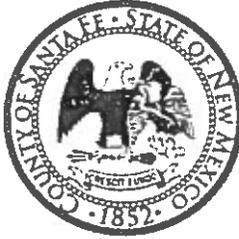




**Daniel "Danny" Mayfield**  
*Commissioner, District 1*

**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

**To:** Santa Fe County Board of County Commissioners

**From:** Teresa C. Martinez, Finance Division Director

**Via:** Katherine Miller, County Manager

**Date:** April 16, 2014

**Re: Request Authorization Of The Use Of District 3 Capital Funds, Per Capital Outlay Policy, Allocating \$115,000 For Various Projects Related to Fire Stations. (Finance/Teresa Martinez)**

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### BACKGROUND

The Board of County Commissioners previously reviewed and approved the Capital Improvement Plan. The Plan allocated \$200,000 to each commission district to be used for capital projects within each respective district.

### ISSUE

In FY 2014, the funds were directly budgeted into a unique cost center for each commission district. The budget established includes the annual allocation of \$200,000 and the carryover of any unspent funds from the previous fiscal year. The Finance Division will continue to maintain a separate spreadsheet that details each capital project by commission district.

### SUMMARY

The Public Works Department is requesting funding for the following projects:

- |                                 |          |  |
|---------------------------------|----------|--|
| • Stanley Fire District         | \$30,000 | Fire Station Improvements                            |
| • Turquoise Trail Fire District | \$20,000 | Fire Stations Improvements                           |
| • Madrid Fire District          | \$15,000 | Fire Protection Water System Improvements            |
| • Edgewood Fire District        | \$30,000 | Fire Station Paving Project                          |
| • Galisteo Fire District        | \$20,000 | Design and Construction of Fire Station Improvements |

The Finance Department requests BCC authorization for the use of District 3 capital funds, per Capital Outlay policy allocating \$115,000 for improvement projects at various fire stations.

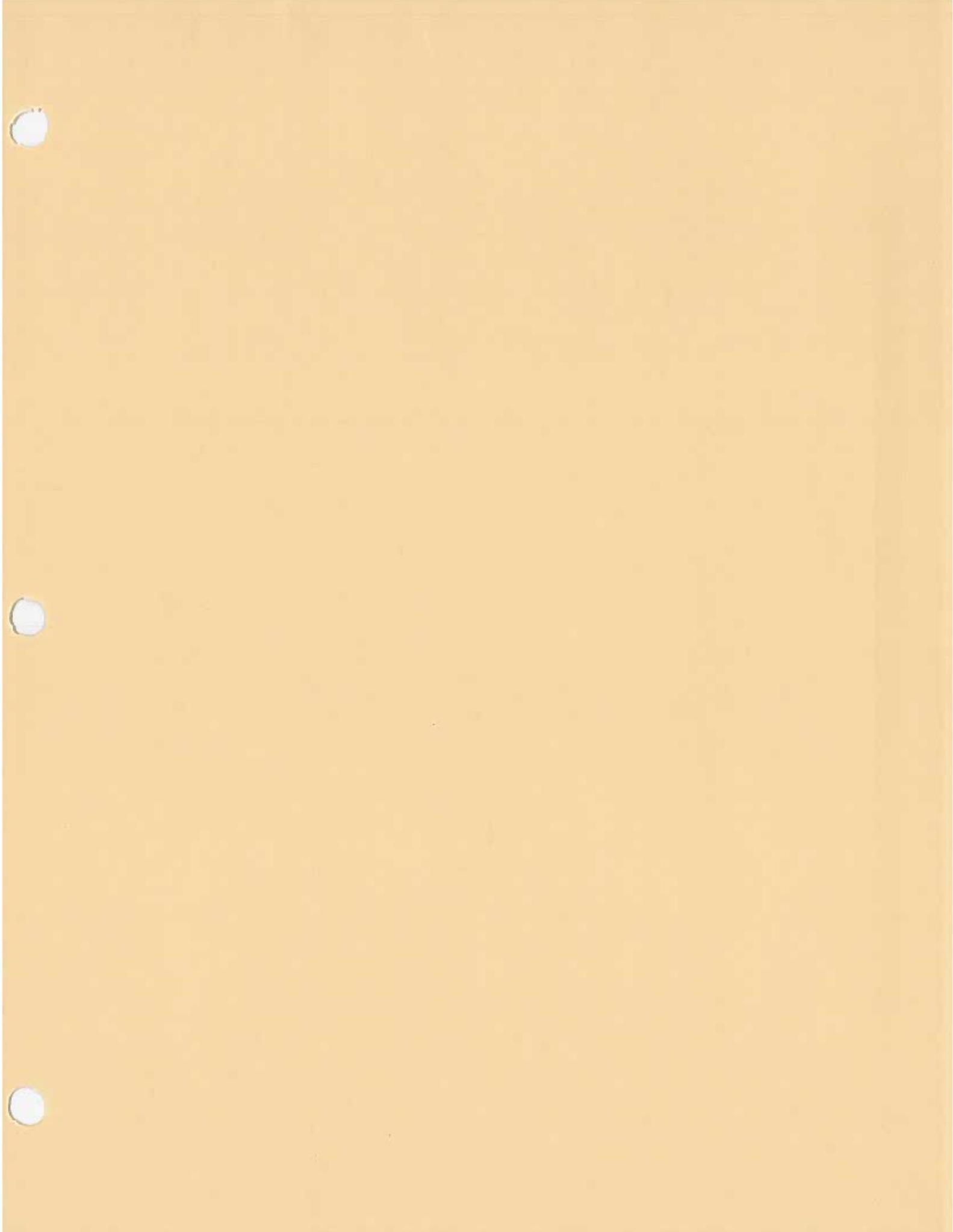






**NO PACKET MATERIAL FOR THIS ITEM**







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: Teresa C. Martinez, Finance Division Director  
Through: Katherine Miller, County Manager  
Date: April 29, 2014  
RE: Multiple Sclerosis Awareness Week Proclamation

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### ISSUE

Staff of the Finance Division on behalf of Commissioner Holian is seeking approval of a proclamation recognizing Multiple Sclerosis (MS) Awareness Week. MS Awareness Week was recognized on March 3rd through 9, 2014.

### BACKGROUND

Multiple sclerosis is a chronic, unpredictable disease of the central nervous system (the brain, optic nerves, and spinal cord). It is thought to be an autoimmune disorder, which means the immune system incorrectly attacks the person's healthy tissue. MS can cause blurred vision, loss of balance, poor coordination, slurred speech, tremors, numbness, extreme fatigue, problems with memory and concentration, paralysis, and blindness and more. These problems may be permanent or may come and go.

Most people are diagnosed between the ages of 20 and 50, although individuals as young as 2 and as old as 75 have developed it. MS is not considered a fatal disease as the vast majority of people with it live a normal life-span. But they may struggle to live as productively as they desire, often facing increasing limitations.

Join the Movement to create a world free of MS. If you want to support or participate in the MS Walk scheduled for May 3rd at the Santa Fe Railyard Park, join the Santa Fe County Team and help support your co-workers living with MS. Show your support by participating in the walk, or donating to a County employee registered to walk. Your contribution is helping to fund cutting-edge research, drive change through advocacy, facilitate professional education, and provide programs and services to help people living with MS and their families.

RECOMMENDATION

The Finance Division and Commissioner Holian seek board approval for the MS Awareness Week Proclamation that took place during the week of March 3rd through 9th, 2014.

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## *Santa Fe County Proclamation*

*Introduced by Commissioner Kathy Holian*

### **TO RECOGNIZE MARCH 3 THROUGH 9, 2014 AS MULTIPLE SCLEROSIS AWARENESS WEEK**

WHEREAS, multiple sclerosis (MS), an unpredictable and often disabling disease of the central nervous system, interrupts the flow of information between the brain and the body;

WHEREAS, more than 2.3 million people are affected by MS worldwide;

WHEREAS, every hour, someone in the United States is diagnosed with MS;

WHEREAS, the National Multiple Sclerosis Society of New Mexico reports that more than 2,900 people are living with MS in New Mexico and that more than 400,000 people are affected nationwide;

WHEREAS, MS generally strikes adults between the ages of 25 and 50, with at least 2-3 women than men being diagnosed with the disease, attacking them in the prime of their lives;

WHEREAS, symptoms range from numbness and tingling to blindness and paralysis; and the progress, severity and specific symptoms of the disease in any one person cannot yet be predicted;

WHEREAS, in 2013, MS research continued to advance on many fronts, including:

- Researchers uncovering 48 new genetic variants associated with MS;
- A phase 1 clinical trial for the first treatment to reset the immune system of MS patients showed that therapy was safe and dramatically reduced patients' immune systems' reactivity to myelin by 50 to 75 percent;
- Progress in restoring functions using innovative rehabilitation techniques, including memory enhancement using a technique involving stories and imagery to solidify learning, and improving balance and mobility with specific exercises; and
- Advances in uncovering MS triggering factors, bringing us closer to finding ways to prevent the disease; and many other advances pushing us closer to a world free of MS.

WHEREAS, the National Multiple Sclerosis Society Rio Grande Chapter has been committed throughout the years to mobilizing people statewide to advocate on behalf of people affected by MS, and is planning several major statewide fundraisers and educational programs to raise MS awareness;

WHEREAS, Walk MS and Bike MS events are scheduled this year throughout New Mexico;

WHEREAS, Santa Fe County is committed to ensuring that there are programs and services in the community to enhance the lives of those with MS, and supports investment in research toward a cause and a cure of MS;

WHEREAS, the Santa Fe County Team will be participating in the MS Walk scheduled for May 3<sup>rd</sup> at the Santa Fe Railyard Park, beginning at 9:00 am;

**NOW THEREFORE**, the Board of Santa Fe County Commission of Santa Fe County hereby proclaims that we recognize:



March 3 through 9, 2014 As

“Multiple Sclerosis Awareness Week”

APPROVED, ADOPTED AND PASSED ON THIS 29<sup>TH</sup> DAY OF

April 2014

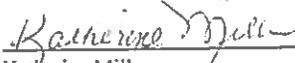
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Daniel “Danny” Mayfield  
Chair, Commissioner, District 1

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Robert A. Anaya  
Vice-Chair, Commissioner, District 3

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Miguel M. Chavez  
Commissioner, District 2

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Kathy Holian  
Commissioner, District 4

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Liz Stefanics  
Commissioner, District 5

  
\_\_\_\_\_  
Katherine Miller  
Santa Fe County Manager

Approved as to form by County Attorney  
Stephen C. Ross

Attest: Geraldine Salazar, Santa Fe County  
Clerk

  
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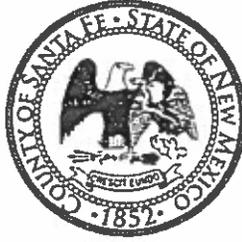




**Daniel "Danny" Mayfield**  
*Commissioner, District 1*

**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: Kathy Holian, District 4  
Liz Stefanics, District 5

Through: Katherine Miller, County Manager

Date: April 29, 2014

RE: A Proclamation Remembering and Honoring Former Representative Max Coll For His Service and Outstanding Contributions To The State Of New Mexico

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**ISSUE**

A proclamation to recognize former State Representative Max Coll for his services as a devoted public servant.

**BACKGROUND**

Max Coll, a state representative who served for 32 years, passed away on March 27, 2014.

Coll was a Roswell native in the oil and gas business and began his legislative career in 1967 as a Republican from Chaves County. After eight years of law school he moved to Santa Fe where he represented District 47 for 24 years, initially as a Republican and then as a Democrat.

His determination and advocacy on behalf of his constituents and the causes in which he believed will be greatly missed.

With this proclamation, we recognize his many contributions.





## Santa Fe County Proclamation

### THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

#### A PROCLAMATION REMEMBERING AND HONORING FORMER REPRESENTATIVE MAX COLL FOR HIS SERVICE AND OUTSTANDING CONTRIBUTIONS TO THE STATE OF NEW MEXICO

WHEREAS, Max Coll was born the eldest of four sons in Roswell, New Mexico, on February 26, 1932, to Max Welton Coll and Lillian Hinkle Coll;

WHEREAS, his grandfather, James F. Hinkle was the Democratic Governor of New Mexico from 1923-1924, and his uncle was a State Senator from Chaves County;

WHEREAS, he graduated from New Mexico Military Institute's Junior College;

WHEREAS, in 2001 he was married to Catherine Joyce-Coll of Santa Fe;

WHEREAS, his family grew to include five children: son Max Coll III ("Tres"); daughter Melanie De Temple; stepdaughter Lisa Wilkens; stepson Brannigan Draic; and stepdaughter Gillian Joyce;

WHEREAS, he worked in the oil and gas industry, but politics became his lifelong career;

WHEREAS, he was elected to the New Mexico House of Representatives representing a Roswell district from 1967 to 1974 as a Republican, and was elected again, this time representing Santa Fe's District 47 from 1980 to 2004;

WHEREAS, after one term as a Republican in District 47, he switched parties in 1983 and thereafter ran as a Democrat;

WHEREAS, he took a six-year break from the Legislature, during which time he received a law degree from the University of New Mexico;

WHEREAS, he served as chairman of the Appropriations and Finance Committee from 1987 until his retirement in 2004;

WHEREAS, his support of social justice and environmental issues was steadfast, yet he remained a fiscal conservative when considering state budgets under five governors from both parties;

WHEREAS, he was never afraid to be at the forefront of sponsoring ground-breaking legislation, including: the first whistleblower law protecting workers who report illegal or suspected illegal activities; an Equal Rights Amendment; a bottle law that would require recycling; and "NewMexicare," a single-payer healthcare system designed after Canada's plan;

WHEREAS, in 2006 Max Coll was declared one of Santa Fe's Living Treasures for his contributions as a citizen and a legislator;

WHEREAS, his determination and advocacy on behalf of his constituents and the causes in which he believed, as well as his loyalty to the legislative institution, will be greatly missed;

WHEREAS, we are saddened by his passing on March 27, 2014, and express our heartfelt condolences to his family, friends, and colleagues.



**NOW THEREFORE, BE IT RESOLVED** that, by this proclamation, the Santa Fe County Board of Commissioners recognizes former State Representative Max Coll for his service as a devoted public servant. We salute his outstanding contributions to Santa Fe County and the great state of New Mexico, and honor him for his commitment to his family, his friends, and his community.

### **State Representative Max Coll**

---

**APPROVED, ADOPTED AND PASSED ON THIS 29th DAY OF APRIL  
2014**

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Daniel Mayfield, Chair  
Commission District 1

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Robert A. Anaya, Vice-Chair  
Commission District 3

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Miguel M. Chavez  
Commission District 2

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Kathy Holian  
Commission District 4

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Commissioner Liz Stefanics  
Commission District 5

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Katherine Miller  
County Manager

**APPROVED AS TO FORM:**

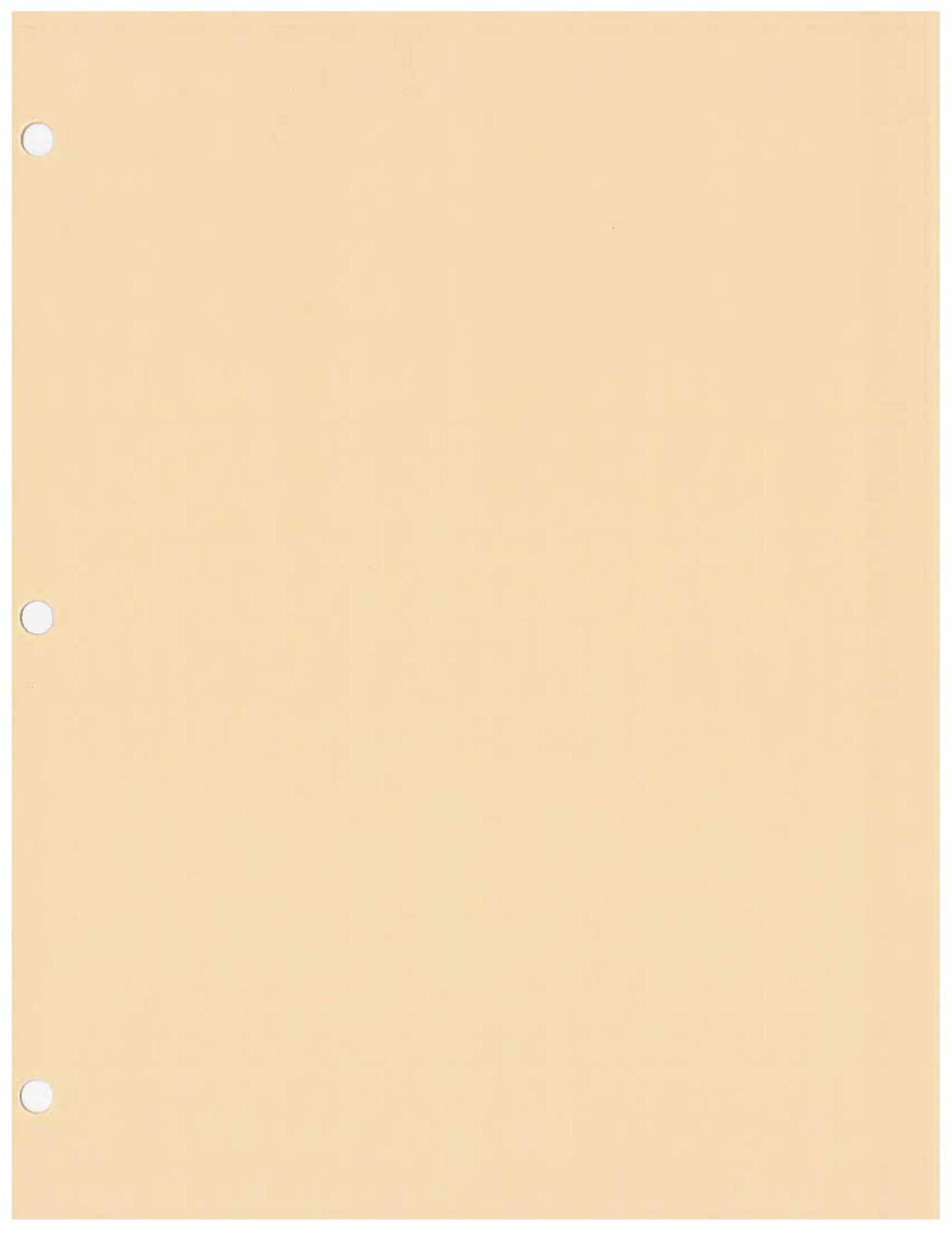
**ATTEST:**

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Rachel Brown, Acting County Attorney

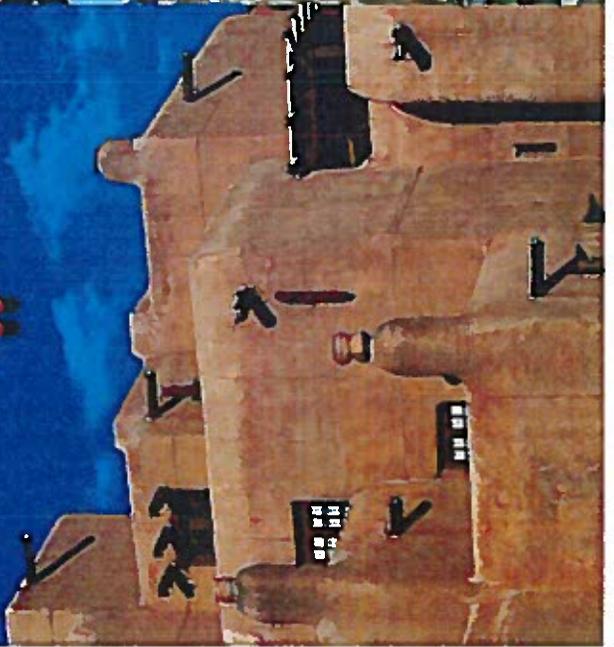
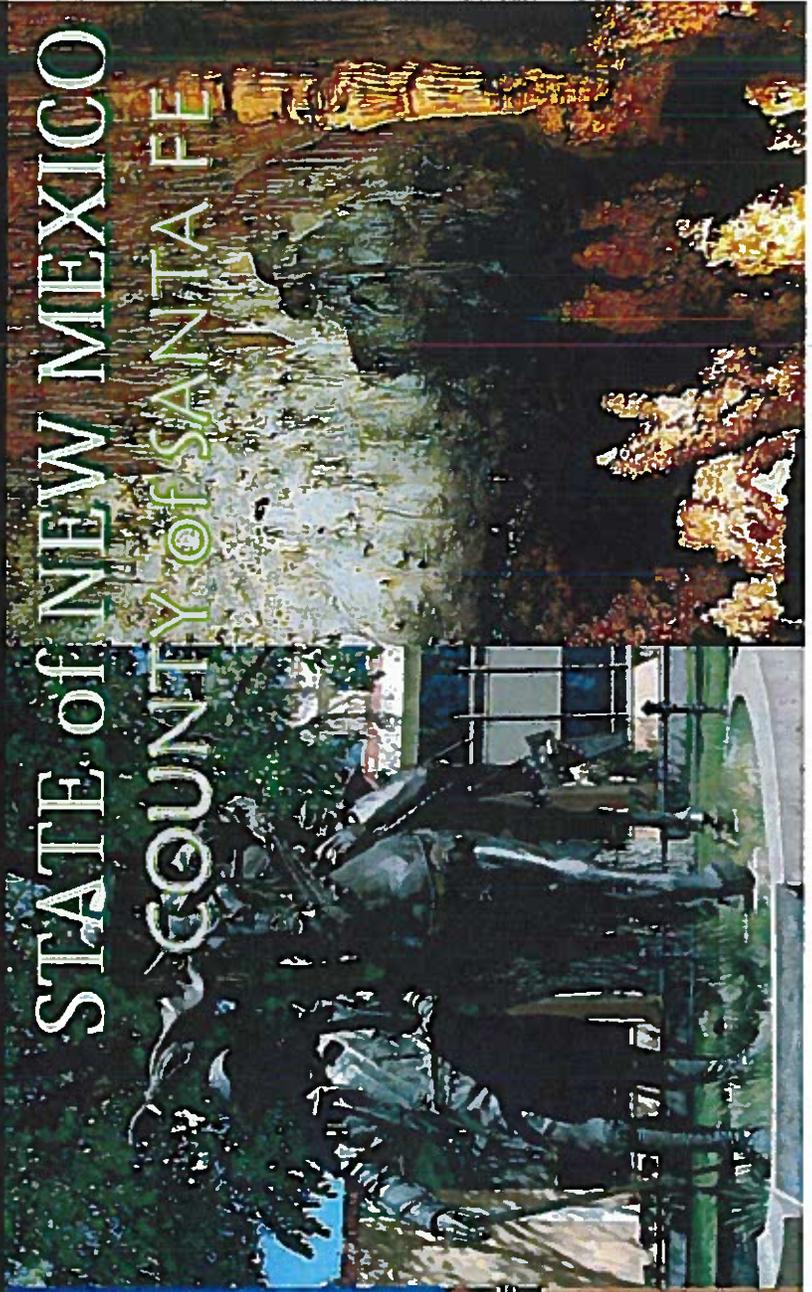
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Geraldine Salazar, County Clerk





# County Treasurer 2014 1st Quarter Report

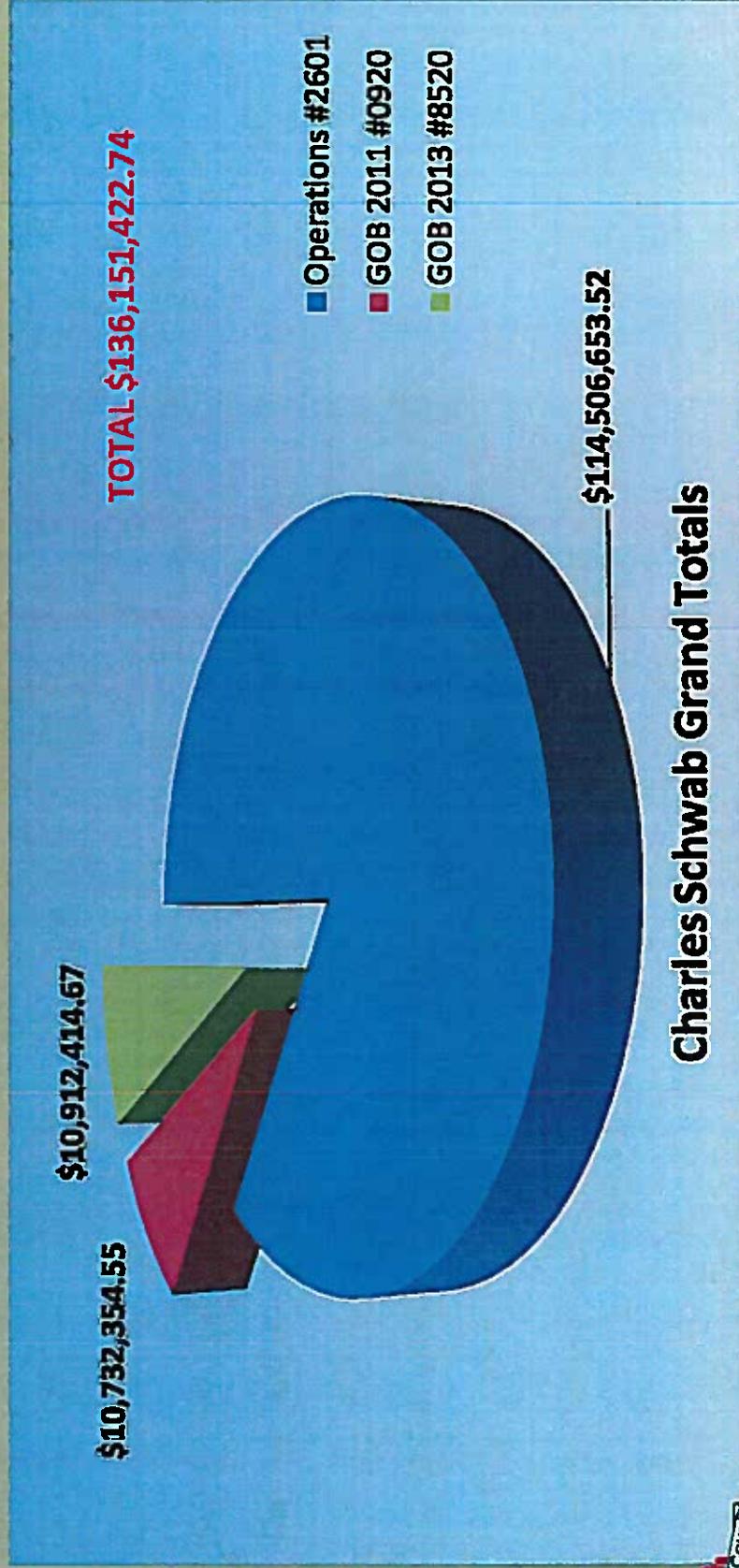


# Santa Fe County Treasurer's Challenges

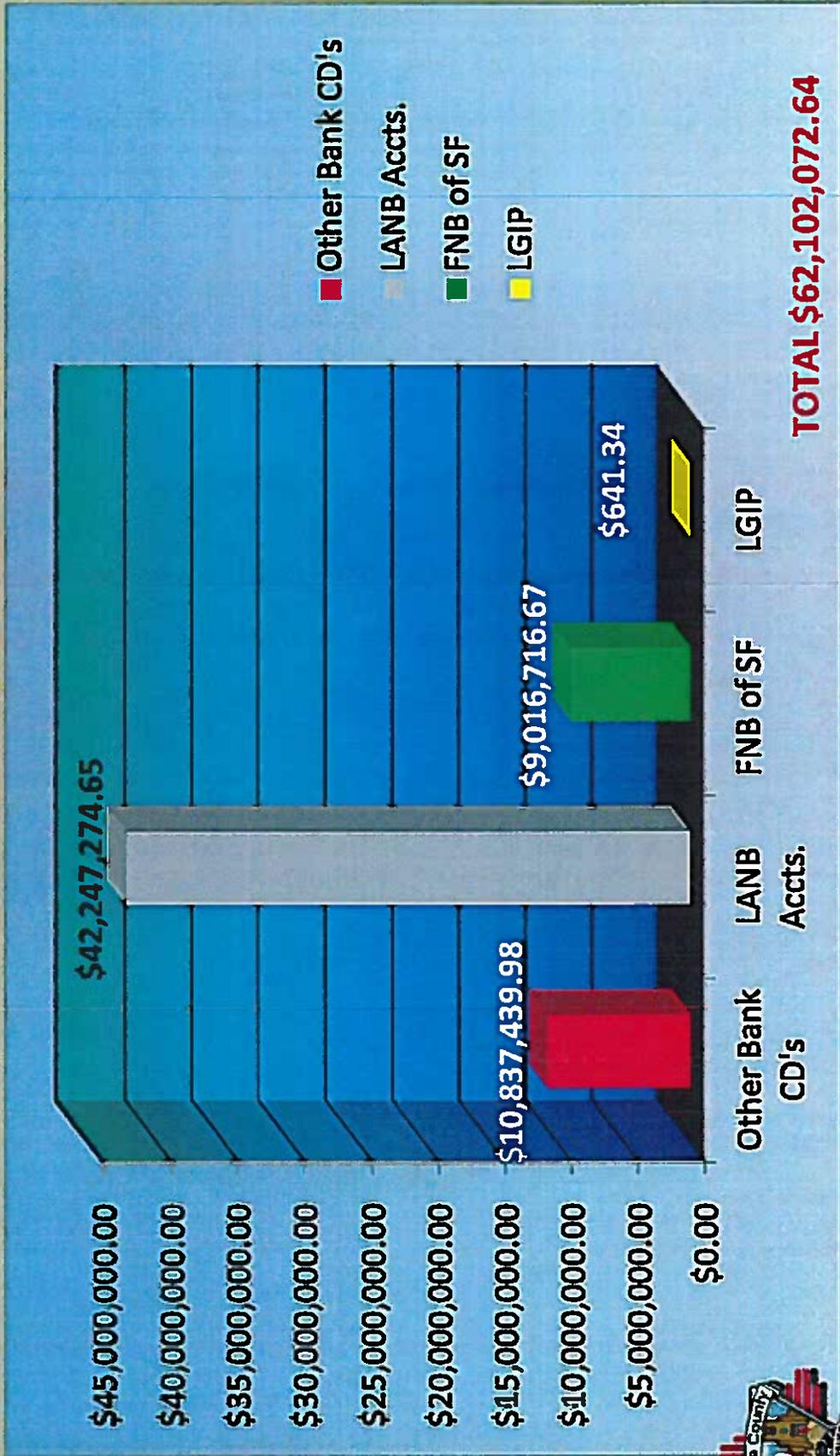
- Volatile market conditions
- Chances of slow upward market
- Ease on Quantitative Easing
- Stale Treasury rates



# Fixed Income Portfolio



# Other Account Balances



# Total Account Balances

as of March 31, 2014

# \$198,253,495.38



COUNTY of SANTA FE STATE of NEW MEXICO

# CDARS

Sold	Wells Fargo - CD, Florida Tampa Primary Cusip #344538AF0	2/17/2010	Trans to C. Schwab	2.75%	5 Yrs.	12/20/2013
Sold	Wells Fargo - CD, Barclays Bk Delaware Wilmington Cusip #06740KDNA	2/24/2010	Trans to G. Schwab	2.75%	5 Yrs.	12/20/2013
Sold	Wells Fargo - CD, Libertyville Bk & TR GO L Cusip # 531554BN2	2/24/2010	Trans to G. Schwab	2.75%	5 Yrs.	12/20/2013
Sold	Wells Fargo - CD, State Bk of the Lakes Antioch IL Cusip #856428AH0	2/24/2010	Trans to G. Schwab	2.75%	5 Yrs.	12/20/2013
Sold	Wells Fargo - CD, GE Capital Financial Cusip #36160XZZ3	12/9/2011	Trans to G. Schwab	1.20%	1 Yr. 3 Mo.	12/20/2013
Sold	Wells Fargo - CD, Discover Bank Greenwood Del Primary #2546703M2	2/8/2012	Trans To C. Schwab	1.75%	5 Years	12/18/2013
Sold	Wells Fargo - CD, State Bank of India Cusip #856284E34	4/27/2012	Trans to G. Schwab	2.00%	5 Years	12/18/2013
Sold	Wells Fargo - CD, Goldman Sachs Bank Cusip #38143AQV0	4/25/2012	Trans to G. Schwab	1.85%	5 Years	12/18/2013
Sold	Wells Fargo - CD, American Express Centurion Cusip # 02587DKP2	7/26/2012	Trans to G. Schwab	1.70%	5 Years	12/18/2013
Sold	Wells Fargo - CD, Sallie Mae Bank Cusip # 795450NV3	8/15/2012	Trans to G. Schwab	1.75%	5 Years	12/18/2013

**\*Investment committee approval to sell in November 2013 only at par or above.**

**\$1,892,000 face value sold at above par with \$21,011.18 gain**



COUNTY of SANTA FE STATE of NEW MEXICO

# Current Investment Schedule



## Santa Fe County Investment Schedule - CDs and Savings Accounts Patrick "Pat" Varela Treasurer

### CERTIFICATES OF DEPOSIT

Security Description	Purchase Date	Invested Amount	Effective Annual Interest Rate	Term
Goedelupe Credit Union - CD - #11034000	5/1/2013	\$ 250,000.00	1.14%	27 Months
Community Bank - CD # 701477-Santa Fe	12/1/2013	\$ 250,000.00	0.45%	7 Months
Charter Bank - AKA Washington Federal CD # 61032161-Santa Fe	4/2/2012	\$ 250,000.00	0.95%	2 Years
New Mexico Bank & Trust - CD - # 132001340	10/18/2013	\$ 248,000.00	0.30%	18 Months
BMO Harris Bank NA - CUSIP #05573JRK2	8/16/2013	\$ 250,000.00	1%-3.5%	60 Month
<b>SUB-TOTAL MISCELLANEOUS CERTIFICATES OF DEPOSIT</b>		<b>\$ 1,248,000.00</b>		
<b>CD &amp; SAVINGS ACCOUNTS AT LOS ALAMOS NATIONAL BANK</b>				
Los Alamos National Bank-Acct #011803620 Universal Savings Acct. Post Cash	5/4/2009	\$ 17.17	0.01%	N/A
Los Alamos National Bank-Acct #0118078520-GRT 2009. Water Rights Cap	10/21/2009	\$ 58,965.01	0.01%	N/A
Los Alamos National Bank-Acct #0118078220-File Protection Revenue Bond	12/3/2009	\$ 0.23	0.01%	N/A
Los Alamos National Bank-Acct #0118077020-Road Projects Account	12/3/2009	\$ 95,431.34	0.01%	N/A
Los Alamos National Bank-Acct #0118074920-GOB Open Space	12/3/2009	\$ 1.10	0.01%	N/A
Los Alamos National Bank-Acct #0118078720-GOB Series 2005 A	12/3/2009	\$ 710,517.23	0.01%	N/A
Los Alamos National Bank-Acct #0118080020-GOB Series 2007 B	12/3/2009	\$ 293,429.01	0.01%	N/A
Los Alamos National Bank-Acct #0118081920-GRT 2006 Judicial Rev. Bond	12/3/2009	\$ 431,694.20	0.01%	N/A
Los Alamos National Bank-Acct #0118082720-SF Affordable Housing Fund	12/3/2009	\$ 1,805,205.28	0.01%	N/A
Los Alamos National Bank-Acct #0121009220-GRT 1 Cap. Series 2010 A&B Buck	5/1/2010	\$ 21,325.60	0.01%	N/A
Los Alamos National Bank-Acct #12386920-GOB 2009 Series	7/1/2010	\$ 1,327,594.24	0.50%	N/A
Los Alamos National Bank-Acct #0118083621-Fac. Bond 1997 Proc.-Savings Acct.	8/30/2010	\$ 55,571.02	0.01%	N/A
Los Alamos National Bank-Acct #0118083622-GOB Series 2001 A-Savings Acct.	8/30/2010	\$ 8,642.58	0.01%	N/A
Los Alamos National Bank-Acct #0118083623-GOB Series 2007 A-Savings Acct.	8/30/2010	\$ 2.15	0.01%	N/A
Los Alamos National Bank-Acct #0118081921-GRT 2008 Jud. Rev. Bond-Sav	8/30/2010	\$ 1,775.23	0.01%	N/A
Los Alamos National Bank-Acct #0127419825 Ph II 2008 GOB Buckman	11/1/2010	\$ 28,239.02	0.01%	N/A
Los Alamos National Bank-Acct #0131770920 GOB - 2011 Refunding Series	4/13/2011	\$ 6,278,115.99	2.50%	319 Mo.
Los Alamos National Bank-Acct #0128128330 SFC Studios Guarantee	10/26/2010	\$ 2,000.00	0.00%	N/A
Los Alamos National Bank-Acct #013201501 Fire Department Account	7/13/2011	\$ 1,000.00	0.00%	N/A
Los Alamos National Bank-Acct #0136415401 County Manager's Account	10/14/2011	\$ 15,479.65	0.00%	N/A
Los Alamos National Bank-Acct #0136492801 SFC Region III HIDTA	10/17/2011	\$ 7,192.20	0.00%	N/A
Los Alamos National Bank-Acct #0136492801 SFC Region III JAG	10/17/2011	\$ 2,000.00	0.00%	N/A
Los Alamos National Bank-Acct #0151052501 Corrections Maintenance Debit Acct.	4/1/2013	\$ 12,081.17	0.00%	N/A
Los Alamos National Bank-Acct #0151052501 Flexible Spending Trust Acct.	12/8/2013	\$ 12,081.17	0.00%	N/A
Los Alamos National Bank-Acct #0145213401 SFC Housing Authority	8/7/2012	\$ 8,632,900.69	0.50%	N/A
Los Alamos National Bank-Acct #0153478520 GOB 2013 Series A	6/6/2013	\$ 513.72	0.01%	N/A
<b>LANB CERTIFICATES OF DEPOSIT &amp; SAVINGS ACCOUNTS</b>		<b>\$ 19,588,703.82</b>		
<b>FIRST NATIONAL BANK OF SANTA FE</b>				
GOB 2013 Series MMISA # 197035055	9/25/2013	\$ 8,803,436.44	0.1%/Var.	N/A
Liquid Money Market Account #108543421	1/2/2013	\$ 3,013,280.23	0.1%/Var.	N/A
<b>TOTAL CERTIFICATES OF DEPOSIT &amp; SAVINGS ACCOUNTS</b>		<b>\$ 29,654,428.89</b>		



# Current Investment Schedule

## Cont.



### Santa Fe County Investment Schedule - Operational Account

#### Patrick "Pat" Varela Treasurer



Security Description	Purchase Date	Invested Amount	Effective Annual Interest Rate	Term	Maturity Date	Interest Check to be Paid
<b>CHARLES SCHWAB INVESTMENT IN GOVERNMENT AGENCIES (BONDS) AND T-BILLS</b>						
Called	Freddie Mac Bond-Cusip #3134039R7 GRT GOB 2011 Refund Account #0920 Wells Fargo S	5/4/2011	Trans to C. Schwab	2.250%	6 Yrs. 10 Mo.	3/13/2014 Semi-Annual
Called	SUB-TOTAL CHARLES SCHWAB & CO., INC HOLDINGS					
		\$				
<b>CHARLES SCHWAB</b>						
Freddie Mac Bond-Cusip #313403C32 (2601 Acct.)	8/22/2012	\$ 999,000.00	1.50%	7 Years 3 Mo.	11/22/2019	Semi-Annual
Freddie Mac Bond-Cusip #313403F54 (2601 Acct.)	8/27/2012	\$ 654,017.50	1.52%	7 Years	8/27/2019	Semi-Annual
Fannie Mae Bond-Cusip #3136FPAB3 (2601 Acct.)	8/18/2010	\$ 1,000,000.00	2.00%	5 Years	8/18/2015	Semi-Annual
Freddie Mac Bond-Cusip #313403TM2 (2601 Acct.)	3/28/2012	Trans to C. Schwab	1.40%	6 Years	3/28/2014	Semi-Annual
Freddie Mac Bond-Cusip #313403XG0 (2601 Acct.)	6/28/2012	\$1,496,250.00	1.50%	7 Years	6/28/2017	Semi-Annual
Freddie Mac Bond-Cusip #313403XH8 (2601 Acct.)	6/28/2012	\$1,500,000.00	1.13%	5 Years	6/28/2017	Semi-Annual
Fannie Mae Bond-Cusip #3136G0TM3 (2601 Acct.)	8/2/2012	\$ 500,194.44	2.00%	8 Years 10 Mo.	10/25/2021	Semi-Annual
Federal Home Loan Bank Bond-Cusip #313380D87 (2601 Acct.)	8/8/2012	\$ 500,000.00	2.25%	10 Years	8/8/2022	Semi-Annual
Fannie Mae Bond-Cusip #3136G0VE9 (2601 Acct.)	8/20/2012	\$ 992,000.00	2.33%	12 Years 3 Mo.	11/20/2024	Semi-Annual
Freddie Mac Bond-Cusip #313403C32 (2601 Acct.)	8/21/2012	\$ 500,000.00	2.55%	13 Years 3 Mo.	11/21/2025	Semi-Annual
Freddie Mac Bond-Cusip #313403C32 (2601 Acct.)	8/22/2012	\$ 998,000.00	1.53%	7 Years 3 Mo.	11/22/2019	Semi-Annual
Federal Home Loan Bank Bond-Cusip #313380PA9 (2601 Acct.)	9/27/2012	\$ 1,000,000.00	3.00%	15 Years	9/27/2027	Semi-Annual
Fannie Mae Bond-Cusip #313560PUI (2601 Acct.)	10/11/2012	\$ 1,000,000.00	1.00%	5 Years	10/11/2017	Semi-Annual
Federal Home Loan Bank Bond-Cusip #313380TJ6 (2601 Acct.)	10/11/2012	\$ 1,000,000.00	1.50%	10 Years	10/11/2022	Semi-Annual
Federal Home Loan Bank Bond-Cusip #313380SK4 (2601 Acct.)	10/15/2012	\$ 1,000,000.00	2.20%	9 Years	10/15/2021	Semi-Annual
Federal Home Loan Bank Bond-Cusip #313381B95 (2601 Acct.)	11/27/2012	\$ 1,000,441.67	2.65%	13 Years	11/27/2025	Semi-Annual
Federal Home Loan Bank Bond-Cusip #313381B33 (2601 Acct.)	11/29/2012	\$ 1,000,000.00	2.19%	10 Years	11/29/2022	Semi-Annual
Federal Farm Credit Bond-Cusip # 3133EC6X7 (2601 Acct.)	12/17/2012	\$ 1,000,430.00	2.58%	13 Years	12/17/2025	Semi-Annual
Federal Farm Credit Bond-Cusip #3133EC6T6 (2601 Acct.)	12/17/2012	\$ 1,000,324.44	2.92%	15 Years	12/17/2027	Semi-Annual
Federal Farm Credit Bond-Cusip #3133ECAM6 (2601 Acct.)	12/19/2012	\$ 1,000,000.00	1.12%	6 Years	12/19/2018	Semi-Annual
Fannie Mae Bond-Cusip #3135616Y0 (2601 Acct.)	12/26/2012	\$ 1,000,000.00	1.07%	6 Years	12/26/2018	Semi-Annual
Federal Home Loan Mgt. Bond-Cusip #3134044N5 (2601 Acct.)	5/15/2013	\$ 3,000,000.00	0.75%	4 Years 6 Mo.	11/28/2017	Semi-Annual
Federal Home Loan Bank Bond-Cusip #313382WC3 (2601 Acct.)	5/15/2013	\$ 5,000,000.00	0.63%	5 Years	5/15/2018	Semi-Annual
Federal Home Loan Bank Bond-Cusip #313383JK5 (2601 Acct.)	8/21/2013	\$ 1,876,459.33	0.6%-2.40	4 Years 3 Mo.	11/14/2017	Semi-Annual
Federal Home Loan Bank Bond-Cusip #313382ZS5 (2601 Acct.)	8/26/2013	\$ 2,472,450.00	0.75%-2.59%	6 Years 9 Mo.	5/20/2020	Semi-Annual





# Current Investment Schedule Cont.



## Santa Fe County Investment Schedule - LGIP Account Patrick "Pat" Varela Treasurer



LOCAL GOVERNMENT INVESTMENT POOL	BALANCE DATE	CURRENT LGIP BALANCES
Santa Fe County Treasurer-Account #7081-1326 Pool Cash	3/31/2014	\$ 121.24
Santa Fe County Treasurer-Account #7574-2902 File Protect Rev. Bond	3/31/2014	\$ 3.93
Santa Fe County Treasurer-Account #7579-2971	3/31/2014	\$ 37.22
Santa Fe County Treasurer-Account #7580-2972	3/31/2014	\$ 16.12
Santa Fe County Treasurer-Account #7724-4188 SFC 2001A GOB	3/31/2014	\$ 22.99
Santa Fe County Treasurer-Account #7765-5257	3/31/2014	\$ 37.57
Santa Fe County Treasurer-Account #7813-9104 SFC 2005A GOB	3/31/2014	\$ 32.88
Santa Fe County Treasurer-Account #7832-10580 SFC 2007A GOB	3/31/2014	\$ 143.88
Santa Fe County Treasurer-Account #7884-11172 SFC 2007B GOB	3/31/2014	\$ 30.33
Santa Fe County Treasurer-Account #7885-11608 SFC Affordable Housing Fund	3/31/2014	\$ 10.77
Santa Fe County Treasurer-Account #7804-12031 2008 GRT Judicial Rev. Bond	3/31/2014	\$ 184.66
Santa Fe County Treasurer-Account#7908-12101Phase I GOB Buckman Proj.	3/31/2014	\$ 0.05
<b>Total LGIP Investments as of March 31, 2014</b>	<b>\$</b>	<b>\$ 641.34</b>
<i>Charles Schwab Money Market # 2601 Acct. 03/31/2014</i>	<i>\$</i>	<i>24,999,904.15</i>
<i>Charles Schwab Money Market # 0920 Acct. 03/31/2014</i>	<i>\$</i>	<i>10,732,354.55</i>
<i>Charles Schwab Money Market # 8520 Acct. 03/31/2014</i>	<i>\$</i>	<i>10,912,414.67</i>
<b>Money Market Sub-Total All Investments as of March 31, 2014</b>	<b>\$</b>	<b>46,644,673.37</b>
<b>Los Alamos National Bank Cash Balance as of March 31, 2014</b>	<b>\$</b>	<b>32,247,010.71</b>
<b>Estimated Grand Total All Investments &amp; Cash Balance March 31, 2014</b>	<b>\$</b>	<b>198,253,495.38</b>



# Purchases and Calls

Investment Description	Purchase Date	Interest Rate	Maturity Date	BUY Price	Purchase Price	Par Value	Yield to Maturity	BD
First National Bank of Santa Fe, Money Market Savings Preferred - Public	01/02/13	0.500%	n/a		3,000,000	n/a	n/a	BD
FED NATL MTG ASSOC #1358BAAS (Discount Note thru Schwab)	01/03/13	(see YTM @ right)	02/01/19	\$ 88.4645	754,602	853,000	2.145%	LANB
FED NATL MTG ASSOC #1366JAOZ (thru Schwab)	01/30/13	0.700%	01/30/18	\$ 100.0000	3,000,000	3,000,000	n/a	LANB
US TREAS BILL #912796AUB (T-Bill thru Schwab)	03/07/13	(see YTM @ right)	09/01/13	\$ 99.9617	19,992,242	20,000,000	0.096%	LANB
US TREAS BILL #912796AOC (T-Bill thru Schwab)	03/07/13	(see YTM @ right)	09/01/13	\$ 99.8845	1,997,690	2,000,000	0.137%	LANB
US TREAS BILL #912796AW9 (T-Bill thru Schwab)	03/07/13	(see YTM @ right)	03/06/14	\$ 99.8733	2,496,335	2,500,000	0.147%	LANB
US TREAS BILL #912796AK5 (T-Bill thru Schwab)	03/07/13	(see YTM @ right)	11/12/13	\$ 99.8918	529,464	530,000	0.133%	LANB
FFCB #3133CECLB FED FARM CREDIT	4/17/2013		7/12/2016	\$ 99.9240	929,293.20	930000	0.473%	LANB
FICO #31771EAK7 FICO STRIP PRN10	4/17/2013		11/30/2017	\$ 99.4448	2,893,344.00	3000000	0.785%	LANB
FNMA #3136GKXV FANNIE MAE	4/17/2013		5/13/2018	\$ 100.0000	1448000	1448000	0.750%	LANB
FICO #31771UMK3	4/17/2013		11/30/2016	\$ 98.0186	1960372	2000000	0.550%	LANB
FRMHC #3134G4AN5 FREDDIE MAC	5/9/2013		11/28/2017	\$ 100.0000	5000000	5000000	0.750%	MUTUAL SEC
FHUB #3133EEVCL FED HOME LOAN BANK	5/14/2013		5/15/2018	\$ 100.0000	3000000	3000000	0.25%-2.50%	MUTUAL SEC
FHUB #313382VEA FED HOME LOAN BANK	7/13/2013		5/22/2030	\$ 97.1410	1467430.0	1480000	5.0%-3.00%	LANB
FHUB #313382VEA FED HOME LOAN BANK	8/20/2013		9/5/2023	\$ 99.7500	2992500	3000000	2.428%-5.00%	MUTUAL SEC
FHUB #313382VEA FED HOME LOAN BANK	8/30/2013		9/16/2016	\$ 100.0000	8000000	8000000	5.0% 1.250%	STERNE AGEE
FHUB #313382VEA FED HOME LOAN BANK	8/20/2013		11/14/2017	\$ 99.8000	1876240	1880000	7.01%-2.40%	MUTUAL SEC
FHUB #313382VEA FED HOME LOAN BANK	8/23/2013		5/20/2017	\$ 99.1000	2467150	2650000	7.50%-1.750%	MUTUAL SEC
FHUB #313382VEA FED HOME LOAN BANK	8/20/2013		8/28/2018	\$ 100.0000	3000000	3000000	1.0%-4.0%	CANTOR
FHUB #313382VEA FED HOME LOAN BANK	8/14/2013		2/27/2017	\$ 100.0000	3000000	3000000	5.0%-3.50%	PIPER JAFFRAY
FHUB #313382VEA FED HOME LOAN BANK	8/20/2013		9/5/2018	\$ 99.3500	2992500	3000000	2.375%-5.00%	MUTUAL SEC
FHUB #313382VEA FED HOME LOAN BANK	8/10/2013		9/16/2016	\$ 100.0000	3000000	3000000	5.0%-1.250%	STERNE AGEE
FHUB #3135G0B11 FANNIE MAE	10/24/2013		6/27/2014	\$ 100.6950	1000000	1010641.05	.09 BULLET	STERNE AGEE
FRMHC #3137EAC09 FREDDIE MAC	10/24/2013		7/28/2014	\$ 102.1977	1000000	1029226.9	10 BULLET	STERNE AGEE
FRMHC #3134G3YV4 FREDDIE MAC	10/24/2013		8/28/2014	\$ 100.2144	1000000	1002738.15	12 BULLET	STERNE AGEE
FRMHC #3134G3Y15 FREDDIE MAC	10/24/2013		9/14/2014	\$ 100.3300	1000000	1008845.98	13 BULLET	STERNE AGEE
FHUB #313382VEA FED HOME LOAN BANK	10/24/2013		9/25/2014	\$ 100.1099	1000000	1001299.02	12 BULLET	STERNE AGEE
US TREASURY 2013 1040 SERIES	11/5/2013		2/15/2014	\$ 100.3240	13000000	10566612.93	0.96347	LANB
FHUB #313382VEA FED HOME LOAN BANK	12/18/2013		6/19/2017	\$ 100.0000	2000000	2000000	.50%-9.65%	PIPER JAFFRAY
FHUB #313382VEA FED HOME LOAN BANK	1/14/2014		1/30/2019	\$ 100.0000	1600000	1600000	1.25%-2.27421%	CANTOR
FRMHC #3134G4W16	2/20/2014		12/12/2016	\$ 100.0000	3000000	3000000	0.75% BULLET	PIPER JAFFRAY
FRMHC #3134G4W16	3/10/2014		5/21/2018	\$ 98.5923	1977144	2000000	1.22% BULLET	STERNE AGEE
FRMHC #3134G4W16	3/18/2014		6/30/2017	\$ 100.0845	2000000	2002711.28	.85% BULLET	STERNE AGEE

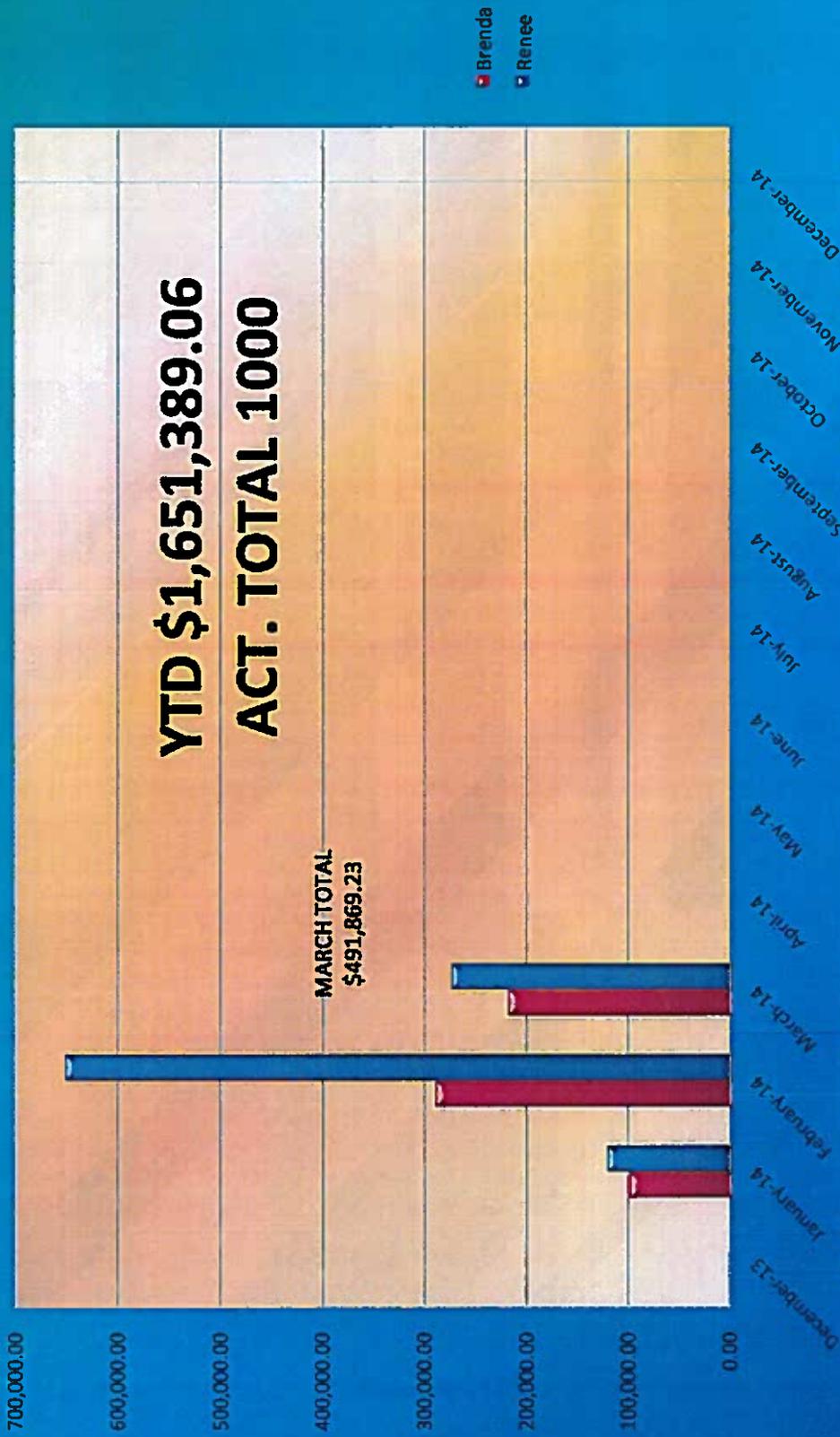


COUNTY OF SANTA FE STATE OF NEW MEXICO

# Delinquent Collections

**YTD \$1,651,389.06**  
**ACT. TOTAL 1000**

**MARCH TOTAL**  
**\$491,869.23**



Month	January-14	February-14	March-14	April-14	May-14	June-14	July-14	August-14	September-14	October-14	November-14	December-14
Brenda	50,000.00	250,000.00	250,000.00									
Renee	100,000.00	150,000.00	250,000.00									



# Mobile home Red Tag Program

- 2014 Program Started 3/1/14
- 430 Accounts Red Tagged and lien placed.
- 80 accounts thus far collected
- \$44,852.61 collected for the month of march.



# Next Quarter Investment Plan

- Investing in short term Treasury Bills & Notes\*
- Investing in short term Bullet Government Agencies\*
- Maintaining a liquidity cushion\*
- All maturities will be into 2014\*
- Additional moneys will be invested for 2015\*.
- **\*Board of Finance Oct 2013**
- **Motion for approval for same plane for next quarter.**

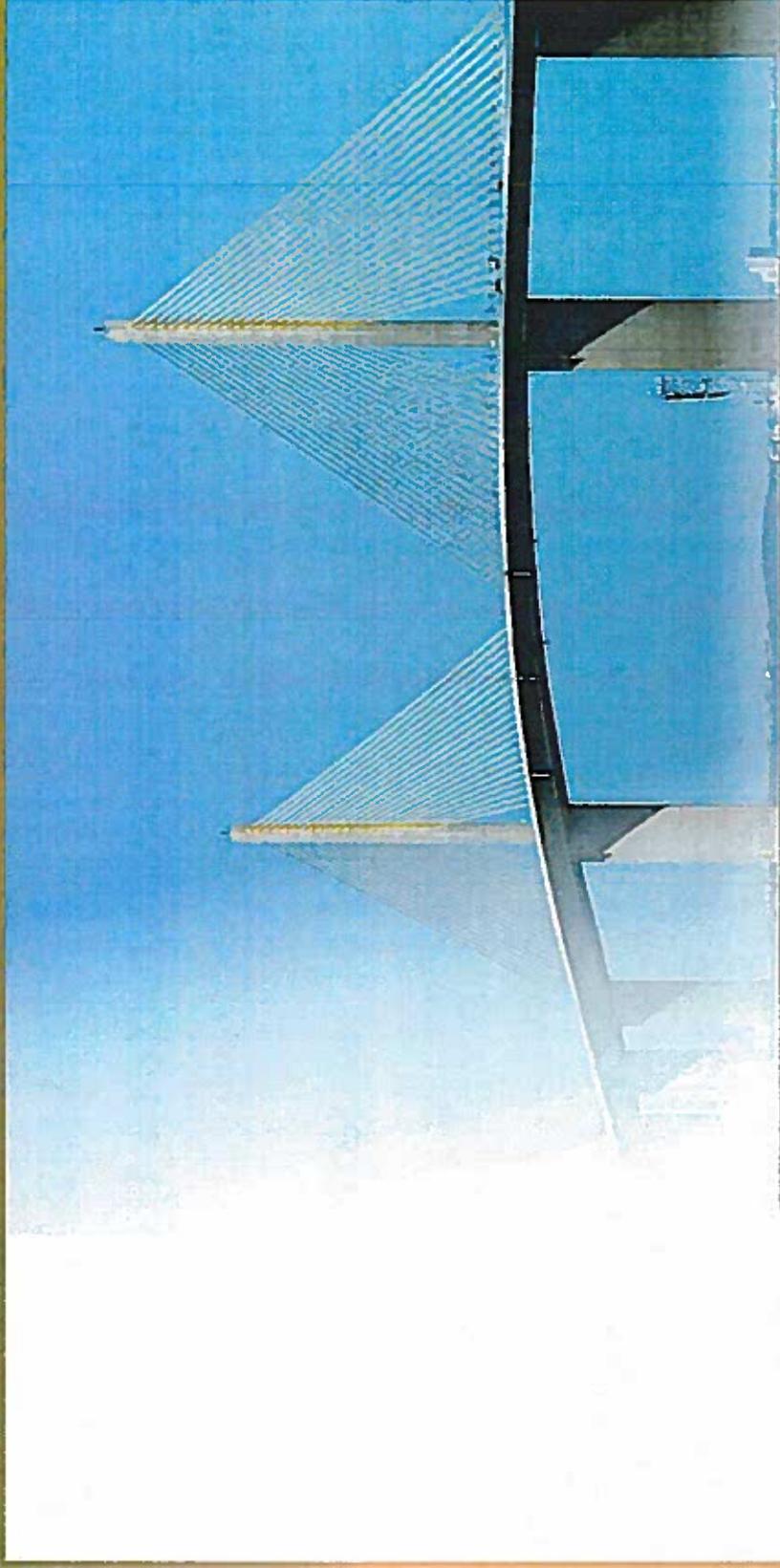


# Treasurer's Short Term Goals

- **Outreach Tax Collection**
- **Use of internet services**
  - **Printable Tax Bills**
  - **Self Serve Kiosk**
  - **Use internet to purchase refuse permits**
- **Work with management for online billing / payment services**



# Introduction of New Investment Policy



TRUST IN INFRASTRUCTURE

COUNTY of SANTA FE STATE of NEW MEXICO

THANK YOU



COUNTY of SANTA FE STATE of NEW MEXICO









## **Investment Policy**

Approved by Santa Fe County Board of Finance  
April 29, 2014  
Resolution #

**Santa Fe County**  
**INVESTMENT POLICY**

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## I. TOPIC: SANTA FE COUNTY INVESTMENT POLICY

**INVESTMENT AUTHORITY:** The responsibility for investing the excess funds of the Santa Fe County lies with the County Treasurer of the Santa Fe County or his designee, the investment officer. Santa Fe County's governing body acts as the Board of Finance per 6-10-9 NMSA 1978.

### PURPOSE:

- A. The County Treasurer's investment authority, is the enhancement of Santa Fe County revenues through the prudent investment of public money that is not immediately required for the operations of Santa Fe County, after first meeting the goals of safety and liquidity.
- B. In satisfying this financial responsibility, the County Treasurer must also observe the fiscal obligation of maintaining sufficient liquidity to provide for the continuing functions of Santa Fe County.
- C. While serving, the County Treasurer is bound to satisfy the fundamental fiduciary obligation of preserving and protecting the principal of the public money, but the County Treasurer and/or investment officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for specific security's credit risk or market price changes, provided that these deviations are reported at the next meeting or immediately via email to the investment committee and that appropriate action is taken to control adverse developments.

**SCOPE OF THE INVESTMENT POLICY:** This investment policy is a comprehensive guide governing the investment functions of the Santa Fe County with respect to funds invested by the investment officer. The guidance formulated in this policy is to be observed by individuals and entities involved in any aspect of the administration or management of investments made by the Santa Fe County's investment officer or an investment management firm. This investment policy will be effective upon approval by the governing board.

## II. DEFINITIONS:

- A. "**Competitive bid for securities**" means the selection of securities through a solicitation or review and evaluation of online inventory offerings from various approved broker/dealers.
- B. "**Investment committee**" or "**committee**" means the Santa Fe County's investment committee; see also Section III.C of this policy.
- C. "**Investment grade**" means, for purposes of this policy, a rating within any of the following rating ranges by at least two of the rating agencies:

<u>Rating Agency</u>	<u>Long-Term</u>	<u>Short-term</u>
Standard & Poor's	A- to AAA	A-1
Fitch	A- to AAA	F1
Moody's	A3 to Aaa	P-1

A rating from a rating agency not on the list shall not be considered.

- D. "**Investment portfolio**" means each separate fund managed by the investment officer, including operating funds, bond proceeds and other monies.
- E. "**Investment officer**" means the County Treasurer or his/her designee.
- F. "**FINRA**" means Financial Industry Regulatory Authority.
- G. "**FDIC**" means Federal Deposit Insurance Corporation.

- H. **"Financial institution"** means a federally insured bank or savings and loan association, see section F.2(d) below.
- I. **"Local financial institution"** means those with a main office or manned branch office located within the service area of Santa Fe County.
- J. **"Time deposit"** means a certificate of deposit or savings certificate deposited in a federally insured bank or savings and loan association located in New Mexico.
- K. **"Net worth"** is as defined by the Financial Institutions Division of the Department of Commerce and Industry of the State of New Mexico.
- L. **"Basis points"** is construed so that one hundred (100), basis points equals one (1) percent interest.

### III. POLICY STATEMENT

- A. **Investment Policy Priorities:** The Santa Fe County's investment officer will observe the following priorities in making investment decisions:
  - 1. **Safety of funds** – to ensure the performance of basic governmental functions, the first priority must be accorded to the preservation and protection of the principal of the funds to be invested;
  - 2. **Maintenance of liquidity** – the second level of priority must be accorded to maintaining sufficient liquidity to satisfy the reasonably anticipated, continuing operational requirements of Santa Fe County;
  - 3. **Maximum return after first two priorities are met** – the third priority must be accorded to maximizing investment return, through budgetary and economic cycles, consistent with the higher priorities of safety and liquidity;
  - 4. Allow for diversification of the Santa Fe County's portfolio; and
  - 5. Recognize the impact of the Santa Fe County's investment program on the local economy.
- B. **Standard of Investment:**
  - 1. The standard of prudence to be applied in the investment of public money by the Santa Fe County's investment officer shall be the "prudent person" rule:  
*"Investments shall be made with the judgment and care, under circumstances then prevailing, that persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."*
  - 2. Fiduciary Duty should be upheld:  
*"A fiduciary relationship is generally viewed as the highest standard of customer care available under law. Fiduciary duty includes both a duty of care and a duty of loyalty. Collectively, and generally speaking, these duties require a fiduciary to act in the best interest of the customer, and to provide full and fair disclosure of material facts and conflicts of interest."*
    - ~ Securities Industry and Financial Markets Association (SIFMA)
  - 3. The Santa Fe County County Treasurer or the County Treasurer's designee(s), acting in accordance with this policy and any other written procedures pertaining to the investment of excess funds and exercising due diligence, shall be relieved of personal responsibility, if any, for credit risk or market price changes of a particular security.

The loss of market value, reduced yield or return on a particular security shall be promptly reported to Santa Fe County's investment committee (next meeting or immediately via email if necessary) in accordance with this policy and the situation causing the loss of market value, reduced yield or return must be closely monitored and evaluated to ensure that any decision to hold or sell the particular security is based on the best publicly available information.

**C. Investment Committee:** The investment committee shall monitor the efficacy, efficiency and currency of the investment policy.

1. The investment committee shall consist of:
  1. Chair of the Board of County Commissioners or a designee who is also a member of the Board of Finance;
  2. Vice Chair of the Board of County Commissioners or a designee who is also a member of the Board of Finance;
  3. County Manager or designee;
  4. County Treasurer or a designee who is an employee of the County Treasurer's Office;
  5. County Finance Director or a designee from the Finance Department;
  6. County Attorney or a designee/lawyer from the Legal Department; and
  7. One member of the private sector. This person should be a finance professional with knowledge of investments and shall serve for a term of two (2) years after appointment and shall be eligible for reappointment to serve for consecutive two (2) year terms. Any vacancy created by a private sector member shall be filled in the same manner as original appointments.
  
2. The investment committee shall meet monthly to:
  - a. Review the investment policy, no less than annually, and recommend, if advisable, modifications in the investment policy from time to time and have changes formally adopted by board resolution;
  - b. assess, no less than annually, the utility and efficacy of established internal controls as loss prevention measures with respect to the investment portfolio;
  - c. deliberate these topics: economic outlook, portfolio diversification and maturity structure, potential risks, and the rate of return on the investment portfolio assessed within the parameters of first meeting safety and liquidity requirements;
  - d. identify potential violations of and suggest remedial actions to achieve conformity with the investment policy;
  - e. recommend, no less than annually, action on depositories, custodians, broker/dealers and investment managers and advisors; and
  - f. assess whether the investment policy is being properly implemented by the individuals and entities involved in the administration and management of investment activities.

**D. Internal Controls:**

1. The Santa Fe County County Treasurer shall establish a system of internal controls governing the administration and management of the investment portfolios. Any audit findings related to internal controls shall be reviewed annually by the investment committee.

2. The controls shall be designed to prevent and control losses of public money arising from fraud, error, misrepresentation, unanticipated market changes, conflicts of interest or imprudent actions.
3. All securities held for Santa Fe County's portfolio will be held in the name of Santa Fe County with a third party custodian, free and clear of any lien.
4. The fiscal agent and custodial banks responsible for, or in any manner involved with, the safekeeping and custody process on behalf of Santa Fe County shall be bonded to protect from losses, malfeasance and misfeasance.

**E. Ethics and Conflicts of Interest:**

1. The Santa Fe County County Treasurer shall adopt and implement an employee code of conduct policy, a campaign contributions policy, and a whistle blower policy applicable to the public officers and employees subject to Santa Fe County policies and supervision. These policies shall be included in this investment policy as appendices. These policies may be updated according to the policies and procedures of Santa Fe County. Any changes or updates implemented by the County Treasurer shall be reported to the governing body at its next regularly scheduled meeting.
2. The County Treasurer and employees involved in the investment process, in addition to complying with the applicable policies listed above and statutes, shall refrain from personal business activity that may impair their ability to make impartial investment decisions, or otherwise conflict with the selection of broker/dealers or investment advisors for best execution of the investment policy.
3. All broker/dealers and other securities professionals working with Santa Fe County shall become familiar with and comply with all policies of the office and state laws including, but not limited to the following statutes, as they may be amended from time to time: the Campaign Reporting Act, §§ 1-19-25 NMSA 1978 *et seq.*; the Governmental Conduct Act, §§ 10-16-1 NMSA 1978 *et seq.*; and the Procurement Code, §§ 13-1-28 NMSA 1978 *et seq.* and rules adopted by the County Ethics Board (Ordinance No. 2011-9) and follow the County of Santa Fe Code of Conduct (Ordinance No. 2010-12). Any contract professionals working with Santa Fe County should acknowledge in writing that they have read and understand this policy and all governing rules and statutes.

**F. Investments Permitted by Policy:**

1. The scope of investment authority of the investment officer is defined by the applicable investment statutes and constitutional provisions, principally Sections 6-10-10, 6-10-10.1, 6-10-36, 6-10-44 and 6-14-10.1, NMSA 1978, as well as Article VIII, Section 4 of the New Mexico Constitution, specifying particular types of investments that may be made by the investment officer, which establish certain prerequisites, limitations and other requirements relating to those investments. Moreover, the Santa Fe County County Treasurer and/or board, in its discretion, may further limit or restrict those investments.
2. The Santa Fe County County Treasurer and its governing body have determined that only the following statutorily authorized investments may be made and these investments shall be subject to further limitations or restrictions as follows:
  - a. **United States Government Obligations:** Securities backed by the full faith and credit of the U.S. Government including direct obligations of the U.S. Treasury, such as US treasury notes and bills. Investments shall be limited to a maximum maturity of five (5) years at time of purchase.

- b. United States Government Agency Obligations:** Securities issued or guaranteed by U.S. Government agencies, instrumentalities or sponsored enterprises, but which are not backed by the full faith and credit of the U.S. Government. These securities include, but are not limited to, Federal Farm Credit Bank "FFCB", Federal Home Loan Bank "FHLB", Federal Home Loan Mortgage Association "FHLMC" and Federal National Mortgage Association "FNMA" and Government National Mortgage Association (GNMA). Investments in US Government Agency Obligations shall be limited to a maximum maturity of five (5) years at time of purchase.
- c. Repurchase Agreements:** Contracts for the present purchase and resale at a specified time in the future of specific securities at specified prices at a price differential representing the interest income to be earned by Santa Fe County.
- i.** The contract at the time of purchase shall be fully secured by obligations of the United States, or its agencies or instrumentalities, or other securities backed by the United States having a market value of at least one hundred two percent (102%) of the amount of the contract.
  - ii.** Section 6-10-10 (J) limits repurchase agreements (other than bond proceeds) to a maximum maturity of one (1) year with no exception or other provision for repurchase agreements that are VRNs, but flexible repurchase agreements shall be restricted to bond proceeds (with a maximum maturity of three (3) years). Providers of repurchase agreements and flexible repurchase agreements shall have an investment grade rating.
  - iii.** Subject to the prior approval of the governing body with respect to the custodial undertaking agreement, tri-party repurchase agreements are proper investments under this policy.
  - iv.** The investment officer will enter into repurchase agreements only with approved primary reporting dealers, banks and other financial institutions having a net worth in excess of \$500 million provided that:
    - 1.** Preference will be given to a provider that is rated in one of the top two rating categories by all national rating agencies, without regard to qualifier, numerical or otherwise;
    - 2.** If during its term, the provider's net worth falls below \$500 million or its rating is withdrawn, suspended, or falls below the top two rating categories, without regard to qualifier, numerical or otherwise, the provider must supply a guarantee of, or assign the agreement to an institution meeting these requirements or collateralize the agreement in accordance with industry-published criteria within ten days after it receives notice from Santa Fe County of the remedy the policy requires. In the event the provider fails to provide the specified remedy in the timeframe noted, the provider must immediately repurchase all collateral and terminate the agreement with no penalty or premium to Santa Fe County;
    - 3.** A master repurchase agreement or other specific repurchase agreement, reviewed by independent legal counsel in each case, governs the transaction;

4. The securities are held, free and clear of any lien, by the Santa Fe County's fiscal agent or its designee acting solely as agent for the Santa Fe County, and such fiscal agent or designee is (i) a federal reserve bank or (ii) a bank which is a member of the federal deposit insurance corporation and which has combined capital, surplus and undivided profits of not less than \$25 million;
  5. A perfected first security interest under the uniform commercial code, or book entry procedures prescribed at 31 C.F.R. 306.1 et seq. of 31 C.F.R. 370.0 et seq. in such securities is created for the benefit of Santa Fe County;
  6. The market value of the collateral including accrued interest must be equal to 102% of the amount of cash transferred by Santa Fe County to the dealer bank or security firm under the repurchase agreement plus accrued interest. If the market value of the collateral slips below 102% of the value of the cash transferred plus accrued interest, then additional cash and/or acceptable securities must be delivered as collateral to the third party custodian sufficient to cure any deficiency; and
  7. For repurchase agreements with terms to maturity of greater than one (1) day, Santa Fe County will value the collateral securities continuously and require that if additional collateral is required then that collateral must be delivered within one business day. If a collateral deficiency is not corrected within this time frame, remedial action will be taken and the collateral securities may be liquidated.
- d. **Bank, Savings and Loan Association or Credit Union Deposits:** Deposits are allowed in certified and designated New Mexico financial institutions, per the requirement in the New Mexico Constitution Article VIII, Section 4, whose deposits are insured by an agency of the United States. All deposits will comply with state statute and policies of the governing body related to interest rate and collateral requirements. CD deposits shall not be made with custodial banks. A deposit in any credit union shall be limited to the amount insured by an agency of the United States.
- e. **Municipal Securities:** Pursuant to 6-10-10.F(1), the investment officer may also invest in municipal securities that at time of purchase are investment grade and have a final maturity of up to three years. Bonds or negotiable securities of the State of New Mexico or of any county, municipality, or school district within the state which has a taxable valuation of real property for the last preceding year of at least one million dollars (\$1,000,000.00) and which has neither defaulted in the payment of any interest or sinking fund obligation, nor failed to meet any bonds at maturity at any time within five (5) years last preceding. If the rating declines below investment grade the investment officer shall notify the members of the investment committee in writing within one business day. The committee will recommend an appropriate course of action at its next regular meeting or may elect to meet sooner to determine a course of action.

**f. Government Money Market Mutual Funds:**

Shares of an open-ended diversified investment company that:

- i. is registered with the United States Securities and Exchange Commission;
- ii. complies with the diversification, quality and maturity requirements of Rule 2a-7, or any successor rule, of the United States securities and exchange commission applicable to money market mutual funds; assesses no fees pursuant to Rule 12b-1, or any successor rule, of the United States securities and exchange commission, no sales load on the purchase of shares and no contingent deferred sales charge or other similar charges, however designated. Santa Fe County shall not, at any time, own more than five (5) percent of a government money market mutual fund's assets;
- iii. is invested only in United States Government and Agency Obligations and repurchase agreements secured by such obligations;
- iv. has assets under management of at least one billion dollars (\$1,000,000,000);
- v. the investments made by Santa Fe County are less than five percent (5%) of the assets of the fund; and
- vi. is rated AAA or equivalent by a nationally recognized rating agency.

**g. Local Government Investment Pool:**

As permitted by section 6-10-10.1 NMSA 1978, funds may be invested in the Local Government Investment Pool (LGIP) managed by the NM State Treasurer. Funds invested in the LGIP will not exceed the total sum of One Million Dollars (\$1 million) and so long as funds invested are general fund proceeds and not bond proceeds.

**H. Risk:** Santa Fe County recognizes that any portfolio of marketable investment securities is subject to interest-rate risk. To limit the possibility of loss of principal due to interest rate fluctuations, the investment officer will make reasonable efforts to match investments with anticipated cash requirements. The County Treasurer/investment officer or designee shall give particular emphasis to the following factors when selecting a specific security for inclusion in the portfolio:

1. **Relative Yield to Maturity:** Comparison of return available from alternative investments for comparable maturity dates.
2. **Marketability:** Analysis of relative marketability of alternate investments in case of forced sale or possibility of future trades.
3. **Intermarket Yield Analysis:** Analysis of the spread relationship between sectors of the market, i.e. treasury bonds or bills versus agency bonds or discount notes, to take advantage of aberrations in yield differentials.
4. **Yield Curve Analysis:** Analysis of the slope of the yield curve to determine the most attractive maturities for earning maximum return with minimal risk.
5. **General Economic and Interest Rate Outlook:** Review and analysis of current literature on interest rate projections to assist in timing transactions and selecting appropriate maturities.

**H. Risk Mitigation Factors: Diversification and Maturity Constraints:** It is the policy of Santa Fe County to diversify the investment portfolios. Investments shall be diversified to

reduce the risk of loss resulting from an over concentration of assets in a specific maturity, a specific issuer or a specific class of securities. The following diversification limitations, at the time of purchase, shall apply to each portfolio:

1. Investment maturities will be laddered to avoid undue concentration of assets in a specific maturity sector and to meet cash flow requirements.
2. Investment in callable debentures is permitted, but the amount invested in callable instruments should not exceed twenty-five percent (25%) of the total amount invested of each portfolio.
3. The maximum level of a certificate of deposit (CD) deposits any single financial institution with preference to local financial institutions will not exceed 25% of the investment portfolio. CD deposits may only be made in NM financial institutions per the requirement in the New Mexico Constitution Article VIII, Section 4.
4. Investments in United States agency obligations issued by any single agency shall be limited to thirty-five percent (35%) of a portfolio.
5. Investments in repurchase agreements from any single provider shall be limited to twenty-five percent (25%) of a portfolio.
6. Municipal securities will be limited to fifteen percent 15% of the portfolio. Securities issued by a single municipal entity shall be limited to five percent (5%) of a portfolio.

**Diversification Summary:**

<i>Allowable Securities</i>	<i>Max Stated Final Maturity</i>	<i>Diversification Limits</i>
US Treasury Obligations	5 years	100%
US Agency Obligations	5 years	100%, 35% per issuer
Municipal Securities	5 years	15%, 5% per issuer
Repurchase Agreements	3 years for bond proceeds/1 year for all other funds	25% per counterparty
Gov't Money Market Funds	Overnight	5%
NM LGIP	Overnight	\$1,000,000
Callable or Variable Rate Securities	5 years	25%
Certificates of Deposit	5 years	25% per issuer

**Duration:** In addition to final stated maturity limits, Santa Fe County will limit the average duration of the portfolio to a range of 2-4 years. The actual average duration requirement will be agreed upon by the County Treasurer and Board of Finance, during the Treasurer's strategy presentation to the Board of Finance. The agreed upon duration should be noted in the minutes of the Board of Finance meeting and will remain the same unless a change is agreed upon at a subsequent Board of Finance meeting.

- I. **Anticipated Cash Flow Requirements and Maximum Maturity of Investments:** The County Treasurer will project the short-term and long-term cash needs to determine the amount available for short-term and long-term investment and report this information to the investment committee and governing body monthly.

The County investments will be laddered to match cash flow projections and will have a maximum final stated maturity of five (5) years.

**J. Competitive Selection of Investment Instruments:**

1. It will be the policy of Santa Fe County to transact all securities purchases or sales only through a formal and competitive process that obtains at least three offers or bids. When purchasing a security, the investment officer will accept the offer, which provides (a) the highest rate of return within the maturity required and considering the credit quality of the investment; and (b) optimizes the investment objectives of the overall portfolio. When selling a security, the investment officer or its agent will select the bid, which generates the highest sale price.
2. Electronic trading is the preferred option for the purchase or sale of investment instruments.
3. Offers or bids for securities may be received from approved broker/dealers or issuers of qualified securities as defined in Section III.F by any of the following means:
  - a. by e-mail or other form of electronic communication;
  - b. through an electronic trading platform;
  - c. from inventory listings supplied by approved broker/dealers; and
  - d. by phone with detailed documentation.
3. It will be the responsibility of the personnel involved with each purchase/sale to produce and retain written records of each transaction including the name of the financial institutions offering or bidding on securities, the authorized contact at the financial institution (except in the case of electronic trading), the rate or price quoted, description of the security, investment or bid selected, and any special considerations that had an impact on the decision. If the lowest priced security (highest yield) was not selected for purchase or the highest bid was not selected for sale, an explanation describing the investment objective prompting the investment/sale will be included in this record.
4. The investment officer or designee (designees) shall authorize all investment transactions. Executed trade documents shall be reviewed for compliance daily.
5. All trade fails or compliance violations are to be documented in an error report on the day that they are discovered and shall disclose the reason for each error. Errors shall be summarized in a report to the investment committee even if corrected by the broker/dealer.
6. The policy regarding the competitive selection of securities does not apply to certificates of deposit or direct purchases per subsection F.2.d where the rate is set by agreement between the bank and Santa Fe County.

**K. Trading:**

1. The investment officer shall monitor the contents of the portfolio, the available markets and the relative values of competing instruments, and adjust the portfolio accordingly to achieve the investment objectives.
2. Each executing broker/dealer must confirm the time of execution and price and disclose whether principal or agent.

**L. Safekeeping and Custody:**

1. All investment securities purchased by Santa Fe County, held as collateral on repurchase agreements or held as collateral on securities lending arrangements shall be held in third-party safekeeping at a fiduciary qualified to act in this capacity. All securities held for Santa Fe County's portfolios will be held free and clear of any lien and all transactions will be conducted in compliance with Section 6-10-10(O) NMSA 1978, which requires contemporaneous transfer and same day settlement. On a monthly basis, the custodian will provide reports, which list all transactions that occurred during the month and all securities held for Santa Fe County at month-end including the book and market value of holdings.
2. The fiscal agent and representatives of the custodian responsible for, or in any manner involved with, the safekeeping and custody process of Santa Fe County shall be bonded in amounts required by the governing body under its custody agreement to protect from losses, from malfeasance and misfeasance.

**M. Collateral Policy:**

Deposits shall be collateralized at 102%. Such collateral shall be held by an independent third party financial institution acceptable to the Santa Fe County. Securities eligible as collateral are those defined under State Law (6-10-16 NMSA 1978). Collateral shall be held in a custodial bank per 6-10-21, NMSA 1978 and shall be assigned to Santa Fe County per 6-10-18, NMSA 1978.

Securities held for collateral will comply with this policy in terms of maximum maturity and allowable investments.

**N. Selection of Investment Advisors, Consultants/Managers:** Santa Fe County may use an investment advisor, consultant and/or manager for the investment of securities in accordance with the following rules:

1. The firm or individual shall be selected in accordance with Santa Fe County's procurement code;
2. The firm and individual shall be registered under the Investment Adviser Act of 1940;
3. Prior to execution and prior to any renewal of each and every contract, the County Treasurer must obtain approval by the governing body. Approval of a contract requires that the investment advisor, consultant and/or manager must provide in writing to Santa Fe County:
4. The investment advisor, consultant or manager shall report quarterly, in writing, to the investment committee. The report shall (i) establish performance benchmarks for Santa Fe County's portfolios, and (ii) review recommended investments, portfolio strategies and/or performance against established benchmarks. The report shall be included in the investment officer's next monthly report. Performance benchmarks established by the investment officer and/or the investment advisor must be approved by the investment committee.

**O. Performance Benchmarks:** The investment portfolio shall be designed and managed with the objective of obtaining a market rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and cash flow needs of Santa Fe County.

1. Short-term funds (liquidity) and funds that must maintain a high degree of liquidity will be compared to an appropriate short-term.
2. Medium term investment and other funds (core) that have longer terms shall be compared to indices of similar duration.

**P. Selection of Depositories and Securities Brokers/Dealers:** When selecting depositories, consideration will be given to minimizing risk, protecting investment capital and obtaining the best purchase or sale price. The following guidelines will be used in selecting depositories and securities broker/dealers.

**1. Depositories:** In selecting financial institutions for the deposit of Santa Fe County funds, the investment officer will consider the credit worthiness of the institutions.

- a. The investment officer through its collateral compliance and risk assessment program will monitor the financial institutions' credit characteristics and financial history throughout the period in which Santa Fe County funds are deposited.
- b. Each depository will be required at all times to collateralize Santa Fe County deposits at the level required by the collateral policy (see section III.M of this policy) and the depository agreement adopted by the governing body.

**2. Securities Broker/Dealers:**

- a. Broker/dealer firms, including brokers, dealers and/or individual employees of these firms, that have direct contact with Santa Fe County through those firms, will be selected by the investment committee and approved by the governing body according to the services they offer as well as the firm's ability to offer competitive prices on securities transactions. Those broker/dealer firms that do not have direct contact with Santa Fe County, but deal with a fiduciary/investment manager on behalf of Santa Fe County, will be selected by that investment manager, which will be responsible for ensure best execution utilizing their own broker/dealer list.
- b. The broker/dealers list will be reviewed and approved by the investment committee and the governing body no less than annually.
- c. The list of approved broker/dealers will contain no fewer than nine (9) firms, at least four (4) of which are primary dealers.
- d. To be considered, broker/dealers must meet the following criteria:
  - i. The firm must be registered as a dealer under the Securities Exchange Act of 1934.
  - ii. The firm and assigned broker must be registered with the Financial Industries Regulatory Authority (FINRA).
  - iii. The firm and assigned broker must have been engaged in the fixed income security business for at least the past five (5) consecutive years.
  - iv. The assigned broker must have a current FINRA Series 7 License.
- e. The investment officer shall conduct a background search through the regulation and licensing department, securities division on each individual broker for criminal activity, regulatory actions by government agencies, and/or revocations or suspensions of license. In the event that such activities are reported in an individual broker's background search, the investment officer shall notify the investment committee and the governing body at the time that broker is considered for approval. The investment officer shall monitor each approved individual broker for continued compliance and annually repeat the background search from the time when the broker was approved.

**3.** An annual review of the financial condition and registration of broker/dealers will be conducted by the investment officer.

4. No members or affiliates of any firm, including any of its brokers, dealers or traders, may contract with Santa Fe County to provide investment advice or consultation to the investment officer during the time the firm and any of its brokers, dealers, or traders are on the broker/dealers list.
5. For inclusion on the approved broker/dealer list, a firm and its assigned brokers, dealers or traders must provide in writing to Santa Fe County:
  - a. A continuing certification that the broker/dealer firm and the assigned broker are familiar with and comply with all policies of Santa Fe County and state laws regarding ethics, disclosure and conflicts of interest.
  - b. Disclosure of any campaign contributions totaling in the aggregate \$250 in the last two years made by the broker/dealer firm, any board member of the broker/dealer firm, the assigned broker, or any member of the assigned broker's family to the investment officer, or to any employee of Santa Fe County or any member of the governing body who is an elected official or campaigning for elected office. The investment officer shall provide to each broker/dealer a form for the disclosure of such contributions.

**Q. Reporting Requirements:** Santa Fe County shall prepare and submit to the governing body a "monthly investment report".

1. The Report shall summarize the following:
  - a. a listing of the portfolio in terms of investment securities, balances, maturities, return and other features deemed relevant;
  - b. the book and market value of all holdings;
  - c. a report of primary issues purchased and report of secondary issues purchased or sold;
  - d. a report of all commissions paid in dollars on repurchase agreements and on each transaction where the commission is disclosed;
  - e. for each approved portfolio, returns on a monthly, quarterly, fiscal year-to-date and three-year basis versus approved benchmarks;
  - f. the total investment earnings by fund for the reporting period;
  - g. report of holdings of variable rate and structured notes;
  - h. the investment strategies employed during the period;
  - i. a summary of recent market conditions, economic developments and anticipated investment conditions;
  - j. any areas of policy concern warranting possible revisions of current or planned investment policies;
  - k. a projection of the Santa Fe County's short-term and long-term cash needs;
  - l. all transactions where there were fewer than three bids or offers;
  - m. all sale transactions resulting in a book loss;
  - n. all transaction errors;
  - o. any trades between portfolios; and
  - p. all changed allocations.
2. The report shall include an appendix that discloses all transactions during the month. The monthly and annual investment reports submitted to the governing body shall

contain sufficient information to permit the independent investment consultant hired pursuant to Section III.P to evaluate the performance of the investment program.

**VII. APPROVAL:**

**Santa Fe County  
Board of Finance**

**Santa Fe County  
Treasurer**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
County Treasurer

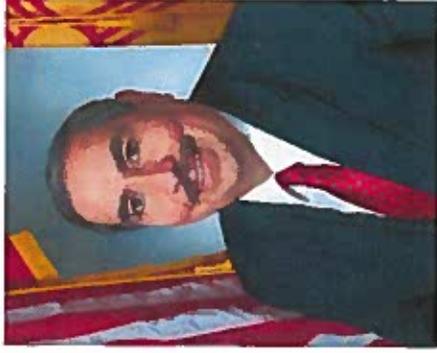
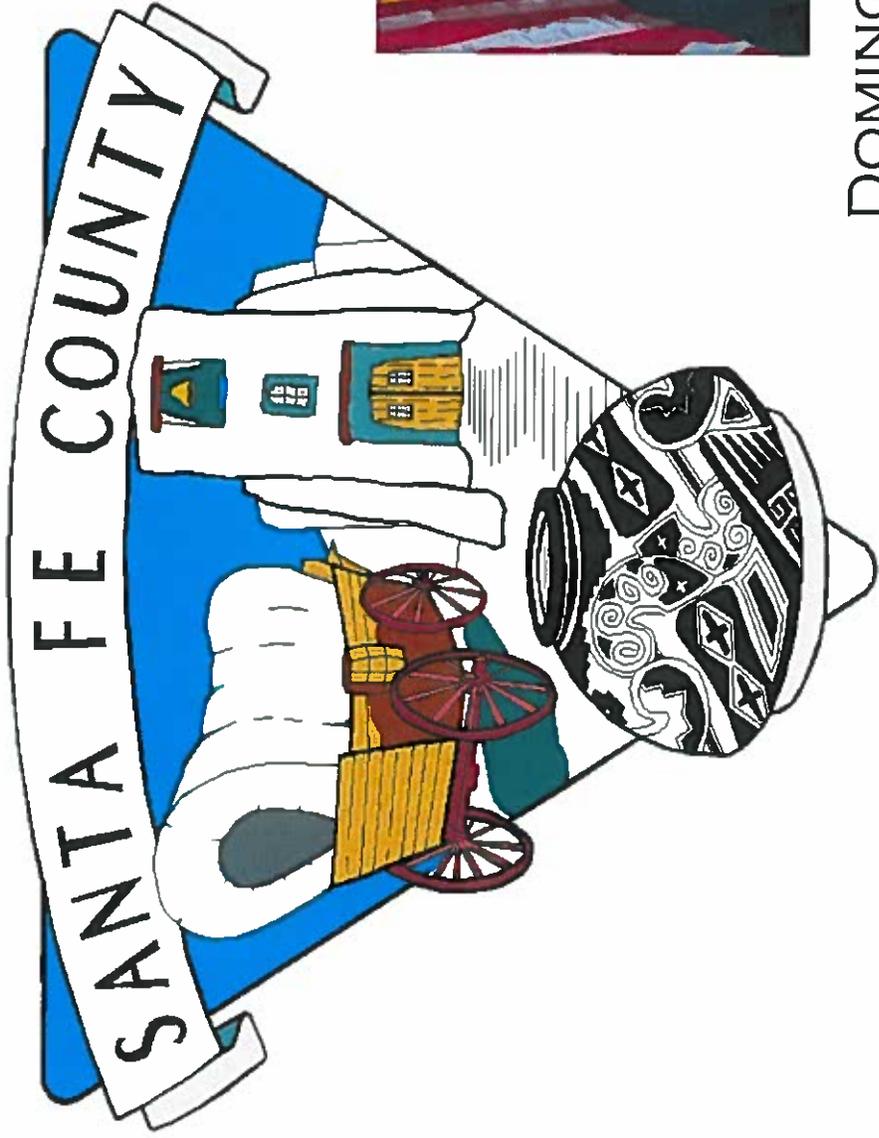
Date: APRIL 29, 2014

Date: APRIL 29, 2014





# SANTA FE COUNTY ASSESSOR'S OFFICE



DOMINGO P. MARTINEZ  
ASSESSOR

4/29/14

## 2014 ANNUAL REPORT



# Taxable Valuation Comparison

	<b>Tax Year 2012</b>	<b>Tax Year 2013</b>	<b>\$ Change</b>	<b>% Change</b>
<b>Total Taxable Value</b>	\$6,896,495,216	\$ 6,943,124,940	+ \$ 46,629,724 <i>(\$ 30,666,666 net new)</i>	+ 0.67%
<b>Total Res. Value</b>	\$5,275,470,450	\$5,278,736,608	+ \$ 3,266,158	+ .06%
<b>Total Non- Res. Value</b>	\$1,621,024,766	\$1,664,388,332	+\$ 43,363,566	+2.7 %



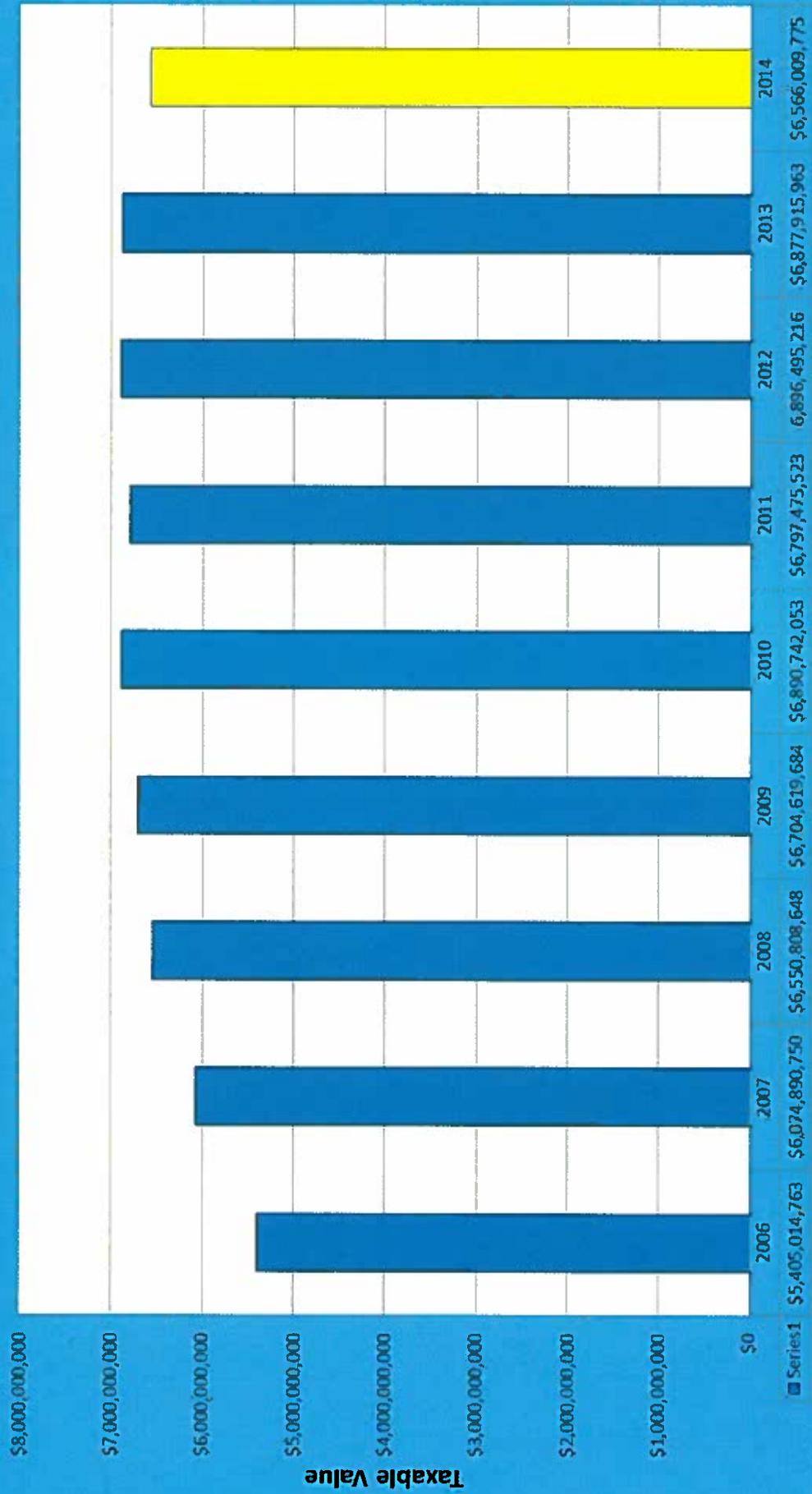
## Taxable Valuation Comparison

	Tax Year 2013	Tax Year 2014	\$ Change	% Change
<b>Total Taxable Value</b>	\$ 6,877,915,963	\$ 6,566,009,775	- \$ 311,906,188 ((\$ 331,000,000 net new))	- 4.84%
<b>Total Res. Value</b>	\$ 5,240,480,417	\$ 4,924,655,039	- \$ 315,825,378	-6.00%
<b>Total Non-Res. Value</b>	\$ 1,637,435,546	\$ 1,641,354,736	+\$ 3,919,190	+24 %





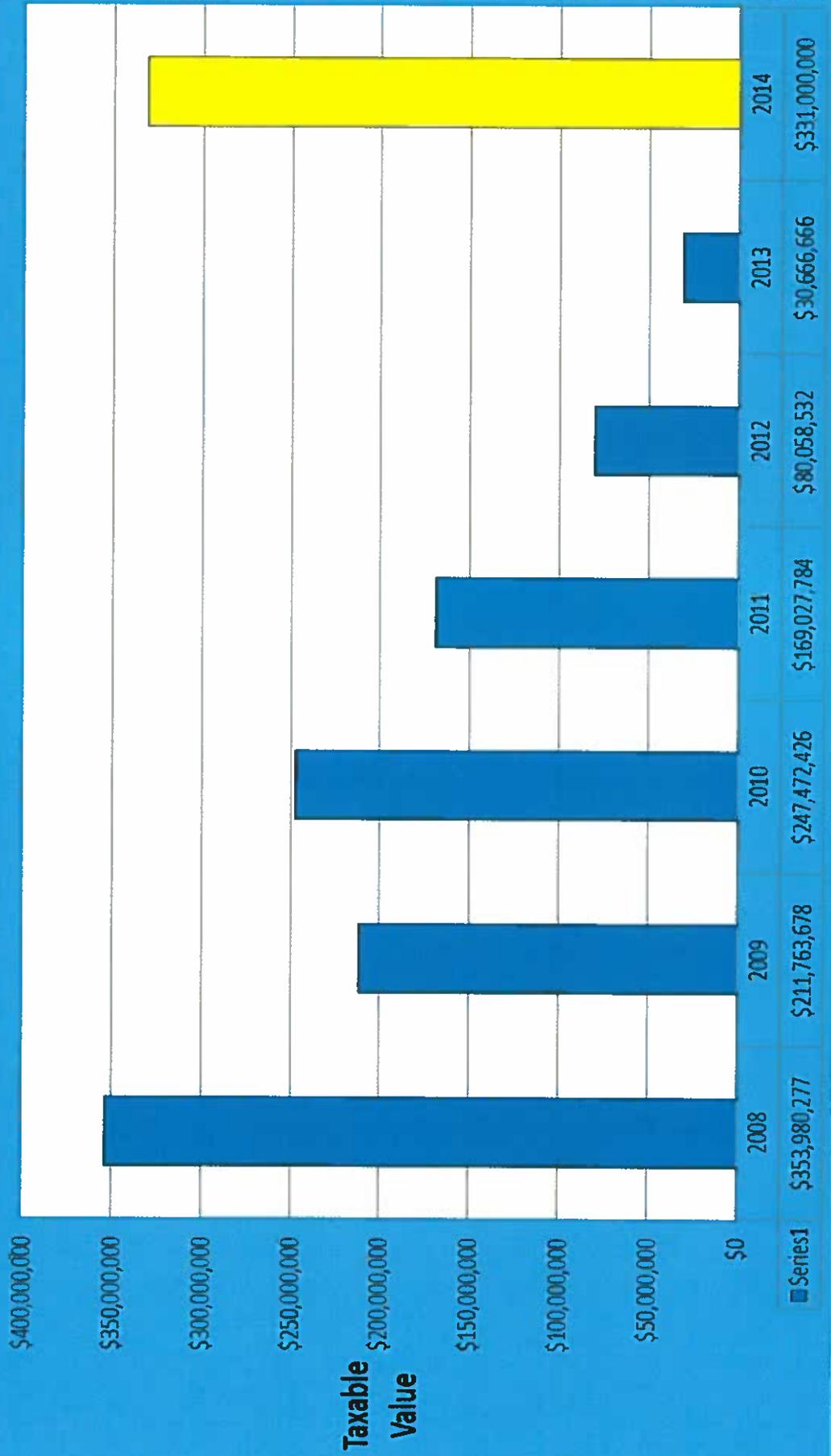
## Total Taxable Value History







## New Taxable Value Added



Series1





## Santa Fe County Assessor's Sales Ratio Study 2014 Residential Property Assessed Values Vs 2013 Sales Prices

Number of Sales:	1,635	<u>I.A.A.O. Standard</u>
Mean Ratio:	91.00%	90% to 110%
Median Ratio:	89.81%	90% to 110%
Coefficient of Dispersion:	10.152%	5% to 15%
Price Related Differential:	101.32%	98% to 103%





**Coefficient of dispersion (COD).** The average deviation of a group of numbers from the median expressed as a percentage of the median. In ratio studies, the average percentage deviation from the median ratio.

**Price-related differential.** The mean divided by the weighted mean. The statistic has a slight bias upward. Price-related differentials above 1.03 tend to indicate assessment regressivity; price-related differentials below 0.98 tend to indicate assessment progressivity.





# **OMITTED PROPERTIES ADDED TO TAX ROLLS BY ASSESSOR'S OFFICE**

<b>Year</b>	<b>Number of Accounts</b>	<b>Total Tax Amount</b>	<b>Total Taxable Value</b>
<b>2014</b>	<b>176</b>	<b>1,104,802.00</b>	
<b>2013</b>	<b>187</b>	<b>\$746,249</b>	<b>\$41,458,279</b>
<b>2012</b>	<b>329</b>	<b>\$1,779,123</b>	<b>\$98,840,192</b>
<b>2011</b>	<b>281</b>	<b>\$1,231,166</b>	<b>\$68,398,107</b>
<b>2010</b>	<b>226</b>	<b>\$1,257,093</b>	<b>\$69,838,478</b>
<b>2009</b>	<b>101</b>	<b>\$299,137</b>	<b>\$16,618,698</b>
<b>2008</b>	<b>146</b>	<b>\$592,017</b>	<b>\$32,889,833</b>
<b>2007</b>	<b>127</b>	<b>\$270,017</b>	<b>\$15,000,952</b>
<b>Total</b>	<b>1573</b>	<b>\$7,279,604</b>	<b>\$343,044,540</b>









**Submitted By:  
Domingo P. Martinez, Santa Fe County Assessor**

**Presented to Santa Fe County Board of  
County Commissioners  
April 29, 2014**







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## PREFACE

County Assessors are exclusively responsible for determining values of property for property taxation purposes in accordance with the Property Tax Code [Articles 35 to 38 of Chapter 7 NMSA 1978] and specifically 7-36-16 (A), and the regulations, orders, rulings and instructions of the department. Except as limited in Section 7-36-21.2 NMSA 1978, **assessors shall also implement a program of updating property values** so that current and correct values of property are maintained and shall have sole responsibility and authority at the county level for property valuation maintenance, subject only to the general supervisory powers of the director.

The New Mexico Department of Finance and Administration, in accordance with 7-36-16 (D) NMSA 1978, shall not approve the operating budget of any county in which there is not an adequate allocation of funds to the county assessor for the purpose of fulfilling his **responsibilities for property valuation maintenance** under this section. If the department of finance and administration questions the adequacy of any allocation of funds for this purpose, it shall consult with the department, the board of county commissioners and the county assessor in making its determination of adequacy.

In accordance with 7-36-16 (E) NMSA 1978, to aid the board of county commissioners in determining whether the county assessor is operating an efficient program of property valuation maintenance and in determining the amount to be allocated to him for this function, the county **assessor shall present with his annual budget request a written report, (known as the annual report)**. The report contains improvements of property added to valuation records during the year, additions of new property to valuation records during the year, increases and decreases of valuation during the year, the relationship of sales prices of property sold to values of the property for property taxation purposes and the **current status of the overall property valuation maintenance program in the county**.

In accordance with 7-38-38.1 (D) NMSA 1978, expenditures from the county property valuation fund shall be made pursuant to **a property valuation program presented by the county assessor and approved by the majority of the county commissioners**.

In order to achieve successful implementation and completion of this plan all requirements and provisions regarding property valuation and maintenance will be performed in compliance with the New Mexico Constitution, and the New Mexico Property Tax Code. Additionally, the Santa Fe County Assessor's Office ensures that all appraisal methods and techniques will adhere to standards and code of ethics of the International Association of Assessing Officers and the Uniform Standards of Professional Appraisal Practices (USPAP).





## **1 Valuation Maintenance Program Purpose**

In accordance with 7-36-16 (E) NMSA 1978, the purpose of the this report is to aid the board of county commissioners in determining whether the county assessor is operating an efficient program of property valuation maintenance and in determining the amount to be allocated for this function. This program is subject to the approval of the majority of county commissioners.

## **2 Valuation Maintenance Program Components**

The valuation maintenance program developed and implemented by the Santa Fe County Assessor consists of two major components: 1- Re-appraisal and data maintenance of all taxable parcels on a yearly cycle; 2- Door to door re-inspection of all taxable improved real property every 5 to 6 years.

### **2.1 Re-appraisal and Data Maintenance Plan: Yearly Cycle**

The following is a brief description of the various duties, functions, and procedures that each department within our office is responsible for accomplishing the yearly cycle. Many duties are indirectly related to the valuation of a property. However they are required to complete the entire assessment process. The program can only be implemented and successfully completed with an adequate budget, and proper management of employees, time, and resources.

#### **2.1a Operating Budget**

**Approximate Time Frame of Completion:** January 2 to May 31

**Persons Responsible:** Assessor, Deputy Assessor, Dept. Administrator

**Summary:** The Assessor is provided with two budget sources that fund our operation, the "General Fund", which is directly funded from county coffers, and the "1% Revaluation Fund". The revaluation fund is mandated in accordance with 7-38-38.1 NMSA. It requires that all entities (except institutions of higher education) that collect a property tax levy help share the cost of re-appraisal and assessment of parcels within their jurisdiction by contributing 1% of their property tax revenue to this fund. This is a special use fund that may only be used by the Assessor for the purpose of valuation maintenance.

#### **Procedures:**

- **Planning (January 2 to February 28):** The Assessor plans and coordinates with supervisory staff to determine the financial needs for operation of the office for the next fiscal year. Needs are determined by February 28 of each year.
- **Prepare Forms (March):** Department administrator prepares all budget forms and packets and submits to county finance department within deadline set by finance department.
- **Informal Hearings (April):** Assessor, Deputy, & administrator attend informal budget hearings conducted by finance director and staff.





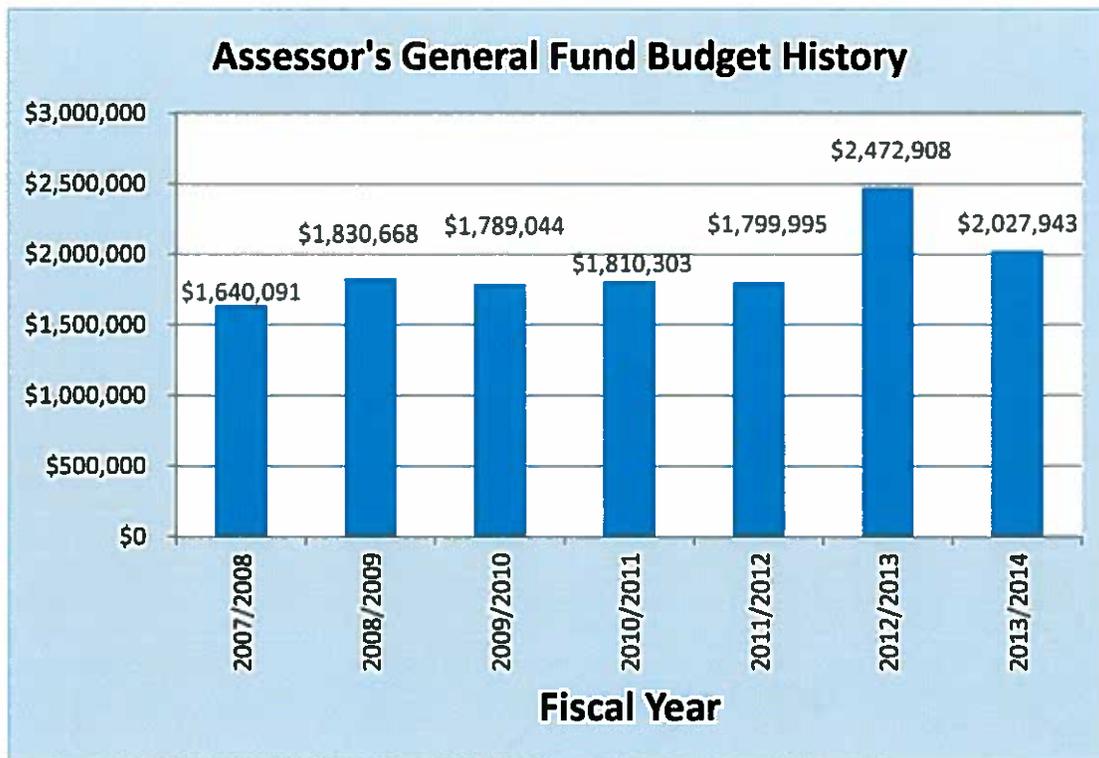
- **Commission Hearings (May):** Assessor & Deputy present budget request at formal budget hearings before the Board of County Commissioners (BOCC).
- **Final Adjustments (May):** Adjustments are made to each budget as necessary and budgets are finalized with finance department and approved by BOCC.

**Goal:** To obtain adequately funded budgets and other resources necessary to complete a comprehensive, fair and equitable valuation maintenance plan, while ensuring accountable and efficient use of those resources and taxpayer revenues.

**Supporting Information:**

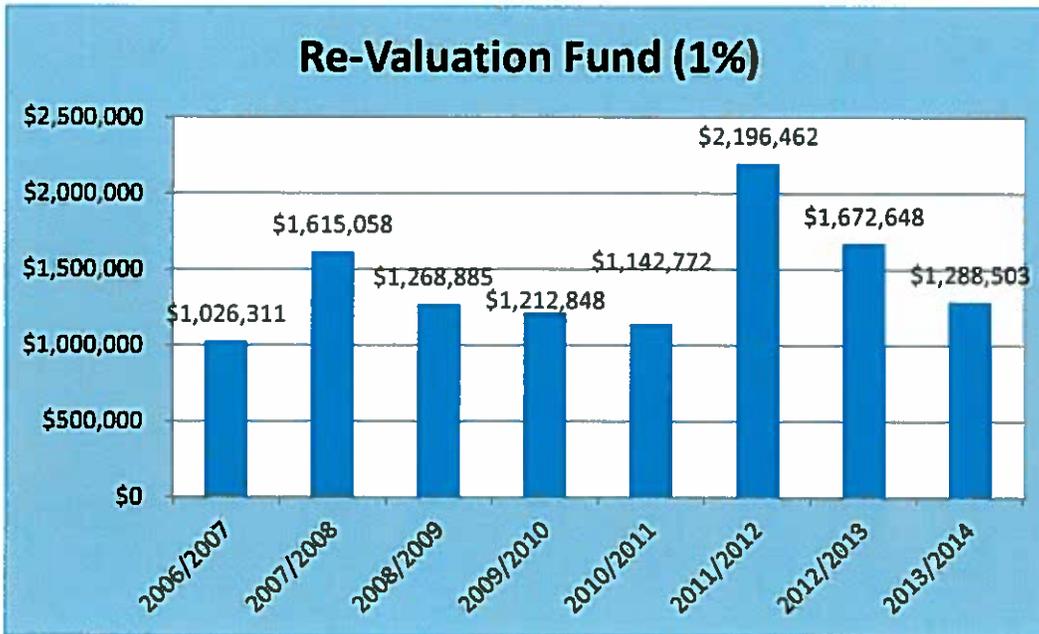
Assessors are the only county office that can protest the budget that is set by the BOCC. The department of finance and administration shall not approve the operating budget of any county in which there is not an adequate allocation of funds to the county assessor, for the purpose of fulfilling the responsibilities for property valuation maintenance.

**Historical Budget Data:**

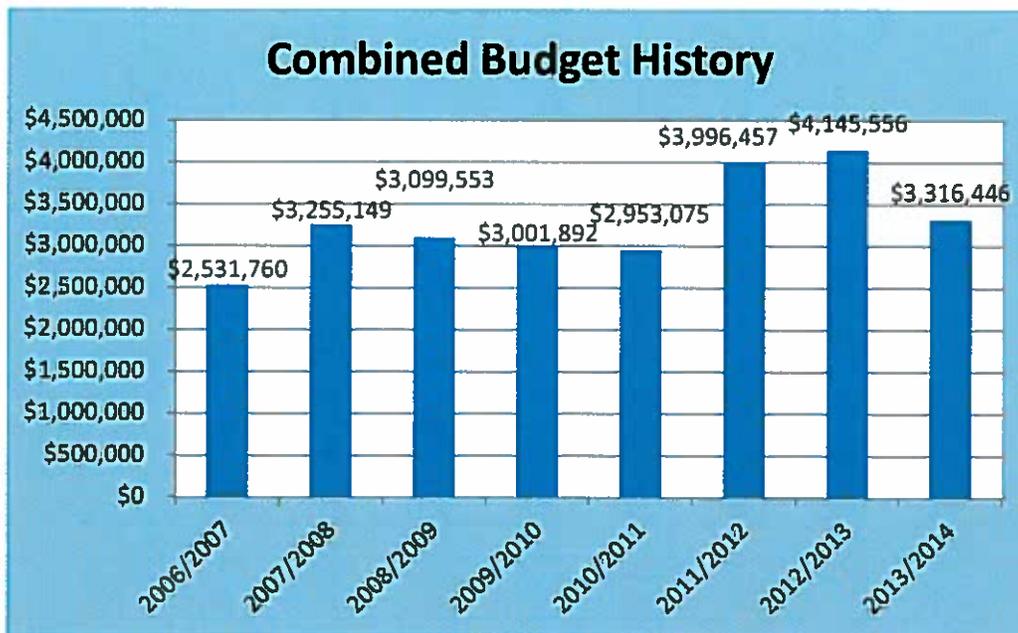


*The increase for FY2012/ 2013 budget was due to the door to door re-inspection plan started in FY 2012.*





The increase for FY 2012 budget was due to the door to door re-inspection plan started 2/2012.



## 2.1b Real Property Ownership Transfers

Approximate Time Frame of Completion: January 1 to December 31

Persons Responsible: (1)-Assessment Supervisor, (3)-Assessment Specialists

**Summary:** Legal documents that transfer ownership in real property such as deeds are recorded in the County Clerk's Office. State law mandates that copies are to be provided to the Assessor's office. Assessor's records must be updated to reflect the current owner's





name and mailing address to ensure assessment to the correct owner. Various documents are filed and processed throughout the year, therefore this process is continuous.

**Procedures:**

- Assessment Supervisor assigns transfers to Assessment Specialists for data entry in to assessor's "Ascend" database, and assists with transfers as necessary.
- As account information is updated with new owner's information. Head of Family exemptions, Veteran's Exemptions and Valuation Freezes are also removed and/or verified as required.
- Assessment Supervisor performs random quality control checks on entered data and ensures completion of work within assigned deadlines.

**Goal:** Enter all transfers in to database within two weeks of County Clerk's filing date, and minimize data entry errors. Ensure that all transfers are completed prior to preparation of mailing the Assessor's Notice of Value for each tax year (typically April 1) so that the current owner of record receives the notice.

**2.1c G.I.S. Parcel Mapping & Maintenance**

**Approximate Time Frame of Completion:** January 1 to December 31

**Persons Responsible:** (1)-G.I.S. Analyst, (3)-Auto-Drafting Technicians

**Summary:** Plats and other legal documents that initiate a change in to the legal boundaries of a parcel or parcels are typically filed and processed throughout the year with the county clerk's office. The assessor's office receives copies of the documents and is responsible for creating and maintaining parcel based tax maps from the recorded documents. Tax maps are essential in defining the location, shape and size of each parcel of property that the assessor is responsible for valuing for property tax assessments. Documents are filed throughout the year from various sources such as developers, title companies, and individuals. This is a continuous process, and the assessor's office mapping department must stay current with the creation and merge of parcels in order to properly assess the correct owner of record for the appropriate tax year.

**Procedures:**

- G.I.S. Analyst evaluates, prioritizes and assigns all work to Auto-Drafting Technicians for completion of work. Analyst assists technicians when necessary.
- Technicians check plats and deeds for legal lot descriptions and make geographical (spatial) changes to the digital parcel layer using GIS software for all properties that have been split, combined and lot line changes. They reconcile boundary lines among neighboring parcels for representation of taxable areas and assign a UPC number to every parcel in the county. A UPC is a 13 digit code that relates the position of a parcel numerically in a coordinate system (PLSS). The GIS is able to assign and store attribute (tabular) data associated to a UPC, including addresses, legal descriptions, lot sizes, plats, deeds and/or various other source data that may help locate and identify a parcel. Aerial photography and other GIS map layers are also used to assist





staff with parcel mapping. Parcel editing is a continuous process as land records often change and as new source data is assimilated.

- G.I.S. Analyst performs random quality control checks on data entry and ensures that work is completed prior to mailing Notice of Value each tax year.
- Mapping staff also produce hardcopy cadastral maps and provide spatial data for the public and other government agencies for a standard fee.
- All mapping staff provides assistance to the public via in person and by telephone.

**Goal:** Update all records and maps each year prior to mailing notices of value for the upcoming tax year. Complete with minimal to no errors.

**Supporting Information:**

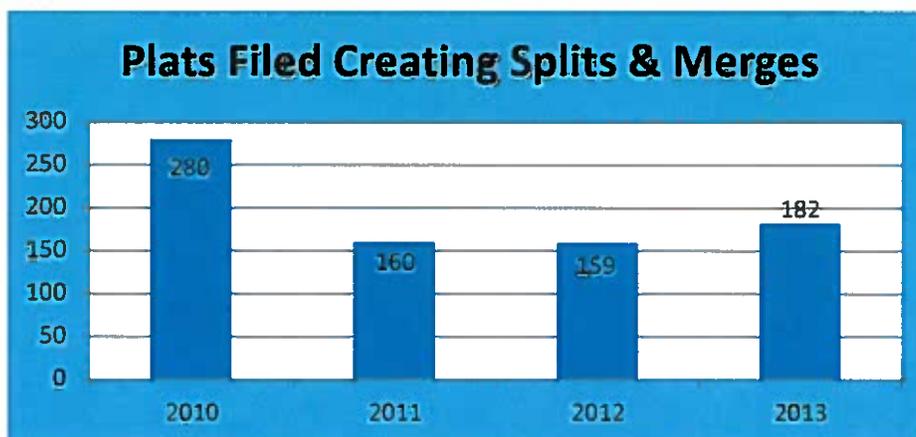
Santa Fe County Assessor's office uses a Geographical Information System (GIS) to maintain the county's cadastral (Tax) map. A GIS is a computer-based tool used for mapping and analyzing natural and manmade features on the surface of the earth.

The cadastral map (Parcel layer) is the land record for the Assessor's office and is the base layer of Santa Fe County's spatially integrated GIS.

The GIS is integrated with the Assessor's office CAMA system. The CAMA system is able to more accurately value properties as they relate to each other geographically, and assure that properties are being valued fair and equitable.

GIS maps assist assessor's appraisers with neighborhood designations and value comparisons. Appraisers are able to analyze markets, create reports and statistical data with GIS maps. Other county departments are also able to use the Assessors' GIS to assist them in their work endeavors. Common records processes such as searching and sorting through records is made easier because of the CAMA system and its mapping interface.

**Historical GIS & Mapping Data:**







## Historical GIS & Mapping Statistics:

Year	Public Notices	Lot line Adjustments	Lot Splits	Condos	Boundary Surveys	Family Transfers	Development Plans	Subdivision Plats	Easement Surveys	Lot Consolidations	Other	Total # Docs Processed
2006	640	110	99	81	66	68	34	64	42	24	25	1253
2007	568	117	77	62	51	55	35	27	29	21	28	1070
2008	102	23	13	16	14	14	15	7	10	6	4	224
2009	272	80	33	31	31	36	30	21	12	20	13	579
2010	267	54	38	26	24	20	26	11	10	8	11	495
2011	310	53	41	14	23	17	26	14	16	17	10	541
2012	334	53	39	7	22	17	23	8	12	22	8	545
2013	309	70	32	9	13	17	9	15	8	17	21	520
Totals	2493	490	340	237	231	227	189	152	131	118	99	5227

### 2.1d Valuation/ Appraisal: Real and Personal Property

**Approximate Time Frame of Completion:** January 1 to December 31

**Persons Responsible:** (3)-Chief Appraisers, (7)-Senior Appraisers, (14)-Appraisers, (2)-Field Auditors, (1)-Manufactured Housing Auditor

**Summary:** The Office of the Santa Fe County Assessor is statutorily responsible for and authorized to value property subject to valuation for property tax purposes. This includes all real property, business personal property, and livestock, except for property that is assessed by the PTD's state assessed bureau. These properties include: railroad, communications systems, pipelines, airline and public utilities, etc.

The assessor shall also implement a program of updating property values so that current and correct values of property are maintained and shall have sole responsibility and authority at the county level for property valuation maintenance.

In accordance with §7-36-7 NMSA all property is subject to valuation for property taxation purposes under the Property Tax Code if it has a taxable situs in the state (§ 7-36-7 NMSA). Property has a taxable situs in the state if it is real property located in the state, it is an interest in real property located in the state or it is business personal property present in the state on January 1 of each year, the official date of property tax valuation (§7-36-14 NMSA).

Property that is not subject to valuation for property taxation purposes under the Property Tax Code as specified by subsection B of §7-36-7 NMSA includes property exempt from property taxation under the federal or state constitution, federal law, the Property Tax Code or other laws.

All taxable property is to be valued at market value, unless the property is assessed with a special valuation method under § 7-36-20 through § 7-36-33 NMSA 1978. Market value is determined by the sales comparison, income, or cost valuation method, or any combination of methods. The methods for appraising properties must employ generally accepted appraisal techniques (§ 7-36-15).

Assessors are mandated to re-appraise properties either once per year (one-year reappraisal cycle), or once every two years (two-year reappraisal cycle). Santa Fe County Assessor's Office is currently employing a one year cycle. The phrase "current and correct values of





property" (when on a one year cycle) as used in §7-36-16 NMSA 1978 means that valuations for any given tax year are to be based on the prior year's market value.

Employing a one year cycle is a tremendous undertaking by the office. However, this cycle is most beneficial to the taxpayer. In a rising real estate market it means smaller increases (3%) in valuation per year rather than a larger increase (6.1%) in valuation every other year. In a decreasing or stagnant market valuations may be lowered each year instead of every other year, and result in a more current and fair assessment for the owner/ taxpayer.

The tax code also imposes limitations on increases in valuation under § 7-36-21.2 NMSA. While under a one year reappraisal cycle, the assessor's value of a property in any tax year shall not exceed 103% of the prior years' value. While under a two year reappraisal cycle, the assessor's value of a property in any tax year shall not exceed 106.1% of the value from two years prior.

### **Procedures Directly Associated to Valuation**

(All dates are approximate and are assigned & accomplished according to workload.)

- **Affidavits (September 1 to February):** Appraisers, and Field Auditors field verify all affidavits of sale price for improved residential property for determination if sale is a valid "arms-length transaction" and useable as a comparable. Affidavits are submitted by owners throughout the year and in accordance with the law, are kept confidential.
- **New Construction Permits (October to January 31):** Appraisers and Field Auditors field review all properties that have been issued new construction permits. This process includes: locating the property; interviewing the property owner to determine interior property characteristics; collecting exterior data; measuring the exterior of the structure(s); drawing a floor plan of the structure(s) and enter all relevant data in to ProVal and Ascend computer databases.
- **Land Splits/ Merges (January 2 to December 31):** Appraisers and Auditors field review parcels of land that have been split or combined by the mapping department. Properties must be checked for correct location of improvements and correct land values on newly created parcels. This is an ongoing process, but all reviews must be completed prior to all properties being reappraised and prior to the notice of value being mailed each year.
- **Agricultural/ Grazing Land Review (January 2 to December 31):** Under the supervision of the commercial chief appraiser, one appraiser is assigned to review all new applications for an agricultural or grazing special method of valuation. The appraiser field reviews all parcels and approves or denies the application. Appraiser completes the data entry for the approved parcels and notifies the owner of approval by mail. Properties that are denied are sometimes protested and appraiser must defend the decision to deny in a protest hearing if necessary.





- **CAMA (computer assisted mass appraisal) Modeling (February 1 to March 1):** Residential Chief Appraisers prepare and generate new statistical "models" for use in yearly reappraisal.
- **Data Entry (January to December):** Appraisers, Field Auditors, and Assessment Specialists complete data entry of all information acquired from field work. Supervisors and quality control specialists perform quality control measures.

### **Special Methods of Valuation:**

- **Business Personal Property & Livestock Renditions & NOVs (Dec. to April 1):** Requests for information reports are mailed out December 1 of each year to every business owner with a license to operate a business in Santa Fe County. Personal property appraiser receives the completed reports from business owners (by February 28) listing their fixtures and equipment that were depreciated and reported to the IRS for the previous year. Appraiser enters all information into database and generates a value for assessment & taxation purposes. Values are finalized by March 15<sup>th</sup> of each year and notice of value is mailed on April 1 along with real property NOVs.

Personal property appraiser receives livestock reports from NM State Livestock Inspector's Office listing all livestock that was recently inspected. Appraiser uses the reports and enters information into database for assessment of livestock. A notice of value is mailed to each livestock owner by April 1 of each year. Livestock values are derived from the livestock industry by the Property Tax Division and are provided to the assessor each year for use in assessing the livestock.

- **Manufactured Home Valuation & Tax Releases (January 2 to December 31):** MH Appraiser and Auditor are responsible for field checking and collecting data on MH's for valuation under the special method as stated in NMSA 1978 7-36-26. In 2013 we began utilizing the electronic version of the N.A.D.A. cost guides to derive values for MH's. This approach once fully implemented will make it easier and more efficient to re-appraise all MH's valued as personal property. Cost tables will be updated yearly by the provider and updated MH values will be automated and calculated in batch.

A manufactured home may be assessed and taxed as real property if permanently affixed to the land and certain other criteria are met as outlined in statutes. In this case the MH is valued as real property and "costed" through the Pro-Val system.

The MH Auditor and Appraiser collect information on MH's for omitted assessments and also issue tax releases to MH owners when owners need a MH moving permit. MH owners must pay their taxes in advance in order to receive a tax release, per state statutes.





## Supporting Information:

**Appraisals-** An appraisal is an opinion of value. According to the Property Tax Code, the purpose of appraisals for property tax purposes is to estimate market value. Market value, as defined by the courts, is the highest price estimate in terms of money which a property will bring if exposed for sale in the open market, allowing a reasonable time to find a purchaser who buys with knowledge of all uses to which it is adapted and for which it is capable of being used and assumes a willing buyer and seller. Market value is not the same as sales price but if the market is reasonably competitive, sales price can be strong evidence of market value.

- **Three Approached to Valuation-** The three approaches to estimating market value have been in existence since the early 1900's, all have been refined through the years and variations developed for specific appraisal problems. The three approaches to estimating value are: sale comparison, cost and income.
- **Sales Comparison Approach-** the Sales Comparison Approach compares recently-sold local similar properties to the subject property. Price adjustments are made for differences in the comparable and subject property. Terms and conditions of the sale have to be analyzed and, if required, adjusted to market based equivalence. If the adjusted prices of several comparables turn out to be similar, the appraiser has good evidence as to the market value of the subject property.

The sale comparison approach is most suitable when there are numerous and frequent sales of similar properties. This approach is widely used in the appraisal of single-family residential properties and vacant land. The reliability of the sales comparison approach rests on the number and quality of available sales. When sufficient and valid sales are available, this approach tends to be the preferred valuation method.

- **Cost Approach-** The cost approach estimates the replacement cost new of the improvements, less the estimated accrued depreciation plus the market value of land. The cost approach is most reliable in new construction and special purpose properties, where there is little to no sales data, and sometimes in commercial and industrial properties.
- **Income Approach-** The income approach requires an appraiser to capitalize net income, after allowable expenses, of a property into an estimate of market value. Successful application of the income approach requires the collection, maintenance, and careful analysis of income and expense data.

The income approach is the best method to use when dealing with income producing properties. This approach recognizes that potential investors demand property because they anticipate a future income stream.





## **2.1e Quality Control & Preparation of Valuation Data for Printing NOVs**

**Approximate Time Frame of Completion:** February 1 to March 10

**Persons Responsible:** Assessor's System Programmer, & appraisal staff.

**Summary:** After all appraisal work has been completed for each new tax year and prior to the notice of values being mailed, data is processed for errors. This is necessary in order to prevent major problems prior to mailing, avoid additional costs, and provide the property owner with an accurate and valid valuation.

### **Procedures:**

- **Checking for Errors:** Systems programmer prints reports of all taxable property. The report lists the prior years' value and the current years' value along with a % difference in the two values. The reports are reviewed by the appraisal staff who check for large increases or decreases in valuation to determine if the changes are valid.
- **Field Reviews:** Appraisal staff field reviews any properties with errors that cannot be determined from the office. Appraisers resolve all errors until lists are complete. Lists are assigned by chief appraisers.
- **Deliver Data (March 15+-):** All data necessary to produce the NOVs is prepared and exported electronically by assessor's system administrator to printing contractor for mailing of NOV by April 1 of each year, or designated official mail date. Printing contractor usually requires the data to be delivered two weeks prior to the mailing date. The office is currently under contract with Peregrine Corporation for printing the notices.

## **2.1f Mailing of Notices of Value & Rendition Period**

**Approximate Time Frame of Completion:** April 1 to May1

**Persons Responsible:** All assessors' staff.

**Summary:** Assessors are mandated to mail all notices of net taxable value of the property to all property owners by April 1 of each tax year (§ 7-38-20 NMSA), unless and extension has been granted by the NM Property Tax Director. The notice of value is the culmination of the assessor's responsibilities and efforts.

The NOV informs the property owner of the valuation that is determined by the assessor's office for property tax purposes. The 30 day time period from the date the notices of value are mailed is known as the rendition period. During this 30 day period the owner or their representative (licensed appraiser, tax consultant, or attorney) is afforded the opportunity to "protest" their valuation, and file for taxpayer benefits such as exemptions. This period is the busiest time of year for "walk-in" traffic by the public and phone calls.

### **Procedures:**

- **Mail NOVs (April 1 or before):** Chief Deputy and Assessor's System Programmer collaborate and ensure that contracted printing company mails out approximately 89,000 notices as scheduled.





- **Public Assistance (April 1 to May1):** Assessment specialists, assessment supervisor and appraisal staff provide information and assistance to walk-in and phone in customers. Staff also provides assistance and receives applications for head of family exemptions, veteran's exemptions, valuation freezes, church exemptions, charitable / educational exemptions and agricultural / grazing status.
- **Receive Protest Forms (April 1 to May1):** All three Chief Appraisers and assigned appraisal staff meet with property owners in person to discuss concerns with assessor's valuation and accept protest forms. Forms are filled out electronically. Copies are made and given to protestant. Chief appraisers assign and distribute protests to appraisal staff.
- **Process Incoming Mail (April 1 to May 31):** Two quality control specialists are responsible for retrieving mail from the post office and printing out e-mails that are sent to [assessor@santafecounty.gov](mailto:assessor@santafecounty.gov). All mail is sorted and scanned into assessor's database. Scanned documents are linked to their property location ID. Originals are distributed to the appropriate staff for assignment of work. When no longer needed originals are filed and stored for the mandated time period. A follow up process is used to ensure all correspondence is addressed by staff.
- **Application Review & Data Entry (January to December):** Appraisers, field auditors, and assessment specialists determine eligibility and review all exemption and freeze applications that were filed during rendition period. Assessment specialists complete data entry of all information acquired from field work.

## 2.1g Valuation Protests

**Approximate Time Frame of Completion:** April 1 to September 30

**Persons Responsible:** Senior Appraisers, Appraisers, Field Auditors, and Assessment Specialist staff, Assessor's Attorney

**Summary:** Each year property owners or their representative may appeal the value or classification determined for their property by filing a petition of protest with the county assessor within 30 days of the official mail date of the notice of value. Santa Fe County typically mails notices on or around April 1st of each year. The assessor may mail NOV's later than April upon approval from the NM Property Tax Director. All protests are mandated to be resolved within 180 days of filing the protest with the assessor's office. This deadline may be extended by the tax director if the assessor requires and requests more time to resolve protests.

### Procedures:

- **On Site Inspection (April to June 15):** Protest petitions are assigned to appraisers & auditors for a complete on site review of the property. This review will include: taking current photos, inspecting the exterior of the property, verifying and correcting all pertinent data, and measuring and sketching the exterior of all structures if necessary. In some cases an interior inspection may be necessary as well. Protests are assigned based on difficulty and as evenly as possible to each appraiser in order to maintain fairness.





- **Informing the Owner:** After the field review has been completed the appraiser, with assistance from the assessment specialists, e-mails or mails a letter informing the property owner of any change to their valuation. If an adjustment has been made, and the owner is in agreement with the valuation, they may choose to withdraw the petition of protest by signing and returning a copy of the letter.
- **Informal Conference (June 15 to August 31):** If the appraiser decides not to adjust the valuation or the owner remains in disagreement with our revised valuation, the owner may choose not to withdraw the protest and proceed with the protest process. If this is the case, the appraiser will schedule "informal conferences" and meet with Protestants in person. At this time the appraiser informs the owner of any changes made to the property records and presents the owner with information that supports the assessor's valuation. Owners may provide any new documentation they have not already provided to the office in support of their value for the appraiser to consider.
- **Formal Hearings (6 to 8 weeks between July and September):** If the protest is not resolved at the informal conference, then a formal hearing will be scheduled by the appraiser before the County Valuation Protest Board. The assessor is required to notify the protestant by certified mail of the date, time, and location of the hearing at least 15 days prior to the hearing. In addition, the office provides a nine page "Information Pamphlet" that provides the owner with more information relating to the protest hearing process. Appraisal staff prepares written reports and present testimony, exhibits and is cross examined at the protest board hearing.

#### Historical Protest Data:



#### Supporting Information:

The County Valuation Protest Board consists of three members. Two members and two alternates are residents of the county, and are appointed by the County Commission. The third member and an alternate are employees of the State Property Tax Division, and serve





as the chairperson of this board. The hearing is an open meeting and is also recorded, for appeal purposes, by one person from the PTD. The protest board will hear testimony and accept documentation from both the assessor's office and the protestant.

After the hearing the board will privately discuss and decide the case. The board will then mail a written decision and order to both parties within thirty days after the hearing, as required by statute. If the board rules in the owner's favor, the Assessor's valuation will be adjusted accordingly.

If a protestant fails to appear at the hearing, the protest will be denied and the valuation will default to the assessor's value. Property owners or the county may appeal final decisions or orders from a district court.

If a person misses the deadline for filing a protest, the owner may file a "Claim for Refund" in the Santa Fe District Court after the County Treasurer mails tax bills in November of each year. Claims must be filed against the county assessor, no later than the sixtieth (60) day after the due date for the first installment of the tax that is subject to a claim of refund. Payment of all taxes due in accordance with the tax bill must be made prior to the delinquency date before filing for a claim for refund. Claims must contain the property owners' names and addresses, as well as other persons receiving a tax bill for the property. The action must state the basis for the refund claim, the amount of the refund to which the owners believe they are entitled, and amounts paid.

Once the courts have determined the amount of refund, if any, the County Assessor and the County Treasurer will make the appropriate change to the tax records.

Claim for refunds, amongst other issues, are usually defended in court by the assessor's contract attorney, Bridget Jacober with assistance and testimony from Assessor staff. Over three hundred refund claims have been filed in the past 6 years.

**Goal:** Successfully resolve all protests prior to September 15, (before the tax roll is generated) or no later than the statutory deadline of 180 days after the protest is filed.

## **2.1g Staffing & Professional Development**

In order to accurately and professionally accomplish the mandated duties of the office, the Assessor must hire educated, experienced, and motivated individuals and provide continuous training and continuing education in the field of real and personal property appraisal. Having well trained and professional individuals in other facets of the duties of the office is equally important and essential to our office.

Under §4-39-2 NMSA, the issuance of certificates and incentive pay is authorized upon completion of a series of four one week long courses taught by our professional organization called the International Association of Assessing Officers. An Assessor, Deputy Assessor or appraiser can earn the designation of "Certified Property Appraiser" issued by New Mexico





Property Tax Division. Recently, a continuing education program was self-imposed by the Assessor's Affiliate and endorsed by PTD. The Santa Fe County Assessor's Office has 12 fulltime employees designated as New Mexico Certified Appraisers.

Appraisal certification ensures adequate knowledge of the principles of property appraisals, assessment techniques, and property tax laws. Certification also enhances an individual's and the public confidence in the work being performed by the assessor office.

Santa Fe County has agreed to implement a certification program similar to the one stated above. The incentive pay is included with the assessor's appraisal staff salaries.

Additionally, The NM EDGE County College, in collaboration with the NM Assessors Affiliate has developed a certification curriculum specific to the NM County Assessor office for a NM Certified Public Assessing Official" designation. Nationally recognized designations are also available through our membership in the IAAO. Several of our appraisers are currently working towards one of these designations. The Assessor's goal is to re-classify the appraiser's position and compensate them accordingly once the designation is attained. County Assessors and their staff should be very familiar with traditional appraisal methods, real estate markets, and local conditions. Other technical and professional skills needed are: statistical skills for building and applying statistical models, management skills for recruiting, training and directing staff, data processing skills for designing and maintaining computer programs, and public relation skills for dealing with the public and the media.

Our employees possess skills in administration, mass appraisal, mapping/GIS, and personal real property appraisals. Our employees are able to appraise/develop values for all property types within Santa Fe County, and are able to defend those values at every level of appeal. Continuing training and education is a major resource for the success and performance of the office, and highly recommended and enforced.

The following is a listing of the County Assessors' staff by primary function:

STAFFING					
ADMINISTRATION		APPRAISAL		CLERICAL	
Elected Assessor	1	Chief Appraiser	3.00	Administration	1.00
Administrative Assistant	1	Residential Appraisers	19.00	Title Examiner	1.00
Chief Deputy Assessor	1	Commercial Appraisers	2.00	Deeds / Mapping	3.00
Deputy Assessor(s)		Manufactured Homes	1.00	Exemptions	
GIS Director	1	Business Personal Property	1.00	Data Entry	6.00
		Agriculture / Grazing Land	1.00	Quality Control	2.00
		Livestock			

The Chief Deputy Assessor and the three Chief Appraisers are responsible for all valuation maintenance and reappraisal programs. They will be responsible for implementing administrative policy, enforcing procedural and quality control standards, directing, training, and assigning duties to temporary personnel and performing the other statutory ongoing administrative duties.

The County Assessor believes that education should be an ongoing program and it only strengthens the valuation program. The Protest Board and District Court gauge the level of professional expertise of an appraiser by the appraiser's credentials. Therefore, assessment





personnel are expected and encouraged to attend all Property Tax Department's accepted appraisal courses and any licensing or certification program. This will benefit Santa Fe County by successfully defending valuation protests that ultimately impact county budgets.

## **2.2 Mandated Periodic Door to Door Re-Inspection Plan**

The second essential component of a proper valuation maintenance program is the requirement for periodic re-inspection of all properties in Santa Fe County. The New Mexico Property Tax Division has directed assessors to implement a five to six-year re-inspection cycle for this purpose, which is in conformance with a professional standard of the International Association of Assessing Officers. The main function of these inspections is to verify and update existing information and discover improvements to properties that are not currently on the tax roll.

### **2.2a 2012 / 2013 Data Collection Project Completed** (Single Fam. Residential Properties)

On February 28, 2012, Santa Fe County entered into a contract with Tyler Technologies for a door to door re-inspection project of single family residential properties. The following is a summary of the completed work.

#### **First Phase: Completed by Tyler & Assessor's staff between May 2012 and Feb. 2013**

- 55,000 properties photographed and GPS position identified.
- 55,000 properties reviewed by Assessors staff in conjunction with Tyler to ascertain mapping issues, quality, condition and note issues visible from the van.
- Numerous properties were neither physically or visually accessible due to locked gates

#### **Second Phase: Completed by locally hired Tyler staff between June 2012 and July 2013**

- 36,000 properties visited
- Identified over 200 significant structures (previously omitted from the tax rolls) and hundreds of additional miscellaneous detached structures and additions.
- 17,000 properties measured and property data from property owner attained.
- 19,000 property owners not present at time of visit did not contact Tyler as requested
- Approximately 19,000 properties measured and sketched using alternative procedures such as aerial photographs and historical sketches.
- Numerous properties were found to be associated with the wrong property owner





### **Third Phase: Quality control completed by Assessors Office July 2013 to February 2014.**

- Verified and revised data entered into Assessors CAMA system
- 19,000 property record cards, including sketches, were mailed to property owners to verify the sketch and data estimated due to no access to the property or property owner.
  - 1,855 were sent back undeliverable
  - 10,145 requests delivered for verification were not answered
  - 2,500 were verified by the property owner to be correct.
  - 2,000 needed change to the sketch
  - 2,500 needed change to the attributes (No. of bedrooms, bathrooms etc.)
  
- **2.2b Issues Arising From the Project**
  - Property owner identified numerous mapping problems and verified that major problems in the entire mapping unit exist.
  - Identified issues with the CAMA system that will necessitate timely edit error reports be generated to capture incorrect data entry, and possible reorganization of the Assessor's Office.
  - As time permits staff will continue to research addresses to eliminate undeliverable mail. Both the Assessor and the Treasurer with the help of the Post Office have corrected numerous addresses but it requires numerous amounts of staff time that is not a priority at this time.
  - The 10,000 requests for information that were not answered by the property owner will have to be followed up by staff and may require as a last resort a subpoena to acquire the information to correctly value the property for tax purposes in the future.
  
- **2.3b Periodic Door to Door Re-inspection Plan For All Remaining Properties: To be completed by January 1, 2015.**

Staff will now be reassigned to:

- Follow up on the 10,000 requests for information as noted above
- Field verify, collect data, and reappraise:
  1. Remainder of mobile homes,
  2. Remainder commercial properties
  3. Remainder of agricultural properties
  4. Begin compliance audit on business personal property





5. Correct mapping issues
6. Re-evaluate and appraise current exempt properties
7. Work on identifying and correcting mapping records to truly reflect property location and size

Continue full time daily duties:

- Verify all Sales Affidavits are received
- Verify and reappraise property per sales affidavit
- Appraise property generated thru building permit
- Appraise properties built with no building permit
- Administer, verify, appraise, testify and defend the value before the protest board
- Process the Business Personal Property renditions
- Process applications for agricultural properties
- Process applications for head of household and veterans exemptions
- Process address corrections
- Process daily inputs from property owners, the public and other Departments and Governments into the Mapping Department
- Appraise new mobile homes not on tax roll
- Issue mobile home certificate of taxes paid
- Issue off-line tax roll corrections
- Generate correct certification and abstract reports required by the Property Tax Code
- Work with the Attorney in defending refund requests in District Court, Court of Appeals etc.
- Attend and participate in depositions, court ordered mediation and other meetings
- Work with the attorney with exempt property applications
- Process and answer questions on value freeze applications
- Render assistance to public with numerous property issues
- Continue Public relations and outreach to public
- Answer public information requests in a timely manner
- Maintain and update the CAMA system for the following tax year

## **2.4 Plan for Next Door to Door Re-inspection**

- Budget in FY 2014/2015 for Digital Aerial Oblique Photography- photos taken late 2014. Establish a base year for comparing photos.
- Budget in FY 2016/ 2017 for Digital Aerial Oblique Photography- photos taken late 2016. Receive product in early 2017.
- In 2017: Compare two sets of photos to find changes in structures, such as additions, etc.
- Generate list of changed property for staff appraisers to correct/ change in database. Field verify if necessary.
- Enter all changes to data and include on 2018 Notice of Value.



# SANTA FE COUNTY

## RESOLUTION NO. 2014-

### A Resolution Approving The County Assessor's Property Valuation Program In Accordance With State Statute

WHEREAS, in accordance with Sections 7-36-16 (E) NMSA 1978, to aid the board of county commissioners in determining whether the county assessor is operating an efficient program of property valuation maintenance and in determining the amount to be allocated to him for this function, the county assessor shall present with his annual budget request a written report, (known as the annual report). The report contains improvements of property added to valuation records during the year, additions of new property to valuation records during the year, increases and decreases of valuation during the year, the relationship of sales prices of property sold to values of the property for property taxation purposes and the current status of the overall property valuation maintenance program in the county; and

WHEREAS, in accordance with 7-38-38.1 (D) NMSA 1978, expenditures from the county property valuation fund shall be made pursuant to a property valuation program presented by the county assessor and approved by the majority of the county commissioners; and

WHEREAS, at the April 29, 2014 BOCC meeting, Chief Deputy Assessor Gary Perez presented the Board of County Commission with the Assessor's Property Valuation Program and Annual Report.

NOW THEREFORE IT BE RESOLVED by the Board of County Commissioners of Santa Fe County that this Resolution to approve the Assessor's Valuation Maintenance Program and governed by NMSA 1978, Section 7-38-38.1 (D), is hereby adopted.

APPROVED, ADOPTED AND PASSED this 29 day of April, 2014

BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Geraldine Salazar, County Clerk

\_\_\_\_\_  
Daniel W. Mayfield, Chairman

  
\_\_\_\_\_  
Stephen C. Ross, County Attorney

\_\_\_\_\_  
Teresa C. Martinez, Finance Director







**Daniel "Danny" Mayfield**  
*Commissioner, District 1*

**Miguel M. Chavez**  
*Commissioner, District 2*

**Robert A. Anaya**  
*Commissioner, District 3*



**Kathy Holian**  
*Commissioner, District 4*

**Liz Stefanics**  
*Commissioner, District 5*

**Katherine Miller**  
*County Manager*

## MEMORANDUM

**DATE:** April 21, 2014

**TO:** Board of County Commissioners

**FROM:** Julia Valdez, Constituent Services Liaison, Manager's Office 

**VIA:** Katherine Miller, County Manager

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### ITEM AND ISSUE:

A Resolution for Santa Fe County to Join Other Local Governments Across the Country in Requesting from Congress a National Freight Fee for Hazardous Materials; to Improve Rail Safety and Help to Respond to Various Types of Disasters with Better Route Planning and Strict Rules for Classifying Hazardous Materials before Shipment (Commissioner Stefanics)

### BACKGROUND

More crude oil shipments are transported to meet the demands of more energy. It is vital that local governments take the lead to protect the safety of its citizenry and protect the health and safety of those at the front lines of the emergency disaster - HazMat responders.

This resolution requests that congress impose a National Freight Fee for Hazardous Materials. This means to improve rail safety and emergency preparedness for various types of disasters by better planning and exacting rules to classify Hazardous Materials before shipping.

There will be no staff time associated with implementation of this resolution. Therefore, there is no Fiscal Impact.



SANTA FE COUNTY

RESOLUTION NO. 2014-\_\_\_\_\_

**A RESOLUTION FOR SANTA FE COUNTY TO JOIN OTHER LOCAL GOVERNMENTS ACROSS THE COUNTY IN REQUESTING FROM CONGRESS A NATIONAL FREIGHT FEE FOR HAZARDOUS MATERIALS; TO IMPROVE RAIL SAFETY AND HELP TO RESPOND TO VARIOUS TYPES OF DISASTERS WITH BETTER ROUTE PLANNING AND STRICT RULES FOR CLASSIFYING HAZARDOUS MATERIALS BEFORE SHIPMENT**

**WHEREAS**, as rail transportation surges to meet the demands of a natural gas boom in this county, local and state governments need to take the lead in demanding better oversight, safety and more robust planning to respond to accidents involving hazardous materials;

**WHEREAS**, crude oil shipments by rail have increased by more than 400 percent since 2005;

**WHEREAS**, it is suggested that the federal government would impose a fee on companies that extract and transport crude oil and the industrial consumer of it;

**WHEREAS**, the fee would fund new investments in infrastructure, first responders in the locations of disasters involving hazardous materials and rebuilding efforts necessitated by disasters involving hazardous materials;

**WHEREAS**, the proposal would require congressional authorization;

**WHEREAS**, the proposal calls for broader improvements that include building safer rail cars and railroads and providing local officials with information about the freight entering their cities and counties;

**WHEREAS**, the U.S. National Transportation Safety Board (NTSB) and the Transportation Safety Board of Canada released a joint statement calling for better route planning that avoids densely populated areas,;

**WHEREAS**, recommending stricter rules that correctly classify hazardous materials before shipment and rigorous oversight to ensure companies have plans for dealing with disasters involving hazardous materials.



NOW, THEREFORE, BE IT RESOLVED THAT THE SANTA FE BOARD OF COUNTY COMMISSIONERS HEREBY CALLS FOR SANTA FE COUNTY TO JOIN OTHER LOCAL GOVERNMENTS ACROSS THE COUNTY IN REQUESTING FROM THE U.S. CONGRESS:

1. The imposition of a national freight fee for the transport or shipment of hazardous materials;
2. Better route planning by companies that transport or ship hazardous materials; and
3. Stricter rules that classify hazardous materials before transport or shipment,

TO IMPROVE RAIL SAFETY AND HELP TO RESPOND TO DISASTERS INVOLVING HAZARDOUS MATERIALS.

PASSED, APPROVED AND ADOPTED ON THIS 29<sup>th</sup> DAY OF APRIL, 2014.

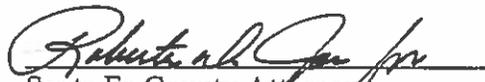
BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Daniel W. Mayfield, Chair

ATTEST:

\_\_\_\_\_  
Geraldine Salazar, County Clerk

Approved as to form:

  
\_\_\_\_\_  
Santa Fe 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: April 29, 2014

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager *KM*

FROM: Melissa S. Holmes, Santa Fe County Commission District 2 Liaison *M.C.M.H.*  
on behalf of Commissioner Miguel Chavez

RE: Request for approval of Resolution No. 2014 - \_\_\_\_, A Resolution Creating an Arts, Culture and Cultural Tourism Committee.

**ISSUE:**

On the agenda for your consideration is a resolution to establish the Art Culture and Cultural Tourism Committee (ACCT).

**BACKGROUND:**

The Board of County Commission previously adopted Resolution 2008-111, creating the Arts, Cultural and Entertainment Task Force (ACE), which was tasked with creating an Arts, Culture and Entertainment policy. The task force was dissolved in June 2010, and the intent of this resolution is to reconstitute ACE as the ACCT.

ACCT shall be tasked with the following:

- Identify all existing potential funding sources including Lodgers Tax, grants, 1% for the Arts program, the Quality of Life gross receipts tax, and bonding for ACCT activities, programs, projects and organizations.
- Explore areas of potential collaboration and partnership with local governments, traditional communities, and other related organizations that would provide benefit to the arts, cultural and cultural tourism industries throughout the County.
- Advise the Board of County Commissioners, by developing policy options, action items and specific project proposals for the Board of County Commissioners on matters concerning arts, cultural and cultural tourism activities and related community development issues including specific roles the County might play in fostering economic activities. These activities may include but not be limited to:

- Inventory of existing arts, culture, and cultural tourism non-profit entities and their function or role.
- Inventory of existing crafts, cottage industries, cultural tourism, film/digital media, and arts related businesses in Santa Fe County.
- Recommendations on how Santa Fe County can enhance opportunities for local artisans and craftsman through branding and/or development of export markets.
- Provide recommendations on the feasibility of using existing Santa Fe County buildings to showcase local artists and craftsman.

ACCT shall consist of seven members who live and/or conduct business in the County and who are engaged with the arts, cultural and cultural tourism activities and events as professionals, participants, organizers or funders. Applications shall be solicited from the general public and the Board shall appoint members that represent the following sectors:

- Arts and crafts industry
- Cultural tourism industry (may include heritage tourism, ecotourism, and/or agri-tourism)
- General arts organizations
- Film/digital media industry
- Economic Development organizations

ACCT shall be in existence for a period of twenty-four months with an option by the Board to extend this term.

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

**RESOLUTION NO. 2014--**

**A RESOLUTION CREATING AN ARTS, CULTURE AND CULTURAL  
TOURISM COMMITTEE**

**WHEREAS**, Santa Fe County is a place where the arts, culture and cultural tourism are highly valued, where artists, musicians, entertainers, filmmakers, skilled crafts people choose to live, and where nationally recognized events occur;

**WHEREAS**, the County's artistic, cultural and cultural tourism organizations are key components of our vibrant community and further enhance the quality of life, and whose continued existence should be encouraged and supported;

**WHEREAS**, the unincorporated communities of Santa Fe County often host artistic and cultural events, activities, organizations, and businesses, and these activities, organizations, and businesses would benefit from greater support and coordination, including linking tourists and/or customers to the respective activity, organization, or business.

**WHEREAS**, according to a Bureau of Business and Economic Research (BBER) report on the Economic Importance of the Arts and Cultural Industries (A&CI) of Santa Fe County, commissioned in 2004:

- A&CI account for 17.5% of total SF County employment (in 2002);
- A&CI account for \$814 million in revenue generated from outside Santa Fe County (in 2002), roughly 39% of the total inflow of money into the local economy;
- Santa Fe County is among the largest art markets in the United States, and first among cities of comparable size; and
- Santa Fe County has lost nearly one-third of its share of the national tourism market since the mid-1990s, pointing to a need to redefine, rebrand, and rejuvenate the community;

**WHEREAS**, Santa Fe County is drafting a new Economic Development Plan that includes arts, culture, and cultural tourism as important elements of economic activity within the County;

**WHEREAS**, Santa Fe County adopted the Sustainable Growth Management Plan (SGMP) in 2010 in which Arts & Culture was identified as one of 5 target industries; additionally, among other policies, strategies, and goals relevant to arts, culture, and cultural tourism, Policy 10.2 of the SGMP states that "Arts, Culture, and Tourism should

be supported as a critical component of the County's economy, through local arts, arts-related business and cultural events";

**WHEREAS**, the Board of County Commissioners of Santa Fe County desires to assist communities engaged in arts, culture and cultural tourism organizations, projects, and events, and to better coordinate the County's economic development efforts to foster arts, culture and cultural tourism activities; and to create an advisory committee whose primary goal is to facilitate the enhancement and expansion of the arts, culture, and cultural tourism industries within Santa Fe County; and

**WHEREAS**, the Board of County Commissioners previously adopted Resolution 2008-111, creating the Arts, Culture, Entertainment (ACE) Task Force, tasked with creating an Arts, Culture, Entertainment policy, which was discontinued in June, 2010, and which the Board now desires to reconstitute as set forth below.

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

1. An Arts, Culture and Cultural Tourism (ACCT) committee is hereby created.
2. The ACCT committee shall be advisory to the Board of County Commissioners.
3. The ACCT shall consist of establish a representative group of seven committee members who live and/or conduct business in Santa Fe County and who are engaged with the arts, culture and cultural tourism activities and events either as professionals, participants, organizers or funders.
4. Applications for members of the ACCT committee shall be solicited from the general public. The Board shall, to the extent practicable, appoint ACCT committee members that represent each of the following sectors:
  - a. The crafts cottage industry;
  - b. The cultural tourism industry (could include heritage tourism, ecotourism, and/or agri-tourism);
  - c. General arts organizations;
  - d. The film/digital media industry; and
  - e. Economic Development organizations.
5. Four members of the ACCT committee shall be appointed by the BCC for an initial term of one year and three shall be appointed for an initial term of two years. Thereafter members shall serve terms of two years, provided that after the Committee is in existence for twenty-four (24) months, the Board exercises its option to extend the Committee's term as set forth in Paragraph 9. Members may be removed by the BCC with or without cause. In the event of a vacancy, the BCC shall

appoint a member to serve out the remainder of the departing member's term.

6. Committee members shall annually elect a chair and vice-chair by majority vote of the quorum.
7. The Committee shall meet up to six (6) times per year to carry out its work.
8. All matters coming before the Committee shall be resolved by majority vote of the quorum.
9. The Committee will be in existence for twenty-four (24) months, with an option to extend its existence.
10. The ACCT committee shall have the following duties:
  - A. To identify all existing and potential funding sources and other resources including Lodger's Taxes, grants, "1% for the arts" programs, the Quality of Life gross receipts tax, and bonding for ACCT activities, programs, projects, and organizations;
  - B. To explore areas of potential collaboration and partnership with local governments, traditional communities and other related organizations that would provide benefit to the arts, culture, cultural tourism industries throughout the County;
  - C. To advise Board of County Commissioners by developing policy options, action items and specific project proposals for the Board of County Commissioners on matters concerning arts, culture and cultural tourism activities and related community development issues, including specific roles that the County might play in fostering these economic activities; including, but not limited to, the following:
    - a. An inventory of existing arts, culture, and cultural tourism non profit entities and their function or role;
    - b. An inventory of existing crafts, cottage industries, cultural tourism, film/digital media, and arts-related businesses in Santa Fe County;
    - c. Recommendations on how Santa Fe County can enhance opportunities for local artisans and craftsmen through branding and/or development of export markets; and
    - d. Recommendations on the feasibility of using existing Santa Fe County buildings to showcase local artists and craftsmen.

APPROVED, ADOPTED AND PASSED THIS \_\_\_\_ day of April, 2014

THE BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY

By: \_\_\_\_\_  
Daniel W. Mayfield, Chair

ATTEST:

\_\_\_\_\_  
Geraldine Salazar, County Clerk

Approved as to form:

*Willie K. Brown*  
for: Rachel Brown, Acting County Attorney

# 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):

A RESOLUTION CREATING AN ARTS, CULTURE AND  
CULTURAL TOURISM COMMITTEE (ACCT)

Reviewing Division(s):

David Griscom, Economic...

Person Completing FIR:

Date: 1/29/2014

Phone: 2728

## Section B. Summary

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

The resolution creates a new public committee, staffed by the Planning Division, that is tasked with development of policy options and project ideas that would benefit the arts/cultural industries.

## Section C. Fiscal Impact

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

- a. 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.
- b. Detailed budget information must be included, such as funding source, amounts and justification.
- c. Detailed salary and benefit for new full-time equivalents (FTE's) must be included. The request must be approved by the staff of the Human Resources Division for each new FTE

request.

**1. Projected Expenditures:**

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

Exp. Classification	FY <input type="text" value="14"/>	"A" or "N"	"R" or "NR"	FY <input type="text" value="15"/>	"A" or "N"	"R" or "NR"	Funds affected
Salary and Benefits	<input type="text" value="\$3,584"/>	<input type="text" value="A"/>	<input type="text" value="R"/>	<input type="text" value="\$11,648"/>	<input type="text" value="A"/>	<input type="text" value="R"/>	Select or type...
Maintenance	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Select or type...
Other Operating	<input type="text" value="\$252"/>	<input type="text" value="A"/>	<input type="text" value="R"/>	<input type="text" value="\$240"/>	<input type="text" value="N"/>	<input type="text" value="R"/>	Select or type...
Contractual Services	<input type="text" value="\$500"/>	<input type="text" value="A"/>	<input type="text" value="R"/>	<input type="text" value="\$3,000"/>	<input type="text" value="N"/>	<input type="text" value="R"/>	Select or type...
Capital Requirements	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Select or type...
<b>Total</b>	<input type="text" value="\$4,336"/>			<input type="text" value="\$14,888"/>			

\*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	FY <input type="text"/>	"R"	FY <input type="text"/>	"R" or	Funds Affected
---------	-------------------------	-----	-------------------------	--------	----------------

Revenue	or "NR"	"NR"
<input type="text"/>	<input type="text"/>	<input type="text"/>
Total	\$0	\$0

**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.

Assumptions: Resolution is adopted in February, Notice in papers for applicants in March, approval of Committee members by BCC in April, ACCT meetings in May and June.

FY 14:

Staff time: avg 5 hrs/week x 16 weeks x \$32/hour x 1.4 (benefits %) = \$3,584

Other Operating: \$212 for Applicant notice in paper, \$20 x 2 for public noticing for May/June ACCT meetings = \$252

Contractual Services: \$250 x2 for Recorder/Minutes contract for May/June ACCT meetings = \$500

FY 15:

Staff time: avg 5 hrs/week x 52 weeks x \$32/hour x 1.4 (benefits %) = \$11,648

Other Operating: \$20 x 12 for public noticing for 12 ACCT meetings = \$240

Contractual Services: \$250 x 12 for Recorder/Minutes contract for 12 ACCT meetings

FY 16:

Staff time: avg 5 hrs/week x 52 weeks x \$32/hour x 1.4 (benefits %) = \$11,648

Other Operating: \$20 x 12 for public noticing for 12 ACCT meetings = \$240

Contractual Services: \$250 x 12 for Recorder/Minutes contract for 12 ACCT meetings

**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 Resolution builds on the work done by the previous ACE Task Force (Arts, Culture, Entertainment), Resolution 2008-111, which was terminated in 2010.

**2. Consequences of Not Enacting This Ordinance/Resolution:**

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

The arts, culture, cultural tourism industries would not receive any potential benefit from the outcome of this committee.

**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.

No

**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.

This Resolution would represent a positive collaboration between the arts/cultural industries and the County staff in developing policy/project/financing ideas that would enable these industries to expand in SF County.

 File Attachment

 File Attachment

 File Attachment

 [Click here to sign this section](#)







## MEMORANDUM

DATE: March 11, 2014  
TO: Board of County Commissioners  
VIA: Katherine Miller, County Manager  
FROM: Melissa S. Holmes, Santa Fe County Commission District 2 Liaison  
on behalf of Commissioner Miguel Chavez  
RE: Request for approval of Resolution No. 2014 - \_\_\_\_, A Resolution In Support of  
Allowing Tribal Governments to Allocate a Portion of Revenue Sharing Contributions to  
Local Government Within State of New Mexico Gaming Compacts for the Purpose of  
Assisting Local Governments to Provide Services to Tribal Governments and  
Communities Within Which an Indian Casino is Located.

### ISSUE:

On the agenda for your consideration is a resolution that supports tribal governments the authority to negotiate the dedication of a portion of the revenue sharing contribution to local governments within the vicinity of a casino, for the purpose of assisting local governments to provide services to tribal governments and communities.

### BACKGROUND:

It has come to my knowledge that some Tribal Governments have in the past, and during current gaming compact negotiations, with the state of New Mexico, have asked to include an allowance of the revenue sharing proceeds go to local governments to support the specific needs of the communities that Tribal Gaming Establishments are a part of.

Currently established gaming compacts between Tribal Governments and the State of New Mexico do not have any revenue sharing funds received from tribal gaming operations provided directly to local governments. Revenue sharing proceeds currently received become part of the state general fund and are not specifically known to be utilized in tribal communities or adjacent communities.

With this resolution I would like to offer the support of the local government of Santa Fe County to Tribal Governments that wish to include a provision of local government revenue sharing within their gaming compacts.

There is no staff time associated with implementation of this Resolution so a Fiscal Impact Report is not needed.

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

**RESOLUTION NO. 2014-**

**A RESOLUTION IN SUPPORT OF ALLOWING TRIBAL GOVERNMENTS TO  
ALLOCATE A PORTION OF REVENUE SHARING CONTRIBUTIONS TO  
LOCAL GOVERNMENT WITHIN STATE OF NEW MEXICO GAMING  
COMPACTS FOR THE PURPOSE OF ASSISTING LOCAL GOVERNMENTS  
TO PROVIDE SERVICES TO TRIBAL GOVERNMENTS AND COMMUNITIES  
WITHIN WHICH AN INDIAN CASINO IS LOCATED**

**WHEREAS**, current negotiations between tribal governments and the State of New Mexico (the State) are underway for the purpose of formulating gaming compacts related to the operation of casinos in the State;

**WHEREAS**, individual tribal governments negotiate individual gaming compacts with the State in order to provide for the distinct needs of the tribal government under whose authority a casino is allowed to exist;

**WHEREAS**, a tribal government may desire to include within the Revenue Sharing Agreement associated with a specific gaming compact a provision committing a portion of the revenue sharing contribution which is normally provided to the State in its entirety, to a local government within whose jurisdiction the Indian casino is located;

**WHEREAS**, as a result of building and operating a casino a population center is created and therefore the need for local government services is intensified;

**WHEREAS**, the local government services which must be increased in response to the creation of a casino include emergency response services, utility services, installation and maintenance of transportation infrastructure, and administrative support associated with the previously mentioned services;

**WHEREAS**, when a casino is created a tribal government may, by cooperating with a local government, provide necessary public services in a manner that does not cause a duplication of services and follows responsible spending practices;

**WHEREAS**, committing a portion of revenue sharing funds to a local government would allow for a direct benefit to the residents of the community of which the gaming establishment, the gaming establishment employees, the gaming establishment patrons, and tribal citizens are a part;

**WHEREAS**, one of the reasons that Indian gaming is allowed is to provide a means for tribal self-determination and revenue generated by the operation of a gaming establishment enables tribal self-determination;

**WHEREAS**, Santa Fe County has partnered with tribal governments to coordinate a variety of public services including law enforcement, fire and emergency response services, solid waste and animal control services;

**WHEREAS**, Santa Fe County supports the self-governing authority provided to tribal governments by the United States Congress and supports recognition of tribal governments' authority to negotiate state gaming compacts which dedicate a portion of the revenue sharing contribution to local governments;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners of Santa Fe County hereby supports granting tribal governments the authority to negotiate the dedication of a portion of the revenue sharing contribution to local governments within the vicinity of a casino, for the purpose of assisting local governments to provide services to tribal governments and communities.

PASSED, APPROVED and ADOPTED this       <sup>th</sup> day of                   2014

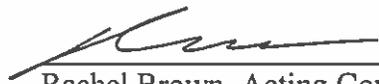
**SANTA FE COUNTY BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Daniel W. Mayfield, Chair

**Attest:**

\_\_\_\_\_  
Geraldine Salazar, Santa Fe County Clerk

**Approved As To Form:**

  
\_\_\_\_\_  
Rachel Brown, Acting County Attorney

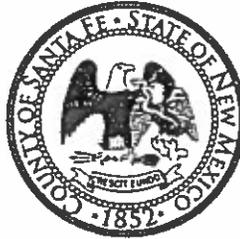




Daniel "Danny" Mayfield  
Commissioner, District 1

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: *March 27, 2014*

TO: *Board of County Commissioners*

FROM: *Adam Leigland, Public Works Department Director*

VIA: *Katherine Miller, County Manager*

ITEM AND ISSUE: *BCC Meeting April 29, 2014*

**REQUEST APPROVAL OF ORDINANCE 2014-\_\_\_\_, AN ORDINANCE AMENDING ORDINANCE NO. 2012-7 (AMENDING ORDINANCE 2010-5 TO EXTEND THE TIME DURING WHICH PERMITS WILL REMAIN VALID), TO ENSURE THAT RESIDENTIAL SOLID WASTE PERMITS SOLD FOR FISCAL YEAR 2015 AND EACH YEAR THEREAFTER SHALL NOT EXPIRE UNTIL FULLY UTILIZED (FIRST PUBLIC HEARING)**

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### **BACKGROUND AND SUMMARY:**

Following the Solid Waste Assessment and Management Study recommendations, the Solid Waste Task Force (SWTF) and staff are recommending that the solid waste permits sold for Fiscal Year 2015 and beyond have no expiration date and do not functionally expire until the permit is fully utilized. To implement this, an amendment to the current solid waste ordinance is required.

At the March 25, 2014, BCC meeting, the BCC requested that two public hearings be held on this ordinance amendment. The first public hearing will be held on April 29, 2014, and the second on May 27, 2014.

Additionally, Commissioner Anaya is seeking a modification to this proposed ordinance amendment to make it retroactive to permits purchased in FY14. Thus, an alternative ordinance change version to reflect those changes is also presented here.

Solid waste permits are generally advertised and sold in April/May, two/three months in advance of the upcoming fiscal year and the normal permit expiration date, to allow customers plenty of time to have their new permits. Staff sought the approval of the subject change before all other SWTF recommendations were approved to give customers more information as they prepared to purchase their FY15 permits.

The SWTF also recommended the introduction of 6- and 12-punch permits, and that the permit cycle follow the calendar year rather than the fiscal year, since the calendar year makes more sense to the customer. Therefore, staff will recommend that starting in January 2015, the new, smaller permits will be rolled out. These permits would also not expire until fully utilized.

A fiscal impact report for both ordinance change versions is attached to this memo. In short, the fiscal impact to make the permits non-expiring for FY15 and beyond is hard to predict, at least for the first year, but, depending on how the pricing for the new 6- and 12-permits is set, could be small or even zero. The fiscal impact to make the change retroactive to FY14 permits is easier to predict because of our knowledge of permit sales and use, and is estimated at between \$150,000 and \$200,000 in foregone FY15 sales.

**ACTION REQUESTED:**

Conduct public hearing on proposed ordinance amendment.

---

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

**ORDINANCE NO. 2014 – \_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE 2010-5 (ESTABLISHING SOLID WASTE FEES) AND ORDINANCE NO. 2012-7, (AMENDING SECTION 13, PARAGRAPH (A)(1) TO EXTEND THE TIME DURING WHICH PERMITS WILL REMAIN VALID) TO FURTHER AMEND SECTION 13, PARAGRAPH (A)(1) TO ENSURE THAT RESIDENTIAL SOLID WASTE PERMITS SOLD FOR FISCAL YEAR 2015 AND EACH YEAR THEREAFTER SHALL NOT EXPIRE UNTIL FULLY UTILIZED**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY THAT SECTION 13, SERVICE FEES, PARAGRAPH (A)(1) OF ORDINANCE NO. 2010-5, AS AMENDED BY ORDINANCE NO. 2012-7, IS FURTHER AMENDED AS FOLLOWS:**

**Section One. Amendment of Section 13(A)(1) of Ordinance 2010-5, as amended by Ordinance 2012-7:**

The second to last sentence of Section 13(A)(1), previously amended by Ordinance 2012-7, is now repealed and replaced with the following:

“Residential Solid Waste Permits sold for fiscal years 2014 and prior are valid for thirty days after the year printed on the permit, however Residential Solid Waste Permits sold for fiscal year 2015 and each year thereafter shall be valid until all permitted trips have been utilized.”

**Section Two. Effective Date.**

This Amendment shall become effective thirty days after recordation pursuant to NMSA 1978, Section 4-37-9(1975).

**PASSED, ENACTED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

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

\_\_\_\_\_  
Daniel W. Mayfield, Chair

**ATTEST:**

---

Geraldine Salazar  
Santa Fe County Clerk

**APPROVED AS TO FORM:**

---

Stephen C. Ross, County Attorney

---

THE BOARD OF COUNTY COMMISSIONERS OF  
SANTA FE COUNTY

ORDINANCE NO. 2014 - \_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO. 2012-7 (AMENDING  
ORDINANCE 2010-5 TO EXTEND THE TIME DURING WHICH PERMITS  
WILL REMAIN VALID), TO ENSURE THAT RESIDENTIAL SOLID WASTE  
PERMITS SOLD FOR FISCAL YEAR 2015 AND EACH YEAR THEREAFTER  
SHALL NOT EXPIRE UNTIL FULLY UTILIZED

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
SANTA FE COUNTY THAT ORDINANCE NO. 2012-7, IS AMENDED AS  
FOLLOWS:

1. Section One is repealed and replaced with the following:

**Section One. Amendment of Section 13(A)(1) of Ordinance 2010-5:**

The second to last sentence of Section 13(A)(1) is now repealed and replaced with  
the following:

~~“Residential Solid Waste Permits sold for fiscal years 2014 and prior are valid for  
thirty days after the year printed on the permit, however Residential Solid Waste  
Permits sold for fiscal year 2015 and each year thereafter shall be valid until all  
permitted trips have been utilized.”~~

2. All provisions of Ordinance No. 2012-7 not herein amended shall remain in full  
force and effect.
3. This Ordinance shall become effective thirty days after recordation pursuant to  
NMSA 1978, Section 4-37-9(1975).

PASSED, ENACTED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.

BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY

---

Daniel W. Mayfield, Chair

**ATTEST:**

---

Geraldine Salazar  
Santa Fe County Clerk

**APPROVED AS TO FORM:**

---

Stephen C. Ross, County Attorney

---

## 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):	Amending the Solid Waste Ordinance, retroactive to FY14
Reviewing Division(s):	Public Works
Person Completing FIR:	Craig O'Hare
Date: 3/11/2014	Phone: 992-3044

### Section B. Summary

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

Eliminates the expiration date for solid waste permits - retroactive to FY14 and continuing in FY15

### Section C. Fiscal Impact

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

- a. 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.
- b. Detailed budget information must be included, such as funding source, amounts and justification.
- c. Detailed salary and benefit for new full-time equivalents (FTE's) must be included. The request must be approved by the staff of the Human Resources Division for each new FTE request.

#### 1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – the current fiscal year and the following three fiscal years, where applicable
- b. Indicate: "A" if current budget and level of staffing will absorb the costs  
"N" if new, additional, or increased budget or staffing will be required

- c. Indicate: "R" if recurring annual costs  
Indicate: "NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if four years does not adequately project revenue and costs patterns
- e. Costs may be netted or show as an offset if some cost savings are projected (please explain further in Section 3 Narrative)
- f. Please provide additional fiscal impact information for years 3 and 4 in the Expenditure/Revenue Narrative.
- g. This form allows for information related to two fiscal years. Please note *info* relation to other fiscal years in narrative 3.

Exp. Classification	FY <input type="text"/>	"A" or "N"	"R" or "NR"	FY <input type="text"/>	"A" or "N"	"R" or "NR"	Funds affected
Salary and Benefits	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Select or type...
Maintenance	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Select or type...
Other Operating	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Select or type...
Contractual Services	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Select or type...
Capital Requirements	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Select or type...
Total	\$0			\$0			

\*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	"R" or "NR"	FY 2016	"R" or "NR"	Funds Affected
Permit sales	(\$150,000)	R		R	Special Revenue _
Total	(\$150,000)		\$0		

Insert item

**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.

This is a recommendation by the Solid Waste Task Force. Removing the expiration date from FY15 permits the 24-trip solid waste permit is not expected to affect revenue for FY 2015. However, making it retroactive to FY14 will result in a loss of revenue estimated to be between \$150,000 and \$200,000 a year. Further, it may appreciably reduce revenue for FY 2016 and beyond. Currently, 24 trip solid waste permits expire at the end of each fiscal year - regardless of whether all of the trips have been "used up". Thus, convenience center patrons are required to purchase another 24 trip permit each new fiscal year. With the removal of the annual permit expiration, some patrons may take 2 or even 3 years to fully utilize all 24 trips - meaning they will no longer be purchasing a new permit each year. The possible FY 16 and beyond revenue reduction is impossible to project at this time. Any reduction in permit fee revenue will need to be made up with General Funds in order to cover convenience center operational costs.

**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.

Amends Solid Waste Ordinances 2010-5, 2012-7.

**2. Consequences of Not Enacting This Ordinance/Resolution:**

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

Solid waste permits will continue to expire each fiscal year.

**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.

No.

**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.

Convenience center patrons will appreciate that they will be able to fully utilize their permit.

 FISCAL ANALYSIS PERMITS NONEXPIRING.xlsx  
13.95 KB

 Click here to attach a file

 Click here to attach a file

Save & Close

Special Revenue \_

[Click here to sign this section](#)



**FISCAL ANALYSIS - REVENUE CHANGES WITH PERMIT OPTIONS**

**FY 14 THRU MARCH, 2014**

PERMIT TYPE	NUMBER SOLD IN FY14	TOTAL POSSIBLE PUNCHES	PUNCHES USED JULY 2013-MARCH 2014	ESTIMATED PUNCHES USED APRIL - JUNE 2014*	POTENTIAL PUNCHES STILL AVAILABLE	POTENTIAL	
						24 -TRIP PERMITS NOT SOLD FY15	POSSIBLE REVENUE SHORT FALL \$75/ PERMIT FY15
24-TRIP	3760	90240					
SENIOR	1553	37272					
LOW INCOME	90	2160					
<b>TOTAL</b>	<b>5403</b>	<b>129672</b>	<b>52,754</b>	<b>19,257</b>	<b>57,661</b>	<b>2,402</b>	<b>\$ 180,150.00</b>

\*Punch data not yet available for April, May, & June 2014; used data from 2013





