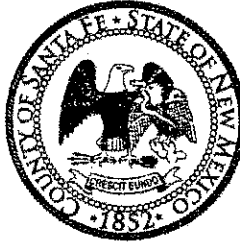


Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

Date: May 15, 2018

To: Board of County Commissioners

From: Paul Olafson, Planning Projects Manager

Via: Katherine Miller, County Manager

Item: **Resolution No. 2018 - ___, A Resolution Adopting the Complete Santa Fe County Americans with Disabilities Act Transition Plan and Authorizing the County Manager to submit the Plan to the New Mexico Department of Transportation**

Summary:

The County is in the process of completing an Americans with Disabilities Act (ADA) Transition Plan. The plan has a 20 year time frame and recommends priorities for improvements for the County to ensure compliance with current ADA standards. The plan is being presented for the first of two public hearings for Board review and public comment.

Background and Discussion:

All sub-recipients of the United States Department of Transportation (USDOT) funds are responsible for developing and implementing an ADA Transition Plan. The County is a sub-recipient of federal financial assistance through the NMDOT and the County's complete ADA Transition Plan is due to NMDOT June 6, 2018.

Title II of the Americans with Disabilities Act of 1990 states that "No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of services, program, or activities of a public entity, or be subjected to discrimination by any such entity."

A project team consisting of personnel from the County Managers Office, Public Works, Legal and Planning worked with consultants for the development of the County's draft ADA Transition Plan. The Plan is being presented today for review and public comment. If approved the plan will be forwarded to NMDOT.

The ADA assessment included all County facilities. No immediate health or safety concerns were identified for ADA accessibility to County facilities in this assessment. The data has been compiled in a data base format to allow searches for a variety of headings and reports (individual facility, facility type, improvement, cost parameters etc.).

The plan has 3 parts, Part 1 Roads, Part 2 Parks and Open Spaces, and Part 3 Buildings and Facilities. The segment for Roads was submitted to NMDOT on December 19, 2017 pending completion of the other plan elements. The draft plan presented herein includes the Roads element along with the other elements to ensure that recommendations on ADA road improvements could be considered in the context of all County facility ADA improvement recommendations.

The ADA Transition Plan covers a twenty year time frame. The recommended priorities are spread over 5 priority groupings as described below:

- Priority 1 (1-5 years):** These projects will affect the largest number of users and/or are located at facilities that most likely would have clients with disabilities. County residents would be best served by funding the projects listed as soon as funding is available.
- Priority 2 (5-10 years):** The County should address these projects when funding becomes available, and after completion of Priority 1 projects.
- Priority 3 (11-15 years):** These projects are recommended, but should be reevaluated when funding becomes available, as requirements may have changed. The projects would usually be completed as part of major facility renovations. For example, the County Administration building and District Attorney's offices are scheduled for major renovations, in which case, ADA projects are incorporated into those renovations.
- Priority 4 (16+ years)** Priority 4 projects are in more remote areas with minimal public access, or they fall under "Safe Harbor" as projects that met 1991 ADA requirements and would only need be updated if renovations occur.
- Priority 5: Reasonable Accommodations:** These projects are in work areas which the public does not access. They need only be funded if county employees request the work as part of "reasonable accommodations" required to accomplish their job.

The priorities above are recommendations and may be adjusted in the future as the County is able to implement projects with available funding and internal staff resources. All costs are estimates and assume that all work, including soft costs such as planning and design would be contracted outside of County staff. It is likely that many of the recommended projects and activities can be accomplished in-house with County resources. Additionally, the cost estimates reflect conservative pricing and actual costs for any work will be determined when implementation of any of the recommended projects is actually implemented.

The following table provides a summary of the overall ADA improvement recommendations per facility type and priority along with a preliminary estimation of costs:

SFC ADA Transition Plan Cost Estimates

<i>ADA Improvement Estimate</i>	<i>Roads</i>	<i>Parks/Open Space</i>	<i>Facilities</i>
Priority 1 (0-5 years)	\$ 147,570	\$ 1,708	\$ 1,708,583
Priority 2 (5-10 years)	\$ 26,889	\$ 177,994	\$ 4,348,170
Priority 3 (11-15 years)	\$ 24,253	\$ 541,145	\$ 5,486,083
Priority 4 (16 + years)	\$ 248,032	\$ 18,452	\$ 989,679
Reasonable Accommodation	\$ -	\$ -	\$ 1,296,299
Sub-totals	\$ 446,744	\$ 739,299	\$ 13,828,814
Total All Improvements			\$15,014,857

Finally, the ADA Transition Plan does not represent a binding financial commitment for the County. The Plan intended as a guide for planning accessibility improvements within a temporal context of 20 years for implementation. As with any plan, the ADA Transition Plan will need to be reviewed and updated periodically as improvements are made and conditions change in the future.

Action Requested:

Staff recommends approval of Resolution No. 2018 - ___, A Resolution Adopting the Santa Fe County Americans with Disabilities Act Transition Plan and Authorizing the County Manager to submit the Plan to the New Mexico Department of Transportation.

Exhibits:

Exhibit A: Resolution No. 2018 - ___, A Resolution Adopting the Complete Santa Fe County Americans with Disabilities Act Transition Plan and Authorizing the County Manager to submit the Plan to the New Mexico Department of Transportation.

**THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY
RESOLUTION NO. 2018 - _____**

**A RESOLUTION ADOPTING THE COMPLETE SANTA FE COUNTY AMERICANS
WITH DISABILITIES ACT TRANSITION PLAN AND AUTHORIZING THE COUNTY
MANAGER TO SUBMIT THE PLAN TO THE NEW MEXICO DEPARTMENT OF
TRANSPORTATION**

WHEREAS, Title II of the American Disabilities Act (ADA) of 1990 states that "No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of services, program, or activities of a public entity, or be subjected to discrimination by any such entity."

WHEREAS, the Federal Department of Transportation (USDOT), which provides transportation funding to state and local governments, implements Title II through 49 CFR Part 21 (Nondiscrimination in Federally-Assisted Programs of the USDOT); and

WHEREAS, there are other nondiscrimination statutes that afford legal protection from unlawful discrimination, including Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 USC 324) (prohibiting discrimination on the basis of sex), the Age Discrimination Act of 1975 (prohibiting discrimination on the basis of age), and Section 504 of the Rehabilitation Act of 1973/Americans With Disabilities Act of 1990 (prohibiting discrimination on the basis of disability); and

WHEREAS, the New Mexico Department of Transportation (NMDOT) has notified the County that all subrecipients of USDOT funds must implement a Title II Program through adoption of a Title II ADA Transition Plan demonstrating how unlawful discrimination will be prevented in accordance with all applicable federal law; and

WHEREAS, the County's ability to receive USDOT funding will be jeopardized unless the County submits the Santa Fe County ADA Transition Plan to NMDOT; and

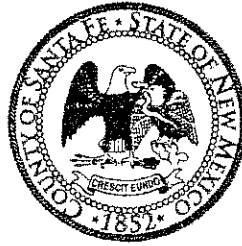
WHEREAS, the County approved Resolution 2017-139 which approved the Roads element of the Santa Fe County ADA Transition Plan along with the Santa Fe County Americans with Disabilities Act, Title II Statement of Policy and Grievance Procedure and authorized the County Manager to submit both documents to NMDOT by December 29, 2017; and

WHEREAS, the current draft of the Santa Fe County ADA Transition Plan includes the previously approved Road element along with the Parks and Open Space Element and the Buildings and Facilities Element; and

Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

Date: May 29, 2018
To: Board of County Commission
From: Tony Flores, Deputy County Manager
Via: Katherine Miller, County Manager
Subject: Resolution 2018 - ___, A Resolution Providing Salary Increase for Elected Santa Fe County Officials

Background and Summary:

During the 2018 New Mexico Legislative session, the Legislature passed and the Governor signed House Bill 69 (Bill), amending NMSA 1978 §4-44-4, which increases the maximum salaries for elected officials of Class A counties. Additionally the Bill amended §4-44-12.3(A)(2018), which permits, by a majority vote of a board of county commission, the provision for salary increases for elected officials.

Based upon direction received at the Special Board of County Commission Budget Study Session held on May 16, 2018, staff has prepared the attached Resolution, which increases the salaries of County elected officials. The salary increases if approved, would not take effect until the first day of the term of an elected County official who takes office after the date of this resolution.

Exhibits:

- A – Resolution
- B – House Bill 69

1 AN ACT
2 RELATING TO COUNTIES; ADJUSTING THE SALARY CAPS APPLICABLE TO
3 ELECTED COUNTY OFFICIALS; ELIMINATING THE CLASS "C" COUNTY
4 CLASSIFICATION; REPEALING SECTION 4-44-6 NMSA 1978 (BEING
5 LAWS 1957, CHAPTER 196, SECTION 4, AS AMENDED).
6

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

8 SECTION 1. Section 4-44-1 NMSA 1978 (being Laws 1957,
9 Chapter 196, Section 1, as amended) is amended to read:

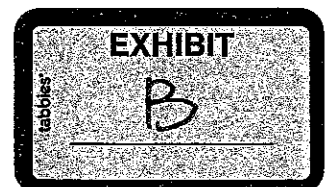
10 "4-44-1. CLASSIFICATION FOR SALARY PURPOSES.--

11 A. For the purpose of fixing salaries of county
12 officers, the several counties of the state, except "H" class
13 counties, are classified as follows:

14 (1) those having a final, full assessed
15 valuation of over seventy-five million dollars (\$75,000,000)
16 and a population of one hundred thousand persons or more as
17 determined by the most current annual population data or
18 estimate available from the United States census bureau, as
19 class "A" counties; and

20 (2) those having a final, full assessed
21 valuation of over seventy-five million dollars (\$75,000,000)
22 and a population of less than one hundred thousand persons as
23 determined by the most current annual population data or
24 estimate available from the United States census bureau, as
25 class "B" counties.

HB 69
Page 1



1 B. The assessed valuation for each year is the
2 full valuation as finally fixed for that year."

3 SECTION 2. Section 4-44-4 NMSA 1978 (being Laws 1957,
4 Chapter 196, Section 2, as amended) is amended to read:

5 "4-44-4. CLASS A COUNTIES--SALARIES.--The annual
6 salaries of elected officers of a class A county shall not
7 exceed, for:

8 A. county commissioners, thirty-nine thousand one
9 hundred six dollars (\$39,106) each;

10 B. treasurer, eighty-six thousand six hundred
11 twenty-six dollars (\$86,626);

12 C. assessor, eighty-six thousand six hundred
13 twenty-six dollars (\$86,626);

14 D. sheriff, ninety thousand three hundred thirty-
15 eight dollars (\$90,338);

16 E. county clerk, eighty-six thousand six hundred
17 twenty-six dollars (\$86,626); and

18 F. probate judge, thirty-eight thousand one
19 hundred fourteen dollars (\$38,114)."

20 SECTION 3. Section 4-44-4.1 NMSA 1978 (being Laws 1986,
21 Chapter 67, Section 2, as amended) is amended to read:

22 "4-44-4.1. CLASS B COUNTIES--HIGH
23 VALUATION--SALARIES.--The annual salaries of elected officers
24 of a class B county with an assessed valuation of over three
25 hundred million dollars (\$300,000,000) shall not exceed, for:

1 A. county commissioners, thirty thousand one
2 hundred ninety-six dollars (\$30,196) each;

3 B. treasurer, seventy-five thousand seven hundred
4 thirty-three dollars (\$75,733);

5 C. assessor, seventy-five thousand seven hundred
6 thirty-three dollars (\$75,733);

7 D. sheriff, seventy-eight thousand nine hundred
8 fifty-two dollars (\$78,952);

9 E. county clerk, seventy-five thousand seven
10 hundred thirty-three dollars (\$75,733); and

11 F. probate judge, twenty-six thousand four hundred
12 eighty-two dollars (\$26,482)."

13 SECTION 4. Section 4-44-5 NMSA 1978 (being Laws 1957,
14 Chapter 196, Section 3, as amended) is amended to read:

15 "4-44-5. CLASS B COUNTIES--INTERMEDIATE VALUATION--
16 SALARIES.--The annual salaries of elected officers of a class
17 B county with an assessed valuation of over seventy-five
18 million dollars (\$75,000,000) but under three hundred million
19 dollars (\$300,000,000) shall not exceed, for:

20 A. county commissioners, twenty-one thousand five
21 hundred thirty-four dollars (\$21,534) each;

22 B. treasurer, sixty-four thousand eight hundred
23 forty-four dollars (\$64,844);

24 C. assessor, sixty-four thousand eight hundred
25 forty-four dollars (\$64,844);

1 D. sheriff, sixty-seven thousand eight hundred
2 fourteen dollars (\$67,814);

3 E. county clerk, sixty-four thousand eight hundred
4 forty-four dollars (\$64,844); and

5 F. probate judge, fifteen thousand ninety-eight
6 dollars (\$15,098)."

7 SECTION 5. Section 4-44-12.3 NMSA 1978 (being Laws
8 1991, Chapter 91, Section 1, as amended) is amended to read:

9 "4-44-12.3. LEGISLATIVE INTENT--UNIFORM SALARY
10 CHANGES.--

11 A. The intent of the legislature when increasing
12 the maximum salaries of elected county officials is to
13 provide for equitable salary increases.

14 B. The majority of a board of county commissioners
15 may provide for salary increases for elected county
16 officials; however, a salary increase shall not take effect
17 until the first day of the term of an elected county official
18 who takes office after the date that salary increase is
19 approved."

20 SECTION 6. Section 4-44-14 NMSA 1978 (being Laws 1955,
21 Chapter 4, Section 2, as amended) is amended to read:

22 "4-44-14. H CLASS COUNTIES--SALARIES.--

23 A. The annual salaries of elected or appointed
24 part-time officers of an H class county shall not exceed,
25 for:

1 (1) county commissioners, fifteen thousand
2 eight hundred forty-four dollars (\$15,844) each;

3 (2) treasurer, seven thousand nine hundred
4 twenty-two dollars (\$7,922);

5 (3) assessor, seven thousand nine hundred
6 twenty-two dollars (\$7,922);

7 (4) sheriff, seven thousand nine hundred
8 twenty-two dollars (\$7,922);

9 (5) county clerk, seven thousand nine
10 hundred twenty-two dollars (\$7,922); and

11 (6) probate judge, four thousand six hundred
12 thirty-six dollars (\$4,636).

13 B. The annual salaries of elected or appointed
14 full-time officers of an H class county shall not exceed,
15 for:

16 (1) treasurer, seventy-five thousand seven
17 hundred thirty-three dollars (\$75,733);

18 (2) assessor, seventy-five thousand seven
19 hundred thirty-three dollars (\$75,733);

20 (3) sheriff, seventy-eight thousand nine
21 hundred fifty-two dollars (\$78,952); and

22 (4) county clerk, seventy-five thousand
23 seven hundred thirty-three dollars (\$75,733).

24 C. The governing body of an H class county shall
25 designate whether each of the offices of treasurer, assessor,

1 sheriff and county clerk is part time or full time; however,
2 a change in that designation shall not take effect until the
3 first day of the term of an elected county official who takes
4 office after the change in designation is approved.

5 SECTION 7. REPEAL.--Section 4-44-6 NMSA 1978 (being
6 Laws 1957, Chapter 196, Section 4, as amended) is repealed.== HB 69
7 Page 6
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**THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY
RESOLUTION NO. 2018 - _____**

**A RESOLUTION PROVIDING SALARY INCREASES FOR ELECTED
SANTA FE COUNTY OFFICIALS**

WHEREAS, pursuant to NMSA 1978, Section 4-44-12.3(A) (2018), the "majority of a board of county commissioners may provide for salary increases for elected county officials"; and

WHEREAS, Santa Fe County (County) is a Class A County under NMSA 1978, Section 4-44-1(A) (2018); and

WHEREAS, the New Mexico Legislature amended NMSA 1978, Section 4-44-4 to increase the maximum salaries of elected officials of a Class A; and

WHEREAS, the Board of County Commissioners (Board) desires to increase the salaries of County elected official in accordance with Section 4-44-4; and

WHEREAS, pursuant to Section 4-44-12.3(B), the salary increase provided by this Resolution shall not take effect until the first day of the term of an elected County official who takes office after the date of this Resolution.

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

1. The salaries of County elected officials shall be as follows:

- A. county commissioners, thirty-nine thousand one hundred six dollars (\$39,106) each;
- B. treasurer, eighty-six thousand six hundred twenty-six dollars (\$86,626);
- C. assessor, eighty-six thousand six hundred twenty-six dollars (\$86,626);
- D. sheriff, ninety thousand three hundred thirty-eight dollars (\$90,338);
- E. county clerk, eighty-six thousand six hundred twenty-six dollars (\$86,626); and



F. probate judge, thirty-eight thousand one hundred fourteen dollars
(\$38,114).

2. The salaries approved by this Resolution shall not take effect until the first day of the term of an elected County official who takes office after the date of this Resolution

PASSED, APPROVED, AND ADOPTED THIS 29th DAY OF MAY, 2018.

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

By: _____
Anna Hansen, Chair

ATTEST:


Geraldine Salazar
Santa Fe County Clerk

Date: _____

FINANCE DEPARTMENT

By: _____
Stephanie Schardin Clarke
Santa Fe County Finance Director

Approved as to form:



R. Bruce Frederick
Santa Fe County Attorney

III. Action Items

D. Resolutions

- 3. Resolution No. 2018-__, A Resolution Adopting the Interim Budget for Fiscal Year 2019-2019 (FY19) (Finance Division/Stephanie Schardin Clarke)**

