

capacity right now. Because we also anticipate to bring in CAD, which is computer aided dispatch and record management from the Sheriff's Office. And that will be done within the month.

COMMISSIONER DURAN: And this will fulfill our GIS needs also?

MS. OAKLEY: Yes.

COMMISSIONER DURAN: Okay, thank you very much. That's all I wanted to find out.

MS. OAKLEY: If you would like to find out how it interfaces with that, it has an interface with UNIX, which is our GIS platform, and it has an interface with UNIX and that's the latest model with IBM right now, model 620.

COMMISSIONER DURAN: Thank you. Thank you, Mr. Chairman.

CHAIRMAN TRUJILLO: Any other questions?

Commissioner Griñé moved to authorize awarding the contract to ERA Computing, Incorporated. Commissioner Anaya seconded the motion, which passed unanimously.

IX. C. MATTERS FROM THE COMMISSION

3. **Resolution No. 1998-80. A resolution calling for an election to be held in Santa Fe County to consider the issuance of general obligation bonds**
4. **Resolution No. 1998-81. A resolution setting forth the date and details of the Santa Fe County general obligation bond election for the purpose of acquiring, preserving and maintaining Santa Fe's historical, cultural and natural areas**

COMMISSIONER GONZALES: Mr. Chairman, I don't know if Jack wants to come up. We're bringing this issue forward to the Commission asking the Commissioners to support this bond election. The bond election would be for the acquisition of open space around Santa Fe County. The idea, Mr. Chairman, is to create an open space acquisition program that would allow us to identify areas that the public would like to see remain open and hopefully put that into a permanent conservation.

In my work with Jack we talked about putting together an ordinance that would basically call for an independent audit to be done on how the bond money is spent and to basically require the Board of Commissioners to spend the money on lands they say they're going to spend their money on. In addition, what we wanted to do is create an open space advisory committee that would be able to identify areas around Santa Fe County that would be of interest to the public in moving into permanent conservation. I'm not sure if Jack has anything else to add. I know we have Ed Archuleta here from the Thousand Friends of New Mexico who may want to address the point, and Deb Fry, who has assisted us and

1538396

Leslie. Leslie, is there anything else that we need to add on this? I think for the most part - the idea, Mr. Chairman, is to go to a G.O. bond referendum, which Mr. Strumor's here to answer any questions. If it's approved by the public it would be again for the purchase of open space to move it into permanent acquisition.

ROBERT STRUMOR (Bond Counsel): Thank you, Mr. Chairman, members of the Commission, Robert Strumor from Hughes and Strumor, Limited Co, your bond counsel. The resolution, there are actually two resolutions before you. The theory behind them is that even though it would be scheduled for the regular election, it's considered a special bond election held on the regular election day of November 3. So there's a short resolution which essentially calls for the election and then there's a second resolution which sets out more detail, including the polling places and the times that the polling places are open early and absentee voting will be held.

COMMISSIONER GONZALES: Bob, I was going to ask a question as to -- if the Commission, which I think appropriate, identifies the lands to be purchased on the ballot itself, when does that language actually have to be submitted to appear on the ballot?

MR. STRUMOR: Pretty much now. In other words, if you had identified properties, you're going to need to publish sixty days before the election. I guess it's around the end of the first week of September. So you have a little leeway but not much.

COMMISSIONER GONZALES: The first week of September?

MR. STRUMOR: I'm trying to count backwards, sixty days before the election September 3, roughly and then, so it's like the 12th or 13th. So in theory you have a little time, but you pretty much have to take action fairly quickly. The problem with identifying the properties is it's like right-of-way. If for any reason you can't get it, then the bonds -- if you've already issued them you have to pay them off. You have to redeem them. So when it's property-specific, you either buy that property or you can't issue the bonds, or if you've issued them, you have to redeem them.

COMMISSIONER GONZALES: Can I ask Deb Fry to step forward because I know they've been working on it, to maybe address that issue with the Commissioners. She's from the Trust for Public Lands.

DEB FRY: Thank you, Mr. Chairman, Commissioners. I'm Deb Fry from Trust for Public Lands. What I would recommend, based on our previous experience putting forth these bond measures in communities would be to outline as we have in the wording right now, the various general areas that you would like to protect and I agree with you, Commissioner Gonzales in your idea to establish an open space advisory committee, to give that advisory committee the power to yea or nay the projects as they come up, therefore you wouldn't need to come up with your list today. But this could get on the ballot measure without specifically outlining specific areas.

COMMISSIONER GONZALES: So could we do it then through Commission districts, then, that each Commission district will have various areas designated for open space and then the advisory committee would pick the areas within the Commission districts

1538396

through public hearings that they would begin to acquire.

MS. FRY: Yes, or you could do it within the County Planning Department, give the priority list of general areas as opposed to specific properties. The danger of listing specific properties might be alienating the landowners themselves when they see their property on the list to be acquired.

COMMISSIONER GONZALES: Okay, that makes sense. So, if the Commissioners wanted to, they could direct the planning staff to come back with planning areas where there would be potential for open space acquisition.

MS. FRY: Yes, that's what I would recommend.

COMMISSIONER GONZALES: Great. Thank you.

MR. STRUMOR: So you could, actually, take action on the meeting of the 25th.

COMMISSIONER GONZALES: On the planning areas, right?

MR. STRUMOR: Well, I think it's a policy question as to how you want to approach it. The open space acquisition is usually generalized, but it's not uncommon to have a specific, like a certain land grant or certain ranch that becomes available to be a specific subject of acquisition, but this is a little more general. To the extent that if it's essentially acquiring some BLM or Forest Service land or something where nobody's going to be offended by that, then of course you can be specific, but as far as the whole bond transaction, and the issuance of the bonds, the more specific you get, the more risk you have that you're not going to be able to use the authorization for its purpose.

But for the timing, the 25th in fact, I think Bernalillo County is going up on some preliminary action on the 25th and they're taking their final action on the 6th, I think, which is the deadline, deadline, deadline, because they're really running out of time. So you have a little time. You don't have to act tonight.

COMMISSIONER GONZALES: So if we do that tonight, would we have to, let's say the Commissioners decide to hold off or they decide to act tonight. If they act tonight, if they needed to add the language for the areas, would they have to just reissue -- or they could amend the resolution.

MR. STRUMOR: You can amend the resolution and the actual resolution that's signed and filed will reflect the amendment. So you could do all that tonight. So if you had a list of your specifics right now you could add that, but I guess I would urge you to discuss that as a policy matter with you counsel and your --

COMMISSIONER GONZALES: And I don't think that that's the case. I was going to ask Jack, though, has the Planning Department prepared a list of planning areas that you're prepared to ask the Commissioners to consider tonight, or would it be better if you gave the Commissioners a couple of weeks, or if we gave you a couple of weeks to come up with planning areas for open space.

JACK KOLKMEYER (Planning Director): Mr. Chairman, Commissioner Gonzales, we do not have a definitive list. It was our impression as we've gone through

1538396

these discussions that it would be to our advantage to leave it as open as possible, because then that gives specific work for the open space and trails committee to come together to give us that information over time. There are, however, as you know, some suggestions, like Cerrillos Hills that have already been suggested to us as opportunities, but I think it would be our opinion at this point that it would behoove us to leave it as general as possible and work with the committee over a period of time to identify properties that this program could be used for.

COMMISSIONER GONZALES: Okay, I understand the issue that it needs to be as general as possible, but you don't want it to remain so general that the voters really don't know where their monies may be going for acquisition of public lands. So I mean, if we follow Ms. Fry's example, we -- what I'm asking you, is the Planning Department or could the Planning Department prepare a list of planning areas for the Commission to throw on the ballot to say these are the areas that would be designated for acquisition of open space, and then the open space advisory committee would actually select the sites, the detailed sites within those planning areas, so that -- obviously we don't have the time now. We don't have the time to put together an open space advisory committee, go and identify individual parcels and then list it on the ballot.

So what I'm hearing Ms. Fry say for this to be successful, we may just want to identify areas where there could be open space acquisition. So what I'm asking you is, is there something that the Planning Department can provide for the Commissioners that would designate planning areas based on our public hearings to date, which created the open space policy, which is part of the General Plan, that there would be some planning areas where the open space acquisition program would be applicable.

MR. KOLKMEYER: I'm going to let Deb Fry talk to some of that, but I believe that we have enough work that we've already done that we could move forward with that, yes.

MS. FRY: Mr. Chairman, Commissioners, I did not mean to suggest that that would be necessary in order for this bond to go through. I think with the language that we have developed based on previous polls and discussions with the community groups that the current language that exists that we're presenting with you tonight, would be enough to put on the bond measure to give the residents of Santa Fe County an idea of what the priorities would be, but it would enable the open space advisory committee, whatever you'd like to call it, trails committee, could give them the opportunity to, down the road, prioritize.

So I didn't mean to suggest that you needed to necessarily come up with general areas. I think it could go either way.

COMMISSIONER GONZALES: Thank you. That's helpful and I've just glanced at the language again for the bond and that makes sense. Thank you. Thank you, Mr. Chairman, I have nothing further.

BECKY BUSTAMANTE (County Clerk): Mr. Chairman, I would just like to say that the deadline for us getting the information to the Secretary of State is September

8.

CHAIRMAN TRUJILLO: Okay, thank you. Commissioner Gonzales, I understand there was a survey that was done regarding interest in buying open space, public lands or private lands for conservancy. What was the sector of the community that was surveyed?

COMMISSIONER GONZALES: Thank you, Mr. Chairman. I'm going to have to turn that over to the Trust for Public Lands because they were actually responsible for conducting the poll.

MS. FRY: Could you repeat the question?

CHAIRMAN TRUJILLO: Yes, I want to know what population sector was surveyed to get your information on what the community wanted to acquire private land for open space in conservancy.

MS. FRY: The Trust for Public Land utilized a professional polling firm to poll approximately 500 residents around the county. They were polling those who had indicated that they were likely or strongly likely to vote in this fall's election. And it was a random poll. And I can provide you with a general summary of the results of that poll. 92 percent of the Santa Fe County residents responded positively to the need to protect open spaces in the county. We then got more specific, or the pollster got more specific as to just how much the residents were prepared to pay in order to protect that open space. So the \$12 million bond that is being put forth before you tonight is a result of looking at that poll and determining the likelihood of that bond succeeding in this community.

Fifty, to get the exact number of the percentage that voted to pay at least ten dollars per \$100,000 evaluation in home. I believe it was 56 percent of the population said they would support that measure. Twelve million dollar bond approximately equates \$11.20 per \$100,000 evaluation in homes. The Trust for Public Land, through their pollsters have indicated that this would be likely to pass given the results that we've seen.

COMMISSIONER GONZALES: In addition, Mr. Chairman, Deb, you might want to describe for the Commission some of the areas that were tested and the response that the public indicated.

MS. FRY: Certainly; 72 percent of the votes thought that it was either extremely important or very important to protect land for wildlife and native plants from development.

Seventy percent thought it was either extremely important or very important to protect sacred sites like petroglyphs from development.

Sixty-six percent of the voters thought it was either extremely important or very important to protect trails for walking, running, hiking and biking.

Sixty-five percent of the voters thought it was either extremely important or very important to protect historical landscapes, like the land surrounding Santuario de Chimayo from development.

Sixty-five percent of the voters thought it was either extremely important or very

important to protect Santa Fe River Parkway.

Sixty-four percent of the voters thought it was either extremely important or very important to protect mountains and foothills, such as Atalaya and her sister peaks from development.

Fifty-eight percent of the voters thought it was either extremely important or very important to protect Two Mile Reservoir from development. Those were our top attention getters. We had brought together various folks from around the county early on to have discussion groups about where these questions would come from, so the pollster was fed information from folks in the county as to what they should be polling for, and these were the highest areas of importance, according to the poll.

CHAIRMAN TRUJILLO: Thank you. One more question. If the bond passes, the property owner across the county would pay, right? For the bond? In the Pojoaque Valley, there's limited amount of open space. In fact, there's a pretty serious effort by the Tesuque Pueblo to acquire the Jacona Land Grant. So that's it. So Pojoaque will be paying for buying land all over the county and will not be reaping the benefits immediately. And I've gotten a few calls along those lines from that area.

MS. FRY: Thank you for that information. I'm sure that these discussions will be coming up for the open space advisory council as to which are the priority sites from around the county and that's why I've been urging that there is an open space advisory council established so that these priorities can be discussed and weighed throughout the county.

CHAIRMAN TRUJILLO: Thank you.

COMMISSIONER DURAN: Mr. Chairman, I think that acquiring open space is important and I think the community would like to do that, to preserve open space. I'm not sure that rushing into, rushing to this is the right thing to do. I really think that with the limited amount of information that I have right now, I couldn't vote whether or not to put this up for the public just to make a decision on. I think that we need to have more public input. I think that we need to have somebody from a community that has adopted this type of method of acquiring open space come into this community, make a presentation to us and to have more public input and more public scrutiny to make sure that this is what they want. I think to approve this and let it go the voters for them to vote on it, when in my opinion there's not enough information out there for them to make a decision whether or not they want it, and what kind of impact it's going to have on their property, is not the right thing for us to do. I would like for us to pursue this further and not make a decision tonight and do it at a point in time when more information has been disseminated out to the public and to our constituents.

COMMISSIONER GONZALES: Mr. Chairman, Commissioner Duran, if I can address that from a policy perspective. Commissioner Duran, for the last three years the public has met on several occasions and continuously through our own public hearings and through the General Plan Steering Committee has said continuously open space is

1538396

something that they would like, is something that they're asking for that's an important part of growth management. Commissioner, I know that this has come up as an issue rather quickly, but the fact is it's taken time to conduct the poll, to have the focus groups. I guess we either do it on a special election or we get the chance to do it once every two years.

I don't think this is rushing anything. It's going to allow the voters -- it's going to be incumbent on those people who think that it's important enough to acquire open space, to educate the voters to the importance of it. Clearly if the voters don't see it as being important enough for them, they will clearly vote no and tell us this is not something we think is important at this time to acquire. If the voters vote yes, it's not a matter of doing the purchase, it's a matter of being able to arm an open space citizen committee with money, with the tools to basically go out and hold public hearings in different communities so that the public can go in and say we think this area is important to purchase, or we think this area is important to purchase, and they actually believe that something will get done because there are the monetary resources available to go purchase those lands.

At some point, we're going to have to go say, okay, we're going to stop talking about open space and we're actually going to go forward and start acquiring it. All I'm saying is that, granted, this process has come up rather quickly, but the idea of acquiring and delivering open space for the public, is something we've all talked about for the last three years. We have a major development that's coming up that can affect the petroglyphs out there in the La Cieneguilla area and I think there are people wanting us to come up with mechanisms to be able to protect some of these areas. We talked tonight about the Santa Fe River and our commitment to help along with the river basin. That's important to communities all along it but we need the resources. We need to be able to have a citizen committee say it's important enough for us to allocate monetary dollars that our property taxes are creating or generating to be able to protect these areas and so I just wanted to say from a standpoint, I know you're saying that this has been quick but it really has -- I just wanted to say it really has been a process that we've been studying and reviewing for the last three years and I'm not asking this Commission to say these are the sites that we're going to buy. All I'm asking is to allow the voters to have a say whether an open space acquisition program is important enough for them to have or not.

And if they say no, we know where they stand. If they yes, then we know it's important enough for them to tax themselves to go out and begin to buy. But to wait and to have to spend money for a whole special election to appoint an open space committee and say, well, this is all subject to the voters' deciding, I think that might not be as effective as we have been. So I just wanted to point that out. I didn't want Deb Fry to get up and have a policy debate.

COMMISSIONER DURAN: I agree with you that preserving open space is important. I think everyone agrees with you. I think the issue here is we are talking about raising people's property taxes and I think they should be well informed about this method of acquiring open space before they are given a choice. There are other ways of acquiring

1538396

open space that we've just touched on also, such as transfer of development rights. It's all transfer of development rights and acquiring open space and conservation easements, all of these issues are part of -- it's something that all of us want to pursue. I just don't think that there's been enough information disseminated before us to make a decision as to which way we want to go. How to transfer of development rights work? Conservation. I'm not down-playing the importance of acquiring open space through this method. I just think that we need more input. The public deserves more input. And weigh all the options to acquiring open space.

MS. FRY: Mr. Chairman, may I respond to Commissioner Duran? I just wanted to let you know that the Trust for Public Land is fully committed to bringing forth a public initiative in that we plan to do a full campaign to educate the voters as to what it is they're voting on and when I say "we" I mean a coalition of concerned individuals, community groups and businesses throughout the County of Santa Fe. TPL is a national non-profit land conservation organization. We have an arm of our organization that is fully devoted to putting forth public finance measures throughout the country. We're currently involved in several dozen of these measures across the country and here in the southwest we're working at least three or four. Last year we were successful in putting forth a \$36 million open space bond measure in Pima County, Arizona. They faced similar concerns there. There was an open space advisory council that was established to determine which properties should be acquired by the county and TPL was involved with Pima County all through the process.

What we're asking tonight is that the Commission put this forward on the bond and allow the voters to decide. But do know that the Trust for Public Land is fully committed from now until November 3 making this as public a forum as possible and encouraging everyone who is interested to participate.

COMMISSIONER ANAYA: Mr. Chairman, I think I can support this resolution in theory. Especially with the provision that it's going to go out to the public for a vote. But I think it's very important that the \$12 million be earmarked and the intentions known as to where we're going to utilize that money be known to the public before the election. I think that's an essential part of the whole type of bonding. I think it's important. I think I can support it under those conditions. And with that, Mr. Chairman, I would yield to Commissioner Gonzales to do the motion.

COMMISSIONER GONZALES: Mr. Chairman, I move for approval of Resolution 1998-80.

COMMISSIONER GRINÉ: Second.

COMMISSIONER ANAYA: Discussion again, Mr. Chairman, I think it's going to go out to the voting public. It's going to be a point of awareness out there and I'm sure the media will highlight this and I'm sure that you'll see the editorials and everything and the endorsements coming down as to whether we're taking the right direction. So, the avenues are wide open.

1538396

COMMISSIONER DURAN: Mr. Chairman, my only concern is that putting this out so soon to the voters without them having the knowledge of what kind of impact this is going to have is not doing this resolution any justice. I just think it needs more time.

CHAIRMAN TRUJILLO: I guess my position would be that Tesuque Pueblo and San Ildefonso Pueblo and Nambe Pueblo are moving in acquiring land under the 1935 Patent. San Ildefonso Pueblo got 15,000 acres allocated to them. Now they claim 27,000. Tesuque Pueblo is acquiring the Jacona Land Grant that's pretty close. I think that we need to do something to start identifying lands to acquire for the citizens of Santa Fe County. Otherwise nothing will be left. And it is at the discretion of the voters. If the voters want it, they approve it. If they don't want it, they don't approve it. It's going to go out into the community for a vote.

This is not a public hearing. Is the discussion over? All those in favor?
[Unanimous.]

COMMISSIONER ANAYA: Just one thing, Mr. Chairman. Just a note on the last topic, what the pueblos and the Native Americans are doing to purchase out there, we will still have no jurisdiction over what they're doing and there's no guarantee that they won't commercialize it or whatever comes down the line. So that is not a guarantee direction of open space as far as them buying. I just wanted to make a note of that.

CHAIRMAN TRUJILLO: Very good. Thank you.

COMMISSIONER GONZALES: Mr. Chairman, I have just one other issue for the people raising their hands. There's still Matters of Public Concern, so you'll still be able to address the Commission. I was just, this is for Donna. Donna, I apologize for calling you Sunday morning, and David, you may need to pay attention to this because I wanted to check on the status of P.O.s that we need to basically issue for judges and people who have participated in the County Fair and through different venues I've heard that the County is not going to issue P.O.s for that and I want to know if that's true or not.

MR. STRUMOR: I hate to interrupt, but there were actually two resolutions. One was a very short resolution calling for the election and the second one was a long resolution. So I guess if the motion was to adopt, it would have to reflect both resolutions.

COMMISSIONER GONZALES: So moved.

COMMISSIONER GRINÉ: Second.

CHAIRMAN TRUJILLO: All those in favor? [Unanimous] Opposed.

MS. BUSTAMANTE: For the record, if we could just note that they were Resolution numbers 1998-80 and 1998-81.

COMMISSIONER GONZALES: We're still on Matters from the Commission. David, on the purchase orders to pay people who participated in the County Fair.

MR. WOLF: Mr. Chairman, Commissioner Gonzales, for those that provided services for the County Fair that were to be paid for, those purchase orders have been

1538396

issued. There was one contract. Those purchase orders have been issued. That part's taken care of. There was one contract that came across my desk for about \$1500 for somebody to manage the fair. I questioned that because I was curious about the source of funding to cover that contract. I was waiting for an answer so I understand where the source of the funds are coming from before I sign that contract. The others have all been approved and taken care of at this point.

COMMISSIONER GONZALES: So no one who offered a service during the weekend is not going to get paid? They're all going to get paid?

MR. WOLF: That is correct, Mr. Chairman, Commissioner Gonzales.

COMMISSIONER GONZALES: Thank you.

COMMISSIONER DURAN: Several months ago I met with concerned citizens from the Agua Fria Village, the Mayor and representatives from the Santa Fe Watershed Association and in that meeting we organized this watershed tour. And out of that same meeting there was a gentleman from the Corps of Engineers there. His name was Lieutenant Colonel Lloyd S. Wagner and he mentioned that the Corps of Engineers had \$100,000 available to our community for a general investigation, reconnaissance study for our watershed.

For some reason, the last couple of months, the letter requesting the \$100,000 slipped through the cracks. So I have it here this evening that I would like to circulate around for the Commissioners' signatures. The Mayor has looked at it. It goes to the City Council for their signature. The legal department here at the County and the City has reviewed it and basically what it is, it's \$100,000 that's available to us to study our watershed. I just wanted to let you know it's finally in final form waiting for your signatures. This also could open up the door for a joint City watershed committee, where both the City and the County could work collectively on the issues surrounding the watershed.

CHAIRMAN TRUJILLO: Thank you.

IX. E. MATTERS FROM THE COUNTY ATTORNEY

CHAIRMAN TRUJILLO: Denice, I see there's a lot of people out here probably for the public hearing. Can we do the public hearing and then do the executive session. Or do you have anything else?

MS. KULSETH: No, Mr. Chairman, just the executive session.

IX. D. MATTERS OF PUBLIC CONCERN

CHAIRMAN TRUJILLO: Is there anyone from the public that wanted to get up and talk?