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BOARD OF COUNTY COMMISSIONERS

SANTA FE, NEW MEXICO

REGULAR MEETING

JANUARY 26, 1999

**Paul Duran, Chairman
Richard Anaya, Commissioner
Javier Gonzales, Commissioner
Joe Griñé, Commissioner
Marcos Trujillo, Commissioner**

SANTA FE COUNTY
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January 26, 1999

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This regular meeting of the Santa Fe Board of County Commissioners was called to order at 2:10 p.m. by Chairman Paul Duran in the Santa Fe County Commission Chambers.

Roll Call preceded the Pledge of Allegiance and indicated the presence of a quorum as follows:

Members Present

Commissioner Paul Duran, Chairman
Commissioner Joe Grifé
Commissioner Richard Anaya
Commissioner Marcos Trujillo
Commissioner Javier Gonzales

Members Absent

[none]

IV. APPROVAL OF AGENDA

CHAIRMAN DURAN: Approval of the agenda. I'd like to make one change, David, and that is to bring the employee of the month as the first item on the agenda, before the Consent Calendar or is that part of the --

DAVID WOLF (County Manager): That's a separate item under Presentation, so that will work fine.

CHAIRMAN DURAN: So it will be Presentations, A. Employee of the Quarter. We'll bring that right after approval of the minutes. Any other amendments?

COMMISSIONER ANAYA: Mr. Chairman, I have a concern because I don't have the minutes in front of me to review so I would kind of hesitate in bringing that up for approval at this time, whatever minutes were supposed to be presented.

CHAIRMAN DURAN: So how about if we approve those minutes at the next meeting? So we'll remove Approval of Minutes.

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MR. WOLF: Mr. Chairman, there's a few other changes I'd like to mention also. Item VI. B. I'd like to delete that. It's a resolution requesting a budget decrease. We need to delete that. We got additional funding and no longer need to decrease that budget.

CHAIRMAN DURAN: Okay, any other amendments?

MR. WOLF: Yes. VIII. C., I'd like to request that to be last on the agenda. It's a presentation regarding northern New Mexico Citizen Advisory Board. Can we make that last, but just before Public Hearings? And then there's three amendments. A request to add IX. D. 2 to read Update on County parks and recreational facilities located in Santa Fe County. The second amendment would be item IX. H. 2 is added to read Draft policy regarding use of inmate labor for public works programs. Item three would be IX. H. 3. would be added to read Resolution No. 1999-___. A resolution informing and alerting Santa Fe County residents that the current drought conditions give rise to water conservation and fire prevention measures.

CHAIRMAN DURAN: Any other amendments?

MR. WOLF: No, Mr. Chairman.

Commissioner Anaya moved to approve the agenda as amended. Commissioner Trujillo seconded the motion which passed by unanimous voice vote. [Commissioner Gonzales and Commissioner Griñé were not present for this vote.]

VIII. PRESENTATIONS

A. Employee of the Quarter

CHAIRMAN DURAN: Our employee of the quarter is Martha Aragon. Is she here right now? In recognition of your having received the employee of the quarter award, I hereby grant you eight hours of administrative leave to be taken at your leisure by March 31, 1999. Congratulations and enjoy your day off. I have a little thing here that they gave me to read. The first Santa Fe County Employee of the Quarter is Ms. Martha Aragon. This award is for October 1 through December 31, 1998. Martha is the Ombudsman in the Land Use Department and was nominated by eleven members of her division. Martha has always been concerned with the redtape associated with dealing with government and personally taken responsibility for minimizing the permit process in several key areas.

She has been instrumental in working with Land Use Staff to streamline the business license process. She has created several easy to follow hand-outs explaining the permitting process and submittal requirements. Martha is composed and professional when dealing with the public and has received numerous positive written comments from the public regarding her professionalism and helpfulness. She exemplifies the personality, attitude and work ethic of an employee of the quarter. I am pleased to present Martha with this certificate of

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appreciation, a day of administrative leave, and an employee of the quarter parking place for the next three months. Congratulations.

[County Manager Wolf read the Consent Calendar as follows:]

VI. CONSENT CALENDAR

- A. Resolution No. 1999-4. A resolution requesting to transfer funds from the County Fire Protection Fund to the Fire Tax Revenue Bond Fund and to the Fire Revenue Bond Debt Service Fund for the debt service payment, debt service reserve, bond issuance cost and interest earned**
- B. Resolution No. 1999-5. A resolution requesting to transfer funds from the general fund/capital improvements to cover the January 2, 1999 implementation of the 4% salary increase for exempt, permanent and term employees (other than law enforcement officers) and to implement the new compensation plan.**
- C. Resolution No. 1999-6. A resolution requesting a budget increase to the fire fund to budget impact fees to allow for expenditures in fiscal year 1999**
- E. Request authorization to accept and award a contract to the lowest responsive bidder, IFB #99-26 RB1 for the construction of the Madrid fire protection waterline**
- F. Request authorization to accept and award a price agreement to the lowest responsive bidder, IFB 99-02 for fire engine tankers**
- G. Resolution No. 1999-7. A resolution authorizing the County to submit an application to the Department of Finance and Administration, Local Government Division, to participate in the local DWI grant and distribution program**
- H. Resolution No. 1999-8. A resolution requesting the New Mexico State Highway and Transportation Department litter control and beautiful section, to consider and approve the application for Santa Fe County for the New Mexico Beautiful grant**
- I. Request authorization to enter into a grant agreement with New Mexico Environment Department for a waterline extension to Las Lagunitas (SAP 98-0064-STP and SAP 98-0621-STB) and Camino Carlos Rael (SAP 98-0638-STB)**
- J. Resolution No. 1999-9. A resolution designating project representative and signature authority for the Las Lagunitas water system project**
- K. Resolution No. 1999-10. A resolution designating project representative and signature authority for the Camino Carlos Rael waterline project**
- L. Request authorization to enter into change orders to the construction contracts with:**

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1. **R.L. Leeder for the Hyde Park paving improvement project**
2. **A.S. Horner for the County Road 91A bridge construction project**
3. **Triad Builders of New Mexico for the Agua Fria Phase I paving project**

CHAIRMAN DURAN: Are there any items that the Commissioners would like to isolate for further discussion?

Commissioner Griñé moved blanket approval of the Consent Calendar and his motion was seconded by Commissioner Anaya. [Commissioner Gonzales was not present for this vote.]

VII. ADMINISTRATIVE ITEMS

A. Committee expirations, resignations, vacancies

MR. WOLF: Mr. Chairman, Mr. Wayne Sowell has advised the County that he has resigned from the RDC Regional Development Corporation.

Commissioner Anaya moved to accept Mr. Sowell's resignation. Commissioner Griñé seconded the motion.

CHAIRMAN DURAN: I have a question, David. Has anyone come forward to take Mr. Sowell's place?

COMMISSIONER TRUJILLO: That's next on the agenda, the Regional Development Corporation under Committee Appointments.

The motion passed upon unanimous voice vote. [Commissioner Gonzales was not present for this vote.]

VII. B. Committee Appointments

1. Regional Development Corporation

MR. WOLF: Mr. Chairman, Mr. Harry Montoya, he's the executive director for Hands Across Cultures has expressed interested to serve on this board.

Commissioner Trujillo moved to appoint Harry Montoya to serve on the Regional Development Corporation and his motion was seconded by Commissioner Anaya. The motion passed by unanimous voice vote. [Commissioner Gonzales was not present for this vote.]

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VII. B. 2. DWI Planning Council

MR. WOLF: Mr. Chairman, the DWI Planning Council met on January 11, 1999 and recommends appointing Lieutenant Frank Rute of the Santa Fe Police Department to this council.

Commissioner Trujillo moved to approve Lt. Rute's appointment and the motion was seconded by Commissioner Griñé. The motion passed by unanimous voice vote. [Commissioner Gonzales was not present for this vote.]

VII. B. 3. El Rancho Community Center

MR. WOLF: Mr. Chairman, this is a two-year term and it's been recommended that Marvin Baca represent the County on this board.

Commissioner Trujillo moved to approve the appointment of Mr. Baca to the El Rancho Community Center Board. Commissioner Griñé seconded and the motion passed by unanimous voice vote. [Commissioner Gonzales was not present for this vote.]

VII. B. 4. County Open Land and Trails Planning and Advisory Committee

MR. WOLF: Mr. Chairman, Lesli will present this item.

LESLI ELLIS (Planner): Good afternoon. As you know, the first County Open Land and Trails Advisory Committee, that's a mouthful, COLTPAC meeting is tomorrow night and I know several of you will be at that meeting. It's the first introductory meeting so it's mostly going to be when the members get to know one another a little bit, but there will be eight more months of meetings and we'd like to keep you involved and posted about that schedule as soon as they decide what their schedule will be for sure and there probably will be several members of that committee that will come forward on a regular basis and give you updates about their process and what they're working on.

Their role is really two functions. One is to bring some clarity to all the work that's been done to date in the County for open land and trails planning and then also to make some recommendations for the \$12 million bond fund, to pick some projects around the county. So we'll keep you posted on that and we hope to see you tomorrow night.

Today, we need to formally appoint the youth representative for the central area of the county. I know Commissioner Gonzales met with four students and there's one student who is going to be the main contact, and that's Dana Weiser -- is that correct? And then there's three other students who will substitute for her when she's not available. So that

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appointment needs to be officially made today so she can be on the committee tomorrow. And then also if time permits, if you would appoint the four alternates from around the county then we can keep those folks posted and invited to all the meetings as well, and if not we can appoint them if it's necessary, if anybody resigns from the committee. At that point we could do it.

Those names are listed on your memo, which I had in front of me.

COMMISSIONER GONZALES: Mr. Chairman, I'd like to move for approval of the youth representative, Dana --

MS. ELLIS: Dana Weiser is her name and the other students are Liz Gonzales, Eric Roybal and Alex Vasquez, and all four of them are from Santa Fe High School and Capitol High. So they'll all be involved in this process but Dana will be the main contact person.

COMMISSIONER GONZALES: I'd like to move for that approval.

COMMISSIONER ANAYA: Second.

COMMISSIONER TRUJILLO: Discussion please. Did we make any effort to get representation from students outside of the City of Santa Fe, the Pojoaque area, in the south, maybe Moriarty?

MR. ELLIS: We didn't make any special efforts to contact the students from those areas because the youth, I guess the idea of having the youth representation came up later in the discussion and we made an effort to advertise in those areas to get general representation but not specifically youth representation.

COMMISSIONER TRUJILLO: I'm concerned that we're not going to get the youth perspective from the traditional communities.

MS. ELLIS: Right. Well, we can attempt to contact them to invite them to come to the meetings. Possibly the regular representatives from those areas could attempt to meet with some of the youth and find out their perspective as this process rolls along. But we can certainly attempt to get them involved in the meetings, even if they're not officially appointed.

COMMISSIONER TRUJILLO: I would like to see that.

MS. ELLIS: Okay.

CHAIRMAN DURAN: Any further discussion. There's a motion on the table. Those in favor signify by saying "aye." [Unanimous] Those opposed? Motion carries.

Well, do you want to hold off on appointing the alternates then, until we get some representation or get some interest from the northern part?

COMMISSIONER TRUJILLO: we already have on the alternates, we have four people that have expressed interest from the northern part of the county. We were just discussing the student representation, somebody from the north, but there are people here.

CHAIRMAN DURAN: It says here please appoint one youth representative with alternates. So we appointed the youth representative.

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COMMISSIONER TRUJILLO: And we have two alternates.

CHAIRMAN DURAN: And we just approved those also?

MS. ELLIS: They're not really alternates. They're on the occasion when Dana wouldn't be there, as I understand it.

COMMISSIONER GONZALES: Mr. Chairman, I had the chance to visit with these members and I might add that they're really committed and excited about participating on this committee, but they're involved in lots of things like softball and ROTC and basketball and they want to stay committed to both. We came up with the idea that when they all could attend the meeting that would be great but the commitment was that at least one of those four would be there always to represent the views of hopefully the youth. So I would invite, when we reach out to the northern part of the county and even the southern that someone from the Pojoaque schools might want to be a member of this group also so it's more of a unified voice from the youth side of it. So when there's field trips, they'll all be invited to participate in the field trips, is that right? All the alternates? Will the alternates be going on the field trips and the site visits?

MS. ELLIS: I think that will be fine. We'll try to open those field trips up to as many as we can accommodate.

COMMISSIONER GONZALES: Great. What we have left, Mr. Chairman, I believe, on the four alternates, we have to appoint one from the north county, two from the central and one from the south county.

CHAIRMAN DURAN: Okay, well, I'll open it up.

COMMISSIONER TRUJILLO: Mr. Chairman, I make a motion to appoint John Wheat, Arroyo Seco as the alternate for the north county.

COMMISSIONER GONZALES: Second. How are we going to do this? Are we going to do it under one vote? Will we name them all first and then go for one vote? I don't know how the chair wants to do it. Maybe Commissioner Grifé can offer his recommendation from the south and then we have to offer two from the central. Do you want to take one vote on all of it, or do you want to vote on it individually?

CHAIRMAN DURAN: Why don't we just vote on it all at once. I will just let you guys appoint. It doesn't matter to me who goes on it.

COMMISSIONER GRIÑÉ: I'll appoint the alternate from the south Bud Hagerman.

COMMISSIONER GONZALES: Mr. Chairman, from the central county I'd move that we put Dan Clint.

CHAIRMAN DURAN: Okay.

COMMISSIONER GRIÑÉ: Mr. Chairman, for the other one, for the alternate for the central, Lou Medrano.

CHAIRMAN DURAN: Okay, is that everybody?

COMMISSIONER GRIÑÉ: I'll second those nominations.

CHAIRMAN DURAN: That takes care of everybody?

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MS. ELLIS: Yes, it does.

CHAIRMAN DURAN: There's a motion and a second. Any discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Motion carries.

Thank you, Lesli.

MS. ELLIS: Thank you.

VII. B. 5. Santa Fe County Road Advisory Committee

ROBERT MARTINEZ: Mr. Chairman, Commissioners, Mr. Wes Suhr, from Chupadero has volunteered to fill the vacancy in Road Advisory Committee Area 4. This area represents Chupadero, Tesuque, portions of Nambe and the Rio en Medio Community.

CHAIRMAN DURAN: What's the pleasure of the Board?

Commissioner Trujillo moved to appoint Mr. Wes Suhr to the Road Advisory Committee and Commissioner Grinë seconded. The motion passed by unanimous voice vote.

VII. B. 6. Lodgers' Tax Advisory Board

MR. WOLF: Mr. Chairman, the chairman of the Lodgers' Tax Advisory Board, they've recommended Ms. Maureen O'Dowd, to replace Mr. Charles Nashan's position on the Lodgers' Tax Advisory Board.

Commissioner Gonzales moved to approve Ms. O'Dowd on the Lodgers' Tax Advisory Board. Commissioner Grinë seconded.

CHAIRMAN DURAN: Any discussion?

COMMISSIONER GRINÉ: Yes, I have one question. What is her background? What does she do?

MR. WOLF: Mr. Chairman, I've got a resume here from her. She's a sales and media coordinator at the Santa Fe Ski Company. And it looks like she's got a pretty significant background in the retail area representing tourism-type businesses.

COMMISSIONER GRINÉ: Thank you.

CHAIRMAN DURAN: Any further discussion?

COMMISSIONER GONZALES: Briefly, Mr. Chairman, off the subject but relating to the Lodgers's Tax, Ben Serber had put in a question, I'm not sure to you, Donna, and I don't know if we got it back. A question to the new hotel that went up at the factory stores and they're inquiring if that hotel is generating lodgers' tax for the County or the City

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and their information they got back from the City was that it was the County, but he hasn't been able to get a positive affirmation from us one way or another. Do we know for sure if that hotel is in the county or the city? Because I know the factory stores were annexed into the city, weren't they?

BECKY BUSTAMANTE (County Clerk): Mr. Chairman, I know the outlet stores have a business license so I would assume that the hotel would have a business license with the County as well and also they should be paying lodgers' taxes.

RUDY GARCIA (Land Use Administrator): Mr. Chairman, just to add to that, the factory stores and the hotel are within the county limit and they have not received a business license yet because they're going through final inspection approval but they in the limits of the county.

COMMISSIONER GONZALES: Can we notify Mr. Serber that in fact his group can count on that. I know he's actually pretty excited about a new business coming on line to support the Lodgers' Tax. He might already know but I told him I'd check into it.

DONNA GARY (Finance Director): Mr. Chairman, Commissioner Gonzales, we're meeting on Thursday and I'll relay that information to him.

COMMISSIONER GONZALES: Thank you.

Upon voice vote, the motion to appoint Ms. O'Dowd passed unanimously.

VII. B. 7. County Development Review Committee

MR. GARCIA: Mr. Chairman, at the last Commission meeting there was discussion that we had two positions open in CDRC, Chris Martinez was not -- he didn't justify whether or not he wanted to actually remain on the CDRC Board. He has indicated to the Land Use Department that he would like to remain on the CDRC. And also in your packet we have a lady by the name of Theresa Delgado who has submitted her resume. She is currently employed by the Honorable Judge Martha Vazquez. She's her administrative assistant. She was born and raised in Santa Fe and she is currently a member of the City Planning Commission and she would also like to be on the CDRC.

COMMISSIONER GONZALES: Mr. Chairman, I would also like to submit the name of Dave Cantorino. He had actually provided this letter on the 20th. I received a copy, I'm not if we all did in our packets, but somehow it didn't make it into the packet. I'm not sure why. Probably we didn't pass it on to Deborah. That's probably why that didn't happen. So I'd like to submit his name and ask that the Commission approve David Cantorino to represent the central area of the county to the CDRC.

CHAIRMAN DURAN: Rudy, so there's two vacancies? Could we appoint both of them, or is it that -- There's one vacancy.

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MR. GARCIA: Yes. Mr. Chairman, if you would like Chris Martinez to remain on the CDRC there would only be one vacancy.

COMMISSIONER ANAYA: Is there one vacancy or two?

MR. GARCIA: Mr. Chairman, Commissioners, at the last Board of County Commissioner meeting it was questionable as to whether Chris wanted to remain on the committee. He has indicated he would like to remain on the committee so that would leave one position open.

CHAIRMAN DURAN: Correct me if I'm wrong. If we decided not to reappoint Chris there would be two.

MR. GARCIA: Mr. Chairman, that's correct.

COMMISSIONER GONZALES: I would add, Mr. Chairman, Mr. Martinez represents the northern part of the county and that requires some representation on the committee.

CHAIRMAN DURAN: And there's no one there right now?

COMMISSIONER TRUJILLO: He is the representation from the northern part of the county.

COMMISSIONER GONZALES: But in the last meeting we hadn't appointed Mr. Martinez so I don't know if we wanted to get that over with first because he hasn't received an appointment yet.

CHAIRMAN DURAN: I guess we could do it either way. We could reappoint him and appoint --

COMMISSIONER ANAYA: Mr. Chairman, I would like to make a motion that we continue to have Chris Martinez to serve on the CDRC.

COMMISSIONER GONZALES: Second.

CHAIRMAN DURAN: There's a motion by Commissioner Anaya seconded by Commissioner Gonzales. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed? Chris stays on.

COMMISSIONER GONZALES: Mr. Chairman, I'd like to now move for the appointment of David Cantorino.

COMMISSIONER TRUJILLO: Second.

CHAIRMAN DURAN: Okay, there's a motion and a second. Any discussion? Those in favor, signify by saying "aye." [Commissioner Gonzales and Commissioner Trujillo voted in the affirmative.] Opposed? [Commissioner Anaya and Commissioner Grinë voted against the motion.]

CHAIRMAN DURAN: The chair votes nay.

COMMISSIONER GRINÉ: Mr. Chairman, I want to appoint Theresa Delgado.

COMMISSIONER ANAYA: Second.

CHAIRMAN DURAN: There's a motion and a second. Any discussion? Those in favor signify by saying "aye." [Unanimous] Opposed. Motion carries.

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COMMISSIONER GONZALES: Mr. Chairman, I know that at some point we had some discussion over the chairmanship of the CDRC and I'd like to -- I know the Commission had discussed Sharon Woods at one point being the chair of the CDRC and we had taken a role in that. And I'd like to make a recommendation that we ask the CDRC to ask Chris Martinez who has served for the last four years on that CDRC to chair that committee.

COMMISSIONER GRINÉ: Second.

COMMISSIONER ANAYA: Mr. Chairman, I would support that motion.

CHAIRMAN DURAN: There's a motion. It's just a recommendation? Do we need to vote on that?

COMMISSIONER GONZALES: I'd like to ask for a vote on that.

CHAIRMAN DURAN: There's a motion. There's a second. Any further discussion? Those in favor signify by saying "aye." [Unanimous] Opposed?

COMMISSIONER GONZALES: It's just a recommendation. We hope that they'll support that.

VII. B. 8. Senior Citizens Advisory Board of Director

MR. WOLF: Mr. Chairman, Rita Maes of the City of Santa Fe Senior Citizen Program, she's a director of the Senior Services Division, is here to present this item.

RITA MAES: Mr. Chairman, members of the Commission, I'm Rita Maes with the City of Santa Fe Division of Senior Services. Just to give you a little background information, our board of directors consists of fifteen board members of which four are appointed by the County Commission, four are appointed by the Mayor, one is jointly appointed by the County Commission and the City, and then the six remaining are elected at large.

We submitted a letter to Mr. Wolf with our recommendations and regretfully, the chairman of my board was here but had to leave. He has that narrowed that down to about three. However, if you have any other recommendations we're also open to that. With me also is Donald Bell, who is the past chairman. I'm not sure if you wanted to speak on those three representatives that they narrowed it down to.

CHAIRMAN DURAN: Let me ask the Commission if they have anyone else that they're interested in having appointed to this board and if not, we'll go with your recommendations.

COMMISSIONER ANAYA: Mr. Chairman, just for clarification, how many members are up for reappointment?

MS. MAES: At this point, I believe at your last County Commission meeting, you reappointed Jake Martinez. Is that correct?

COMMISSIONER ANAYA: I think so.

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MS. MAES: So then at this point, we only have three vacancies.

COMMISSIONER ANAYA: In your letter to us it says Mr. Martinez is eligible for reappointment and it was my understanding that he had already been appointed and reappointed.

MS. MAES: I understand that that happened at the last Commission meeting on December 29 and I was not present at that meeting. But I understand that that did take place. So you reappointed him for a two-year position.

COMMISSIONER ANAYA: He would be my choice definitely.

COMMISSIONER TRUJILLO: Mr. Chairman, Rita, who are the County appointees? Who are the ones that you're recommending to be appointed by the County?

MS. MAES: Our chairman, Jimmy Pacheco has narrowed it down to Fernando Rodriguez, Ben Baca and Nep Saavedra.

CHAIRMAN DURAN: Do you have any more questions, Commissioner Trujillo?

COMMISSIONER TRUJILLO: Who are they again, Ben Baca, Fernando Rodriguez --

MS. MAES: And Nep Saavedra. I believe Ben Baca and Fernando Rodriguez are retired teachers and Nep Saavedra is a retired businessman here in Santa Fe.

COMMISSIONER TRUJILLO: I see that most of the people listed here, it looks like they reside within the city. There's one that resides in the Pojoaque area in northern Santa Fe County and that is Kathy Lopez.

MS. MAES: Yes. Katherine Lopez is on our committees at this point and she's taken ill and she is not active in our committees at this point. She'd be a wonderful representative though if she's able to participate.

CHAIRMAN DURAN: I was just wondering, would it be possible to appoint, leave one vacancy until Commissioner Trujillo could find someone from the northern part of the county to represent his district.

MS. MAES: Yes, that's fine, Mr. Chairman. As I said, we're open for any recommendations. Even though most of the representatives or board members are situated in the city of Santa Fe they represent all program centers. We have nine senior centers of which five are situated in the county, and that's Santa Cruz, Chimayo, El Rancho, Edgewood and Cerrillos/Las Lomas. And then we have four within the city of Santa Fe.

Our members, we travel to each of the centers. Our committee meetings and board meetings travel to the center, so there's a lot of feedback and input from the membership within those centers.

COMMISSIONER GRINÉ: Mr. Chairman, I move for the appointments of Fernando Rodriguez and Ben Baca and leave the other one vacant.

CHAIRMAN DURAN: So my understanding is Jake Martinez is on there now for a two-year -- he's replacing somebody?

MS. MAES: Yes, sir. You appointed him at the beginning of 1998, around

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the middle of 1998, to replace Antonio Garcia. And that term has already expired and then you reappointed him on his own. Jake Martinez will be part of our board for a two-year period. I believe that was already done at your last meeting.

COMMISSIONER ANAYA: I'm having a little difficulty understanding the motion and what direction it's heading. Clarification: all the members are there inclusive and Commissioner Griñé, can you explain your motion as to what vacancies you want to allow to have Commissioner Trujillo find people from his area to represent this board.

COMMISSIONER GRINÉ: Well, there's three vacancies still, so I just nominated two and left the third one open.

CHAIRMAN DURAN: So that's the math, right?

MS. MAES: Kathy Lopez is an excellent one, but I understand her health --

DON BELL: Kathy's not been in real good health this past year. It might put a burden on her to serve on the committee.

CHAIRMAN DURAN: Why don't we just leave it like it is. We'll appoint two now and let Commissioner Trujillo get a hold of Kathy, if she wants to serve.

COMMISSIONER TRUJILLO: Or maybe she could give me some recommendations.

MS. MAES: I can call her today.

CHAIRMAN DURAN: There's a motion. Is there a second?

COMMISSIONER ANAYA: I'll second.

CHAIRMAN DURAN: There's a motion by Commissioner Griñé, second by Commissioner Anaya. Any discussion? Those in favor signify by saying "aye." [Unanimous] Opposed?

So we have one left and we'll try to do that at the next meeting.

MS. MAES: Thank you very much.

MR. BELL: I'm Don Bell with the Senior Services. One thing you should take into consideration is that the bylaws of Senior Services does state that any representative to this board has to be at least age 60 or older. Thank you.

VIII. PRESENTATIONS

B. Y2K Report

MR. WOLF: Mr. Chairman, while she's getting set up to start that, I just got a message from Benjie that indicated Ray was at the legislature and Benjie was tied up doing something and they weren't going to be able to do their quarterly report this time and asked that they be excused.

CHAIRMAN DURAN: So is this really the end of the world as we know it?

AGNES OAKELEY: Mr. Chairman, members of the Commission, I have some of the members of my staff today because we have done a Y2K inventory for Santa

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Fe County and they have helped me to put this together. So I have Agnes Lopez, who really is an expert on the AS-400 program, Jeff Bowles is our network administrator and he gave me information on the network, and Mario Lopez gave me information on the PCs and also the heating-cooling units that we will be talking about.

First of all I'd like to show the webpage, front page. We have included a Y2K link in this webpage, which is going online as soon as you approve of this. We wanted to show that this -- we don't want too much text on the front page but we want to have our initiatives addressed on the first page for the public to see that we have addressed that. Also we have also put the vision statement and the mission statement on the front page, the organizational chart of the County, the tourism information, which is under the Lodger's Tax and that's under construction, and the holiday schedule. Would you like the lights to be turned down for the show, or do you want to see it this way? We'll go with the power points light show then. This is the Y2K. Also, I want to mention that we have Larry Velasquez here representing the public works department. He did some research on his equipment, and also Stan Holden, the Fire Department Chief. It doesn't look like the Sheriff's here but we can represent him. Also, what we'd like to say is everything that we have is documented and we have it in writing as to their verification of Y2K compliance.

Santa Fe County government's challenge is looking at its systems and ensuring that the community can conduct County business as usual through the year 2000. Government must understand the year 2000 reality. All equipment and software must be made year 2000 compliant and Santa Fe County must be able to continue to provide essential services such as fire, law enforcement and road services. MIS Division's focus areas are the software programs, hardware including servers, network equipment, routers, hubs and switches, personal computers and printers or peripherals, phone system and voice mail and the heating-cooling unit at the Judicial Complex and Health Facility.

We have outlined each one of these aspects and each has a slide. The software program plans for Y2K, computer-aided dispatch is going to be compliant by July. Currently it is not so these are the ones that we have outlined that are not compliant yet and the date that they will be compliant. Evidence tracking software is also the Sheriff's software and that needs an upgrade of \$2000 which is scheduled to be completed in July.

COMMISSIONER TRUJILLO: Mr. Chairman, excuse me. Would you explain what you mean by compliant? What does compliant mean?

MS. OAKELEY: Compliant means that it will be able to handle the 2000 four-digit field in the program. A lot of the issue about the year 2000 is a lot of programs are written with only two digits for the year. So if this is not fixed programs will misinterpret this to mean the year 1900 instead of 2000. So that has to be addressed.

COMMISSIONER TRUJILLO: This will make the transition easier?

COMMISSIONER TRUJILLO: Status quo, if you will.

MS. OAKELEY: Without any problems is what we're hoping. Also the Indigent is an in-house COBOL program and Agnes is going to complete that by July 1.

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This is also on the AS-400 programs. This is an inventory of what we have in place. The accounting package is Y2K compliant. The Clerk's package, the Treasurer's and Personnel. We are currently working on getting a utilities package for that department. The Sheriff's, the Assessor's, Land Use, and Indigent. This also will help to become more relational over all, but this makes them compliant. All the costs you see has already been expended for all these packages, maintenance, training, etc.

Now, in our hardware we have Sun servers that need upgrades and plans are to complete that by March of this year. We also have NT workstations that are not compliant and we are planning to replace those with Sun work stations because those are more economical, and the cost for a new Internet firewall will be \$12,000, and that will be done by July.

COMMISSIONER TRUJILLO: How do you make hardware compliant?

MS. OAKELEY: Hardware is the physical equipment. That also has software to go along with it, physical components that make the programs work.

COMMISSIONER TRUJILLO: But everything is driven by the software on the compliance side?

MS. OAKELEY: Yes, operating software, applications, etc. And then the network equipment is our network to connect all the data together so everyone's working with the same data. And the router for that internet needs a software upgrade again, and the software is needed for the servers and that's approximately \$14,000.

Now, our hardware and network spreadsheet is mainly what we discussed before, the Sun workstation, the server, and the software for the routers. Everything else was in place before and a lot has been purchased in this arena. So I'm just showing what's not in place yet and is going to need to be purchased. Personal computers and printers: All the PCs are Y2K compliant. There's approximately 200 PCs in the County, including remote sites, and we have documentation from the manufacturer, which is Gateway primarily, ensuring the compliance on those and also printers. And we have webpage compliance from HP and Epsom.

The phone system and voice mail: The current phone system is not Y2K compliant and we are looking at proposals to look at a new system on state contract to get our phone system to be compliant and we are hoping that this doesn't cost more than \$45,000 but we want to do this by March or April of this year.

Heating and cooling system and the Judicial Complex and Health Facility. There is a PC that controls the heating and cooling unit in the basement of the Judicial Complex and a laptop that also needs to control these modules at the Health Facility and they are not compliant. The vendor is Integrated Control Systems and they are telling us that they will come in to do this work at an estimated \$1500 for two days. So we have scheduled them to come in the end of July when General Services has their budget to purchase these items and that estimated completed time is August of this year.

Now these three departments, we've contacted the Sheriff, Public Works and the Fire

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Department's point of contact and they are insuring that all their equipment is Y2K. In terms of the Sheriff, we'll start with that first since that's listed first. Their cars -- we have a Chevrolet webpage, which states that the cars are all compliant, all the units. We also have Larry Velasquez, who did some research on the traffic signals and some of the equipment that Public Works is in charge of, and also Stan Holden, who has a memorandum for the Commissioners on the Y2K compliance with the Fire Department. And I'll pass that out once we're done here and then if you have any questions on that we'll answer those.

The financial cost to the County will ultimately be approximately \$78,000 from what we have reviewed and I feel it's an extensive inventory. The cost to Administrative Services Department is about \$71,000 and General Services Department which will be buying the heating and cooling compliant package is about \$7,000.

Finally, Santa Fe County is working in conjunction with the FEMA, Federal Emergency Management Association, City and County Emergency Preparedness Coordinator to ensure readiness should systems beyond the County's control fail. And that concludes our presentation. Are there any questions? Also, I would like to say we have some members of the Y2k Santa Fe group here who have been instrumental in leading the move toward making the inventory and making awareness a key aspect in government and gradually to the public. The City has put out a resolution appointing a committee of eleven committee members to have this task force, address the Y2K issue in the whole County of Santa Fe and all aspects of society and then has liaisons from every government entity to advise the committee.

COMMISSIONER TRUJILLO: What other systems does Santa Fe County interface with?

MS. OAKELEY: Well, there's a lot of people who dial into the County, such as realtors, the state, the City for rural addressing. In terms of Fire Department, they deal with the City dispatch and those entities are working on their own inventory and compliance. And I think that's why the City wants to have a committee so they can discuss how ready every entity is and how interrelated we are in terms of the programs and the systems, etc.

COMMISSIONER TRUJILLO: From a financial perspective, do our systems interface with the state to keep track of cash flow, quarterly reports, annual reports, that sort of thing?

MS. OAKELEY: With the state, we don't interface with what they do there but we can look at their webpage and see what they have out there on the webpage. Also, we're planning to go on line with a webpage today and tomorrow if this is okay with the Commission to put a Y2K report out and go ahead and go live, because changes can be made at any time. We've trained points of contact with every department on changing their portion of the webpage. But in terms of the state, Commissioner Trujillo, they are working on their own webpage and have their own Y2K initiatives going in their organization. I'm going to pass out the memo that Stan Holden gave you today, and if you have any questions of him, he's in the audience and willing to answer any questions as well as Larry Velasquez.

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CHAIRMAN DURAN: I have to leave for half an hour, but I'll be right back. I'll turn it over to Commissioner Grinë.

COMMISSIONER GRINÉ: Does anybody have any questions of Agnes? Thank you very much, Agnes. Good job.

MS. OAKELEY: Thank you.

IX. STAFF AND ELECTED OFFICIALS ITEMS

B. Administrative Services Department

- 1. Resolution No. 1999-11. A resolution supporting Santa Fe County Maternal and Child Health Planning Council's efforts to improve maternal and child health in Santa Fe County and in New Mexico**

EPPIE HERRERA (Indigent Board Director): Mr. Chairman and Commissioners, I would like to introduce Ms. Edie Powers, the Maternal Child Health Care Coordinator to present the resolution.

EDIE POWERS: Commissioners, Ron Hale had planned to present this to you but he was unable to stay, so as coordinator for the County Maternal and Child Health Program of the County, I'm presenting it to you. I hope that's okay.

Whereas Santa Fe County supports the coordination and planning of Maternal and Child Health services in the County; and whereas Santa Fe County encourages membership in the Santa Fe County Maternal and Child Health Council, which is representative of a broad spectrum of interests, geographic areas and ethnic populations with the boundaries of the county; and whereas Santa Fe County has been awarded a contract by the New Mexico Department of Health, Public Health Division to carry out Maternal and Child Health coordination, planning and services in the county; be it resolved that the Santa Fe Board of County Commissioners supports the value of legislation intended to strengthen families in New Mexico through support of: wellness and health care access, mental health and social services, early childhood support services, certified nurses midwifery services, and through increased funding to the County Maternal and Child Health Plan Act to further community-based maternal and child health planning.

COMMISSIONER GRINÉ: Thank you very much. What is the pleasure of the Board.

Commissioner Trujillo moved to approve Resolution No. 1999-11 and Commissioner Anaya seconded. The motion passed by unanimous voice vote.

COMMISSIONER TRUJILLO: If we could go back to Committee Appointments, I just got a notice sent to me that Kathy Lopez is doing fine and willing to accept an appointment from the Commission to the Senior Citizens Board. Is it okay to act

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on this? Can I make a motion?

MS. BROWN: Commissioner Trujillo, I think it's been properly noticed so I think that's fine.

Commissioner Trujillo moved to appoint Kathy Lopez to the Santa Fe Senior Citizens Center. Commissioner Anaya seconded and the motion passed by unanimous voice vote.

IX. C. FINANCE DEPARTMENT

- 2. Request authorization to accept and award a contract to the highest qualified respondent, RFP #99-28 for post offer employment screening services**

MS. GARY: Mr. Chairman and Commissioner, the Personnel Department and the Purchasing Division requests proposals for the post offer employment screening proposals. These were accepted and opened on December 11, 1998. One proposal was submitted. After evaluating the proposal for responsiveness to the request, the Personnel Department and the Finance Department request authorization to award a contract in response to a request for proposals #99-28 to the successful offeror, Concentra Medical Services.

COMMISSIONER GRINÉ: Okay, what's the pleasure of the Board?

Commissioner Anaya moved to approve the request. Commissioner Trujillo seconded and the motion passed by unanimous voice vote.

IX. D. GENERAL SERVICES DEPARTMENT

- 1. Request approval to suspend the use of federal preferences for the Section 8 and Public Housing programs pursuant to US Department of Housing and Urban Development notice PIH 96-6 and 96-7**

ROBERT ANAYA (Housing Authority Director): Mr. Chairman and members of the Commission, prior to 1996, all housing authorities across the country were required to have three preferences for individuals that are on the waiting list for housing. Those three preferences were that they were involuntarily displaced, living in substandard housing, or paying more than 50% of their income towards rent. What we've found, based on many years of experience of the staff is that those current preferences were a hindrance on the program, rather than being an advantage. Keeping in mind that there's a mandate that you have a preference for an elderly person, a disabled person, or a family that has been

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displaced. But these other three federal preferences were removed by the federal government where you no longer were required to have those preferences, but if you wished to, you could keep them.

One of the things that we found was that in going through the waiting list we found that people that didn't have a preference were being left out in many cases but were also in need of housing. And many people that knew the system or knew how to manipulate the system were being housed over people that had been on the waiting list for several years in some cases. So that's the reason for the request of the removal. Also keep in mind we found that in October of this year we had under-budgeted our Section VIII program and we had an additional amount of money which you budgeted in our program at the last Commission meeting which will allow us to house an additional 87 families into the program.

So we're in the process now of taking in new applications and we'd like to change this waiting list criteria so that we can serve all those in need and not leave those out that don't know the system and don't manipulate the system. And we will only take those participants that come in on date and time and are otherwise eligible for the program.

COMMISSIONER ANAYA: Mr. Chairman, move for approval of Resolution No. 1999-12 as requested.

COMMISSIONER TRUJILLO: Second.

MS. BUSTAMANTE: It's not a resolution. It's just a request for approval.

MR. ANAYA: Mr. Chairman, Commissioner Anaya, it is a resolution. We do have to amend our admissions and occupancy plan for Section VIII on public housing.

COMMISSIONER ANAYA: It is a resolution?

COMMISSIONER GRINÉ: Resolution No. 1999-12.

MS. BUSTAMANTE: It wasn't noticed that way.

COMMISSIONER GRINÉ: There is a resolution in our packet.

MS. BROWN: Mr. Chairman, Commissioners, I think it's preferable that we generally say resolution, but it does say request approval and we're giving our approval through the form of a resolution. So I think it's okay to go ahead and approve it as a resolution.

COMMISSIONER ANAYA: Then the motion holds, Mr. Chairman.

COMMISSIONER GRINÉ: We've got a motion and a second. All those in favor signify by saying "aye." [Unanimous] The ayes have it.

MR. ANAYA: Thank you.

IX. D. 2. Update on County parks and recreational facilities located in Santa Fe County

CORKY OJINAGA (General Services Director): Mr. Chairman,

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Commissioners, at the last meeting the County Commission directed General Services Department to provide an update on the County parks and recreational facilities located in Santa Fe County. This was following a discussion with Ms. Gloria Mendoza which was concerned or raised questions in regard to facilities or parks in the southern part of Santa Fe County, most specifically off of Highway 14. We do have a park, Leo Gurule Park. It's approximately four acres in size and is approximately one mile east of the Valle Vista Subdivision, the housing site.

We have requested through our ICIP plan approximately \$55,000 for park improvements to this particular site. In addition to additional parks throughout the county, we have the Bennie J. Chavez, which is located in northern Santa Fe County, La Puebla recreational area. We also have in planning and design a new recreational park. We have the teen center which was just approved through our CDBG funds. We received approximately \$297,000 for that teen center which is located in the northern part of the county.

COMMISSIONER GRINÉ: Corky, did they ever work out a deal with the schools up there for a site location for that CDBG grant?

MR. OJINAGA: It's my understanding Commissioner, that Española schools will lease the property to Santa Fe County for this teen center. We are also working on a project now at the Agua Fria park. It's under construction. We've just completed some baseball fields. We have in our plan some additional improvements. We also have the Santa Fe Youth Facility, which is the County Fair property, which we also have additional monies for some planning, design and construction.

We have the Boys and Girls Club. We have three particular sites for the Boys and Girls Clubs. We have one in the Valle Vista Subdivision, which is off State Road 14, Camino de Jacobo, which is off of Lopez Lane on the outskirts of the city of Santa Fe, and in the Santa Cruz area. And we provide services for an average of fifty to seventy kids per day on those particular sites. We also have the Eldorado multi-purpose field, which we are in the planning process right now. We're trying to work out some assistance with the schools on that particular site. So with that, I stand for questions.

COMMISSIONER TRUJILLO: Corky, on top of this, the County also has a lot of multi-purpose courts, that is combination basketball, tennis courts, throughout the county. Some of those courts were funded with recreation money in the last twenty-five years. A lot of them are in pretty dilapidated shape. Are we going to address some of those conditions of those courts where the surfaces are falling apart and they're still being used by the community. We know we have them out there and they haven't been leased to the County. Is that going to be addressed?

MR. OJINAGA: Mr. Chairman, Commissioners, we do have a lot of these particular types on BLM property. We asked for additional funding from the state legislature. They've graciously given us some funds, however it's not enough to do some of the upgrades that the communities would like. So we do have some funds available which

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we will put into those communities after discussion with those communities they kind of give us an idea of what they said is their priority. And if it is to upgrade a basketball court, we will do that if we have the funds available. If it's to upgrade part of the building, we will do that, depending on the funds available. So we will stay in touch with the State Land Office of the BLM and ask for any additional monies that they could give us.

COMMISSIONER TRUJILLO: Some of these courts are on land that has been given to the County by the communities. Chimayo has one of those courts. Sombrillo has one of those courts. El Rancho has one of those courts. Chupadero, Galisteo, they're on land that was given to the County, whereas money was expended over the last 25 years and the courts are in bad shape. Do we have any finances to focus on those to bring them up to viable conditions?

MR. OJINAGA: Again, Mr. Chairman, Commissioners, yes we do have the properties on BLM property which is under the Public Purpose and Recreation Act, but it's up to the County, once the state gives us that property it's up to the County to put money back into those to keep maintaining those. It's been a priority, but not a high priority in regards to the upgrade of those facilities. The money has gone to roads and safety issues.

COMMISSIONER TRUJILLO: So when do you think you could start improving those facilities?

MR. OJINAGA: Well, we have monies available again. We sit down and talk to each community group and if we have the monies available we'll sit down with them and let them give us their priorities and again, if they would like to improve the courts, we will do that until the money runs out. Then you've got to come back and ask the Commission at budget time to appropriate some additional funds.

COMMISSIONER ANAYA: I'd kind of like to make a motion to give direction to staff to prioritize the Leo Gurule Park in asking for funding or whatever needs to be done in that area pursuant to Gloria Mendoza's request. I think it's time that that part of the county be looked at. Last year the CDBG grant went up north. Commissioner Trujillo, so I think we've neglected that part of the county, so I would like to see it prioritized. With that, Mr. Chairman, the motion is to prioritize in asking for support of the Leo Gurule Park in that area.

COMMISSIONER GRINÉ: Is that for next year's CDBG grant?

COMMISSIONER ANAYA: Not necessarily. It's just going for your capital improvements request to the legislature. Is that correct?

MR. OJINAGA: Mr. Chairman, Commissioners, that's correct. It's included in our ICIP for this year, but we can also come back and ask the Commission at our next budget hearing for additional funds.

COMMISSIONER GRINÉ: So you still want to go forward with your motion?

COMMISSIONER ANAYA: Yes, I would think so, to prioritize that.

COMMISSIONER GRINÉ: Just to put it on the priority level.

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COMMISSIONER TRUJILLO: Second.

COMMISSIONER GRINÉ: We've got a motion and a second. Any discussion? If not, all those in favor signify by saying "aye." [Unanimous] The ayes have it. [Commissioner Gonzales was not present for this vote.]

Thank you, Corky.

IX. E. PUBLIC WORKS DEPARTMENT

1. **Request approval of quitclaim deed to the Thornton Family as requested by the New Mexico State Highway and Transportation Department for right-of-way in relation to US 285 near Lamy, New Mexico**

LARRY VELASQUEZ (Public Works Director): Mr. Chairman, Commissioners, this is somewhat of a complicated issue but I'll try to explain it to you as I understand it. It's probably easier for me to explain it if you turn to the last sheet in your packet. Apparently, in about vintage 1939 the County acquired some right-of-way for the construction of US 285. The project was built and apparently was not built where the right-of-way was acquired. Now, in the course of the Highway Department developing improvements for the 285 corridor this discrepancy was identified. And if you look on that last page, the segment that has the bolder or the darker coloring in it, that's where the right-of-way was acquired. The road was actually constructed on the figure to the left.

What the proposal is, and the Highway is trying to clarify this, the County acquired the right-of-way for the Highway Department's use. Apparently that was the practice back then. What they're trying to do is clarify this and what they're requesting the County to do is issue a quitclaim deed over to the Thornton Family for the property that is on the right. It's approximately 32 acres and the Highway Department will also issue a quitclaim deed to the Thornton Family and in exchange the Thornton Family will issue title to the Highway Department for the land that is actually occupied by the road. We're requesting approval in the form of two actions and I guess that at this point I would request that it be pending concurrence from our legal staff. But the first is the approval of the quitclaim deed from the County to Bluford Thornton, Jim Thornton, Gene Thornton and Genora Moore for the parcel described as approximately 32 acres.

And also the Highway is requesting that the County adopt a declaration of vacation and abandonment saying that that property is not identified or used as a County road. It never has, it's been a state road, but never has. So with that, Mr. Chairman, we request approval.

Commissioner Anaya moved to approve the request for quitclaim deed for the Thorntons et al and also establish a declaration of vacancy and abandonment of the

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parcel in question. Commissioner Trujillo seconded and the motion passed by unanimous voice vote. [Commissioner Gonzales was not present for this vote.]

IX. F. MATTERS FROM THE COUNTY MANAGER
1. Update on directives from the Commission

MR. WOLF: Mr. Chairman, Chairman Duran had asked that I follow up and give you a status of various directives that you give us on a monthly basis at the meetings. Let me just tell you the process that we've implemented on how to coordinate those. When you give direction like you just did earlier, we keep track of that, take note of it. I draft a memo to the appropriate department head to coordinate it and follow through on it. But the thing I haven't been doing a real good job on is following up with you guys to let you know what the status is. But we are pursuing these issues. So I'll just go over some of the items that have been, some of the directives that we had received recently and who is coordinating them and what the status is.

At the last meeting, you asked us to prepare a City/County joint resolution asking the legislature to prohibit and ban the sale of laser pointers to children under the 18. Virginia is working on that and she's coordinating that with City staff.

You asked us to look into County-owned property on Highway 14 to construct a public park and also follow up on our various recreational facilities throughout the county. Corky just followed up with that and you asked us to consider certain things a priority.

You asked us to obtain a copy of the Joyce survey and analyze that for Commissioner Trujillo. Becky researched all that information and has packaged it and presented it to us. We now need to go through that and see how it impacts County land versus non-public and private lands, specifically in the northern part of the county. So we have that information; we just need to go through it all now. And thanks to Becky for pulling all that and putting it together.

You asked for a year 2000 update and what the impact is to the County. We just gave you that presentation. And those amounts that Agnes identified, I think it was in the area of \$75,000, plus what we've already spent to date, another \$150,000, were non-funded. They weren't funded in this year's budget and we've had to work within our budget to fund those and to fund these additional costs that weren't identified through the budget process. So I just wanted to let you know about that, but we are working with it and we will be able to accommodate that.

You asked us to set up a paper-less packet and we've established a pilot program for you guys with the two laptops that we're using and I need to follow up with Commissioner Gonzales and Duran to see how that's working and then if it works well, we'll expand it for the rest of the Commission.

You asked us to give you a status on road projects. Larry's presenting that and will

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give you that presentation at the February admin meeting.

The welcome signs that you asked for throughout the county are being coordinated with the Lodgers' Tax Advisory Board and we'll give you an update on that at the next admin meeting.

The other big item is you'd asked us to develop a water allocation policy on how we would allocate any excess water rights that we may have. The Utilities Department, in conjunction with Land Use, our hydrologist, are working on that and we'll present a proposed policy for the Commission to consider at the February administration meeting. So on a monthly basis I'll be giving you these updates on the directives you've given us.

COMMISSIONER GRINÉ: Thank you, David. Any questions from the Board?

IX. MATTERS OF PUBLIC CONCERN - NON-ACTION ITEMS

COMMISSIONER GRINÉ: Anybody in the public like to address the Commission?

CAROLYN SIGSTEDT: Hello, my name is Carolyn Sigstedt. I have been a resident of the county for many years and am presently a resident of the city of Santa Fe. I'm just here to ask you Commissioners to take pause a second time to consider the old St. Vincent Building. I think it's one of the last monumental properties left in downtown Santa Fe. I believe strongly that it should be in the public's hands and would like to see that. I've worked with the City on this and as you know in a fairly recent council meeting they voted unanimously to put in a bid of sorts, or at least of show of strong intent for an interest in that property.

I know the property has problems. Paul Duran's article in the *New Mexican* indicated the plumbing and so forth in La Residencia was in serious disrepair, which is true. My feeling is that if the County and the City went together with a proposal to jointly own that property, they could take that proposal to the legislature. And that's why I'm here today, since there isn't much time. I also met with some people at the state and some sources of clout indicated that if the County and the City jointly were interested in using La Residencia or that property for administration, City Hall, and your administration building, they could look favorably at an offer which could make the disrepair of that building not as much of an issue.

I would just ask you to work with the councilors and the mayor on the prospect of this. I believe, and I know you do, in regional planning and I think it's important that the City and the County work together for our economic and ecological health. I think the building -- it's also important to keep government buildings in access, very visible and in easy access to the people. This building lends itself to that, being right next to Cathedral Park and right downtown. I just think it's an opportunity that shouldn't be missed and I

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know it is fraught with some problems, but personally, I think if you and the City went to the legislature, you could be offered a price that would make those problems palatable. Thank you.

COMMISSIONER GRINÉ: Your name was Carol, you said?

MS. SIGSTEDT: Carolyn Sigstedt. I own a business in Santa Fe, Tewa Enterprises, that's been in existence since 1951 and I've also worked with La Nueva Vida and have been a school teacher. But my interest is clearly in preserving this building and keeping government downtown. We lost our drugstores and shoe stores downtown. It's imperative, in my opinion to have a healthy city to keep at least government downtown and this is the ideal building. It has problems but it's ideal in its parking, location, and size. And if we don't purchase it, it's another four-star hotel.

COMMISSIONER GRINÉ: Carolyn, you're aware that the bids are already closed.

MS. SIGSTEDT: Yes, but the City's bid was a very, very informal bid of intent. It had no details. They had no ducks in a row. Nothing was set down in concrete at all. And my feeling from sources rather high up in the state have indicated that if the County and the City seriously -- and I know that the mayor was interested and my council members, not all, in working jointly with the County in having a joint City/County Hall.

So I think you could lobby. I think there's plenty of room for discussion. My concern is that we're right into the legislature right now and it would take going before the legislature for that bid process to be attractive, let's just say. Or the economics of any realty deal to be attractive.

COMMISSIONER GRINÉ: Any comments from the Board?

COMMISSIONER TRUJILLO: I agree with everything that's been said, in fact, I'd like to see the County initiate some sort of dialogue with the City for acquisition of that property. I agree. This is the hub of the community. We need to keep government in the hub of the community. We're outgrowing this building and that will happen in the next five years. We're going to have to go somewhere. For all the right reasons, that building has a lot of parking, is in the hub of the communities. We're going to invest some monies to upgrade it, but that will come out in equity. If you build a building for administration purposes, that's going to cost copious monies.

I'd like to see for the convenience of the community that the government remain in the center of the city. I'd like to see us open the lines of communication with the City of Santa Fe to see if we could jointly propose to the state to purchase that property.

COMMISSIONER GONZALES: Mr. Chairman, I agree with Commissioner Trujillo in wanting to pursue this effort with the City for all the reasons he stated, which I won't state again. I would add that we have several large issues on our state. One is the priority being the new Justice Facility for the District Court judges where we've committed to them that we would explore looking for a new building and I believe that there's some sites out there and I would have to say that right now the railyard property obviously is not

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going to be a site. But that's something that we need to in addition to pursuing this effort with the City, need to keep in mind is a priority. Because as much as we need to have an administration building, they are growing probably at a much more rapid rate than we are and are probably more in need of a facility. So I think we need to look at the resources.

The timing is good now though because we can approach the state and possibly get some kind of funding or some assistance to help in this. The question I have is I don't know if the City wants us to be a part of it. I guess we need to talk to Corky in his discussions or to David in that I know that there have been several discussions with the City on this and it's been somewhat lukewarm. The mayor has expressed to us that he would like it but I haven't heard from one councilor out there that has said we think that the County should come in and join us. There hasn't been one call that I know of that I've received since they've pursued this. So I think, Commissioner, you're right on target. We should be pursuing a joint building with them. I think the question is does the City even want the County to participate in this.

MS. SIGSTEDT: Well, the reason I'm here is actually to encourage you to begin discussion again. I know that there are a number of councilors -- I can't exactly -- and I know that the mayor indicated that. It is going to take work, but the legislature has started and if you're going to get an attractive deal on this, much like what happened with Cathedral Park. That was purchased in the vicinity of \$280,000, not millions and millions of dollars.

COMMISSIONER GONZALES: I appreciate your urging that and I think we should. It still remains, it's going to be the councilors that will decide whether the County, because they've already submitted the bid, and if the Commissioners agree to go along with this, whether the County can be a part of that or not. And I'd like Corky to come up and maybe give us an overview of his discussions with the City as it relates to one, the Judicial property, because I know we had talked to them about that, and two, I know that wasn't there a meeting for you to walk through St. Vincents with the City officials and they never showed up.

MR. OJINAGA: Mr. Chairman, Commissioners, that's correct. We were asked to jointly set up a meeting to tour the St. Vincents site, I guess at their choice they did not show up for that particular meeting so I toured that site twice. Once with a couple of Commissioners and once with a couple of the District Court judges. In the discussions that we've had on our committee with the judges, the City has not made any type of commitment to work with the County in regards to that particular facility. We haven't heard anything from the City at this point.

COMMISSIONER GONZALES: I'd like to ask David, in your discussions with Mike Mier, has he brought up, when you've talked about this, any effort in wanting to see the County join the City in this endeavor?

MR. WOLF: Mr. Chairman, Commissioner Gonzales, I've had numerous discussions with the City Manager about a lot of issues that we're both involved in but we haven't talked about the space issues. They've not invited us to be part of that, but I guess

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we could ask.

COMMISSIONER GONZALES: Before we even all make a decision on this, I think we should find out if the City even wants us in the process. And what I would ask is that the Commission direct David Wolf to contact the manager to see if there's room for the Commission to be an equal player in the acquisition of St. Vincents and for them to say yes or no. If it's no we should respect that and say, okay, you go on your own and we'll have to deal with our own issues. If it's yes, then it should come back for a debate to this Commission so we can really see the pros and cons and debate that in public and make a decision at that point.

COMMISSIONER ANAYA: Just last week I had the opportunity to have a telephone conversation with Bill Waters from the *New Mexican*, the editor, one of the editors of the *New Mexican*, and this issue came up. And he had been an advocate, if you remember reading the editorial, of combined forces between the City and the County. One of the issues that I submitted to him was all the irons we have in the fire, I think, I'm not sure, one of the two Commissioners alluded to this, as to how much expense we have on our plate right now. That's a concern I shared with him then over the phone. And also, I'm wondering about the renovation portion, with the cost to renovate and to bring it up to EID of EPA standards, we don't know how much asbestos is in there. It might be asbestos infested and whatever other non-compliance materials are in that particular building.

If there is an opportunity for this Commission to joint venture with the City, the consideration should come down from the state, and give us a good offer, a good, fair offer, to make it economically viable for both the City of Santa Fe and the County of Santa Fe to be able to invest in this building. Those are probably -- if that were to materialize, it would be the state's gift to us, which I think is fair because it's taxpayers' money. All the way around it's taxpayers' money.

COMMISSIONER TRUJILLO: A lot of those things can be discussed in an open forum if we get the acquiescence from the City to go on that joint venture. We don't know that they want to do that. Then we can look at the other issues. We need to ask the question from the City. Are they receptive?

COMMISSIONER ANAYA: But my message, Commissioner Trujillo, is for the City of Santa Fe, is to utilize taxpayers' money and take into consideration the cost to make it environmentally safe and all the things you need to do to that building as a brand new building under the building codes, etc.

COMMISSIONER GONZALES: And Mr. Chairman, I would agree with Commissioner Anaya. This building, regardless of what people say, it's going to be very expensive to bring up to any type of standard. People downplay the capital commitment but it is going to be expensive. But I think in following in spirit what Commissioner Trujillo has said, in seeking that common relationship with the City, this is something we need to look at. Again though, and I would ask the Commission to send this direction to David Wolf that we ask the City, but we need to know -- many times we ask the City about things

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and it takes a while to get a response back. We need to give them a time line on which to invite us on this so that we can know if we need to pursue our delegation or not or whether we have this type of debate. So I would ask you, David, with the consent of the Commission if they agree to this, that you ask the City to respond to us, hopefully within - I think they have a council meeting tomorrow night. Get a hold of the manager and ask him to bring that up with them, that he gets back to us either at the end of this week or the first part of next week, so that he just gives us an up or down.

If it's an up, and the City Council wants us to be a part of it, then maybe we can hold a meeting amongst the Commissioners to see whether we're willing to make that commitment to go forward or not. If it's a down, then there's no point in going through all that and really trying to figure out how we're going to find the resources. Because it is going to be very expensive on our part to deal with both the Judicial commitment and deal with the administrative commitment. I think we can get it down, but I think we're going to be asking the taxpayers to sacrifice either more in taxes or to figure out how we can deal with our own budget which is very limited to just about 1% increase a year. So there's not a lot of flexibility that we have in pursuing both these. I think if we put our heads to it, we're going to find it. But do we want to go through that if the City has not even extended an invitation for us to be a part of this process.

So, Mr. Chairman, I would ask if we can establish some kind of time line to ask the City to let us know whether we can be a part of this or not. If we can't then we go on our way looking for a Judicial Complex and trying to deal with our administrative needs. If we can, then let's put some hard numbers together and let's figure out whether the benefits outweigh the costs of being a part of this collaborative effort.

COMMISSIONER ANAYA: Mr. Chairman, for simple clarification --

COMMISSIONER GRINÉ: Let me add something and then you can go ahead. I got involved pretty much because we did tour with the judges for the possibility of a Judicial Complex. And then the judges also went on their own, on their own tour and obviously they didn't want to pursue that building at all. And primarily, the reason for that was a time line. There is, still three years existing on that --

MS. SIGSTEDT: What I heard was two years --

COMMISSIONER GRINÉ: We know the information. Corky, what is where the old age home is? The have a three-year plus a five-year option on that. La Residencia. So actually, you've got to wait eight years before you even vacate that building, much less considering for renovation, probably another three or four years. So you're looking at ten, twelve years. And then the other part is the state has to find relocation offices because they're not just going to move and get out in a matter of two, three years. They've got a lot of employees in there. So when we looked at all these figures already once, it was not viable for the County to even pursue it, so we dropped that for the District Court Complexes.

And yes, I have had discussions with councilors, Councilor Lopez, Councilor Bushee

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and Lopez, and you know what? They really didn't give us much indication that they wanted to be players other than I heard Jimmie Martinez says no, that they do not want the County involved in this. He said it, I think, in the council meeting that day.

MS. SIGSTEDT: My feeling is that what I heard from the state was if you go to the legislature, any bid that is put in by the County and jointly by the City and the County together is going to have much more impact than just the City going. And this why I actually agree with you that buildings such as this, owned by the state, should be almost gifts.

COMMISSIONER ANAYA: You agree with me.

MS. SIGSTEDT: Yes, I do.

COMMISSIONER ANAYA: With that, Mr. Chairman, I guess this is the final two points that we need to address. Number one is everybody's concerned here, I'd like to put it this way: Does the City want us as partners in this? That's one point. And the second point is can the state make it economically viable for both entities to support it? It's as simple as that. If that doesn't happen --

COMMISSIONER GRINÉ: So that's the direction you'd like to send to staff?

COMMISSIONER ANAYA: That's the direction, with consensus from the Commissioners.

COMMISSIONER GONZALES: And I would just ask, Mr. Chairman, that we give a reasonable deadline to the City. I know they have a deadline tomorrow night. Even if the manager discusses it with the councilors, we just need to know -- a lukewarm feeling by the City isn't enough for us to go forward and create this partnership. They need to say yes, we want you to go with us to pursue this with the state, or no. And so somehow you need to get that answer back to us because we're in this legislative session. I don't know when the last day is for bills, to enter bills. Do we know when that is?

MR. WOLF: Mr. Chairman, it's the sixteenth or the nineteenth of February, I think.

COMMISSIONER GRINÉ: February 15.

COMMISSIONER ANAYA: Mr. Chairman, Commissioner Gonzales, how about this for an idea? This came from the chair. That we send staff to tomorrow's council meeting with what we've indicated here today, perhaps Corky, under Matters from the Floor, or whatever matters they have to allow us to approach them on this idea.

COMMISSIONER GONZALES: I'd actually like to see if we could send David with the actual verbal request that the council tell yes or no, they want us to be a part of it or not. And we're asking you to get some direction from them.

COMMISSIONER GRINÉ: Is that fine, David?

MR. WOLF: Mr. Chairman, that's fine, but I think I would need to present to them tomorrow a request that they consider the County being part of the acquisition and then since they wouldn't have it noticed or anything they're going to need some time to still get back to us so we probably wouldn't get a decision tomorrow.

COMMISSIONER GONZALES: I think that the councilors know in their mind whether they want us to participate or not. This is something that's been brought up in their meetings. It's something that they mayor has brought up so I think that one of the things you're probably going to have to talk to them about, they probably read some of the comments in the paper that might have indicated that the County didn't have an interest and the fact is the Commission never ever voted as a body or said that we were going to say yes or no to this. So we need to convey that to them that we're still open to participating in this partnership with them, but they need to say yes or no.

The other thing I would add to the Commissioners and you've already heard this but we'll say it for the record is that David and Dr. Mier have actually worked out this joint services agreement that come up to a dollar amount. We're just pending a signing by the City before we release that check to them and that will put them behind. That's taken us a long time and I think that the County's been very generous in wanting to find a conclusion to this joint services payment that has been outstanding and so, David, I don't know. When you talked to them tomorrow, let the councilors know we're ready to make that payment. If you can go over with that agreement tomorrow and have Dr. Mier sign it that would be great as well, but that's something I think we need to get behind us, pay them the money and start talking on other areas that we can work together with them.

MR. WOLF: I discussed that issue with Dr. Mier today. I talked to him on the phone and he said he still needs some feedback from some of the councilors.

MS. SIGSTEDT: And I must admit, from the newspapers, I'm just a citizen but I was at the council meeting where they voted unanimously to put in a broad bid and to massage the details of that, hopefully, my feeling was with you. At that meeting, at the very end of that council meeting, the mayor said that they had been in contact with you and maybe that broke down because the next thing I saw was a newspaper article in the *New Mexican* where they interviewed Chairman Duran and he indicated that the County had no interest in that building. So that might have left the City thinking that you weren't willing to negotiate any further. But my feeling is this building could be practically gifted if done well. It's political. If any of the other bidders, no matter what they're bidding, whatever the County and the City do, if they're serious about it, is going to be looked at first. That's my feeling.

COMMISSIONER ANAYA: Kim or Dale both interviewed me to on that and what I stated exactly was the priorities that we have going on right now that we have to meet in the Judicial Complex, the juvenile detention renovation --

MS. SIGSTEDT: But the City feels the same exact way. They're juggling many expensive items as well. And it would be just a shame to have -- this is the last opportunity to have a chance at this building and you don't know how low the price could go.

COMMISSIONER ANAYA: I agree. This is a time to surface it out with the legislative session.

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COMMISSIONER GRINÉ: I think we've discussed it plenty already.

COMMISSIONER ANAYA: The bottom line is the County participation is still alive.

COMMISSIONER GONZALES: And we need to come to closure on this payment, David, and I don't know how to do that other than the fact that you and the manager have agreed and he's saying now that he wants to go talk to councilors. I'm just concerned that that's going to come back and they're going to say, well we want you to look at this and look at that and I don't know how to come to closure with this. We've got an agreement and Denise, is there a way that we can pay them and say this satisfies what we owe you without them having to come forward and say that, no, we don't agree with that?

COMMISSIONER GRINÉ: What if they come back for more money after we give them the payment?

COMMISSIONER GONZALES: That's obviously, that's a concern. We have an agreement between the City Manager and the County Manager and the concern is that he's going to go back to the councilors and they're going to say, no, we want more. And then it just throws us into a whole other two years and I just don't know how to resolve this.

MS. BROWN: Mr. Chairman, Commissioner Gonzales, actually David's already discussed that with me and we discussed putting together a real simple sort of settlement agreement that says we're paying you this sum of money. It settles all of our claims under the joint services for the following areas and you just list them, effective whatever the last day we're settling for. I can't even keep them straight anymore. So to cover ourselves so that we aren't reopening old wounds all the time and going back and rehashing things. I just basically haven't had a chance, but it's on my to-do list.

COMMISSIONER GONZALES: Let me ask you this. I know that this is time consuming, but I think that in David's communication to the council tomorrow that he brings up the fact that he and Dr. Mier have come to an agreement. You state the amount. You state the process that you went through to come up to that agreement, because there was a lot of talk, a lot of discussion. We've gone from \$100,000 that we said we owed them, up to \$374,000. That's a significant increase in us trying to come to closure on this joint services agreement and there comes a point where you get tired of getting kicked around and this unwillingness to try and put this thing to closure.

So I would like for you, David, when you go tomorrow to talk about this agreement is to bring up this joint services agreement that you've come up with, to let them know the amount that was agreed to, to let them know the Commissioners are ready to pay it. We just need Dr. Mier to sign that agreement. And this talking back and forth and letters isn't doing it. We've been doing it for six months, and it's either going to take the Commission going over there and telling them or you going over and telling them. And you've been working on it so it's probably better for you to deliver that message that we're ready to settle this. We want it done and let's go on our way.

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MR. WOLF: I'll do that tomorrow. Denice said she can have the settlement agreement drafted before I go.

COMMISSIONER GONZALES: Is that okay?

COMMISSIONER GRINÉ: That's fine.

COMMISSIONER ANAYA: At one time though, just to finish this. I thought Chairman Duran and I had it resolved with Debbie Jaramillo and everybody and we had it and I even came out and announced it and I don't know what happened between the City and County managers in those days that just -- it fell apart, but we had negotiated a deal between us.

COMMISSIONER GRINÉ: Let's go forward.

COMMISSIONER ANAYA: Anyway, that's history. Let's go forward. Got to give a history lesson once in a while.

COMMISSIONER GRINÉ: Anybody else under Matters of Public Concern? If not, let's move on.

IX. H. MATTERS FROM THE COMMISSION

1. Resolution No. 1999-13. A resolution supporting Santa Fe Public Schools bond issue allocating property tax for improvement of existing and the building of new public schools

COMMISSIONER GRINÉ: Whereas the Santa Fe Public Schools and the Board of Education has adopted the Citizens Review Committee recommendations to provide for capital outlay projects by bond election to obtain the maximum value of district capital outlay dollars, establish equity among school sites and provide accountability to the voters; whereas the Board of County Commissioners of Santa Fe County recommends that Santa Fe Public Schools continue to improve our school classrooms by renovation, restoration or replacement of existing buildings housing elementary and secondary students in the Santa Fe Public School District; whereas Santa Fe Public Schools should continue promoting quality education as a top priority through the improvement of the structures where the education process prepares future citizens; whereas priority projects were assessed by the Citizens Review Committee and health and safety projects were considered of primary importance in the schools and were therefore made a part of a facilities master plan slated to begin phase 1 construction in the year 2002 and phase 2 construction in the year 2005; whereas the recommendation of these projects has been adopted by the New Mexico State School Board of Education and put forth by the Citizens Review Committee comprised of representation from the community by their association with business, charitable, government and school organizations; whereas the Citizens Review Committee initiated this recommendation in September of 1997 and has systematically researched and solicited the consultation of professionals, examined schools in detail, and held public hearings in gathering data for their

recommendation to assure that a fair and equitable recommendation was presented; whereas the funding for these projects is based on residential property valuation and the impact on property owners has been clearly defined so that property owners will be adequately informed of the fiscal impact; now therefore be it resolved by the Board of County Commissioners of Santa Fe County supports bring the bond issue that will provide the capital outlay for the completion of the Citizens Review Committee recommendation before the voters of Santa Fe. The projects will directly benefit northern New Mexicans, their families and communities.

Passed, approved and adopted hopefully in seconds.

Commissioner Gonzales moved to approve Resolution No. 1999-13. His motion was seconded by Commissioner Anaya.

COMMISSIONER GONZALES: Mr. Chairman, just with that, the people of Santa Fe voted for open space. I hope the vote for schools as well.

Upon voice vote, the motion passed unanimously.

IX. H. 2. Draft policy regarding the use of inmate labor for public works program

COMMISSIONER GONZALES: Mr. Chairman, I'd like to send direction to staff regarding a policy. I'm asking to direct the staff to draft a policy regarding the use of inmate labor for public works programs. I hope this policy will include an analysis of several topics. First, a financial analysis of the costs associated with such a program. Second, a definition of the scope of public works projects that may use inmate labor. Third, what types of inmates will be used and an assessment of the risks associated with such a program. I hope that we can pursue this policy, Mr. Chairman.

As we now, throughout the arroyos and roadsides of Santa Fe County we've seen a proliferation of litter through tourists and residents and other people and I would like to use the resources that we have available, specifically, those inmates in our detention center, to begin to go out and pick up trash and litter along the highways, along the arroyos and hopefully this policy would identify what public work programs we would be able to use them on. In addition to that, many of you who've gone into our transfer stations know that excessive winds cause lots of litter to go throughout the area. I think it's important to the communities these transfer stations are in that we make a commitment to keep those transfer stations clean and this may be a way for us to go forward in doing that.

So, David, is that possible for you to have a policy ready for us, possibly within the next couple of weeks to a month, so that this Commission can review and adopt, hopefully,

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and then we can see some of these guys that are occupying space at our jail go out and pick up litter across this county?

MR. WOLF: Yes, Mr. Chairman, Commissioner Gonzales, we'll put that together and bring it back to you.

COMMISSIONER GONZALES: Great. And again, I want to make sure we have a financial analysis because I know it's going to cost us some money to have them out there. The scope of the work, I think that's a point we understand, and also the type of inmates we'll be using.

COMMISSIONER ANAYA: Mr. Chairman, just on the follow-up on that statement, Dave Wolf and I and Denise, I believe, discussed this as to what effect it would have on the multi-line pool, so I took it before the pool and this is not common practice, but it is practiced throughout other communities. So we got the blessings from the risk management portion on this endeavor, being cautious and all that. I think it's an excellent idea and we should move forward on it.

COMMISSIONER GONZALES: One other area, Larry, relates to -- I see Ray Romero, Camino Capilla Vieja. He's been talking about that road. I know that we've used millings out there to try and improve that road and several roads and I guess we need to ask ourselves the policy of using these millings because they work for a while and then after a period of time, sometimes that road deteriorates even farther than it was before we put that material on there. Is it beneficial to us to continue to use that?

MR. VELASQUEZ: Mr. Chairman, Commissioner Gonzales, I believe that it is. What happened in the situation with Capilla Vieja, the intent was to lay the cold millings and then come back with a chip seal so that the water doesn't penetrate underneath them. The chip sealing operation is basically under state contract so when we went to do that they recommended that it was too late in the season, that we need to have more temperature to do that, so what we did was do what's called a sand seal, just to seal it through the winter so that we can get by and then come back and chip seal it in the spring. Unfortunately, it hasn't held up quite as well as we would have liked it to. I did give direction to our crews to go back in and blade it and keep it maintained until we can get enough temperature to do the chip seal. I think that the chip seal will last for a few years. It's kind of an economical way to provide a hard surface, I guess, if you will and we've got several others that have had pretty good success with that. Unfortunately we weren't able to finish what our intention was.

COMMISSIONER GONZALES: So we're going to finish that?

MR. VELASQUEZ: Yes, as soon as we can get the temperature on that.

COMMISSIONER GONZALES: Then there's the County road that goes in front of the La Cienega Community Center, I don't recall the County road number.

MR. VELASQUEZ: Fifty-A, I think is what it is.

COMMISSIONER GONZALES: My question on that is, I know we're doing some work on that. We had the developers of Las Lagunitas do work on the frontage road

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of 50-A in towards the community center and then, I'm not sure if we did work from the community center towards the frontage road that way, and then there's a gap in between that didn't get done. I'm assuming we ran out of money, or did it get done?

MR. VELASQUEZ: Well, actually, that was never really planned. We were able to do a joint development with the developer on that and essentially what they did is they bought the materials to the end of their frontage and we did the work.

COMMISSIONER GONZALES: The whole road?

MR. VELASQUEZ: No, just on Las Lagunitas side. And then on the other side, we had a commitment to the community center to essentially do that so we went ahead and did that but it's not a funded project to do anything else with that.

COMMISSIONER GONZALES: So what would be the cost of finishing the road?

MR. VELASQUEZ: I don't know off-hand because I don't know what the length of it is.

COMMISSIONER GONZALES: Could you check into that for me and kind of the distance? The other thing, which would be real helpful for me and I know I always ask you guys this, but I'll ask you again is a list of the maintenance schedule for the roads in my district. I was out in Rancho Alegre and the roads are pretty tough out there. I was out on Gold Mine Road, same thing. So it's helpful for me. That way I don't have to call you when I'm out there or when I talk to people, because I know that's something that you worked to implement and it's something that's consistent. If I know when we're going to be out there, that kind of helps me out.

MR. VELASQUEZ: We can do that. I guess as a point of information, we've been looking to see how we can be more responsive, I guess, in those areas and we, by doing some internal reorganization, we will be putting two additional staff members in the maintenance for central county. Central county essentially includes District 3, 4 and a portion of 5, and also one in Commissioner Trujillo's district to see if we can do a little better than what we're doing. So that should be probably within the next couple of months.

COMMISSIONER GONZALES: Thank you. If you can ask Robert to send over that schedule, that would be helpful.

IX. H. 3. Resolution No. 199-14. A resolution informing and alerting Santa Fe County residents that the current drought conditions give rise to water conservation and fire prevention measures

COMMISSIONER GRINÉ: Whereas the current lack of rainfall and snow represents well below the average percentage of water normally accumulated for use in our community; whereas drought conditions have currently been identified by the Santa Fe County Hydrologist and the Santa Fe County Fire Chief; whereas the drought of 1996

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demonstrated the need for water resource planning; whereas the best measure in preventing rationing or our water supplies in our community is educating the public of the necessity for conservation; whereas the best measure in preventing fire damage in our community is education the public on fire prevention actions during the drought conditions; whereas the potentially dangerous conditions created by droughts can be prevented through the public's active participation in water conservation and fire prevention; whereas the community stands to gain as a whole by voluntarily participating in water conservation and fire prevention measures; whereas Santa Fe County residents should recognize the benefit to themselves and their neighborhoods by voluntarily reducing their use of water and becoming actively aware of preventing fires by recognizing and eliminating all fire hazards; now therefore be it resolved that the Board of County Commissioners of Santa Fe County during the current drought, recommends that Santa Fe County residents voluntarily and actively participate in water conservation and fire prevention.

COMMISSIONER ANAYA: Mr. Chairman, move for approval.

COMMISSIONER GONZALES: Second for discussion. Mr. Chairman and Commissioner Griñé, I know we had talked about this -- I don't see any of our attorneys to see where we can do this. But if, Mr. Chairman, Commissioner Griñé, if the drought continues or if we do move ourselves into a drought and we don't see that this voluntarily conservation has helped things out, would you see yourself bringing back some kind of mandatory conservation ordinance?

COMMISSIONER GRINÉ: Yes, I do. If it's possible and we can do it we can maybe draft or craft an ordinance maybe and try to put it into effect, maybe through our County Fire Department as well as through Code enforcement and maybe some assistance from the state legislature we might be able to come up with something creative.

COMMISSIONER GONZALES: Stan, can we do a mandatory conservation ordinance? Out there, if we need to? I'm optimistic this voluntary program will work, because I think everyone in this community is generally concerned, but we need to be able to monitor it as time goes on and be able to react if we don't see that this conservation is helping us.

STAN HOLDEN (Fire Chief): Mr. Chairman, Commissioner Gonzales, certainly the US Forestry Service is the one that we keep in touch with concerning the drought conditions. Even in the paper, in the *Journal* today, there was an article about the drought conditions that exist in the southwest and about the extreme fire danger that currently exists in our forests and the wildland interfaces that can define the majority of Santa Fe County. We're monitoring the situation very closely, but quite frankly, if we don't get a good deal of moisture in February and March by this summer, we will see the highest fire danger in Santa Fe County that we've seen in over 100 years. So I think this is a good preliminary step to put people on notice. The Fire Department is crafting information now for public education through each of the individual fire districts to meet with local communities on the fire danger about what they can do to help protect their homes by

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eliminating some of the high flammable materials around their homes and certainly, if by February or March we don't see an increase in moisture in Santa Fe County, the Fire Department will probably come back to you and ask the Commission to take action which is mandatory.

COMMISSIONER GONZALES: Yes, and I think by us supporting Commissioner Griñé's resolution we're hopefully being a little proactive in preparing for what could be a very difficult summer. And listening to you talk, would it be prudent for this Commission to explore creating some kind of arson task force. I know that a lot of the fires that we've seen happen have been from people who've started them, obviously recklessly or forgetting or whatever it might be. There are people out there, unfortunately in this community that will take advantage of these drought conditions and might do something really stupid. So I don't know, would it be prudent? Is there a role for this Commission in appointing an arson task force to identify areas of concern where a large fire could occur?

MR. HOLDEN: Mr. Chairman, Commissioner Gonzales, certainly the potential for prevention utilizing an arson task force which would essentially bring together a number of fire services and law enforcement services throughout Santa Fe County would be beneficial during this type of situation.

COMMISSIONER GONZALES: So can we -- I hope I'm not out of order talking during this session. Can we send direction to bring back to this Commission the creation of an arson task force with its specific goals and duties? Is that prudent?

MR. HOLDEN: Certainly. Certainly it's within the power of the Commission to direct the Fire Department to do.

COMMISSIONER GONZALES: Will it be valuable?

MR. HOLDEN: It certainly would be valuable.

MR. WOLF: Mr. Chairman, Commissioner Gonzales, this is actually something that staff has been working somewhat on. It would be good, I think if we could incorporate City, County, and elected officials on the Sheriff's Department on our side so we get the support of detectives to help with the task force and on the City side, probably their law enforcement as well as their fire department. I think it would be a good collaborative effort for everyone.

COMMISSIONER GONZALES: Okay, let's go out and get this thing started though because I think there's a lot of work that we've got to do in anticipation of a very dismal summer if these droughts continue to occur.

CHAIRMAN DURAN: Okay, so there's some direction, and there's a motion and a second on the floor. Any further discussion? Those in favor, signify by saying "aye." [Unanimous] Opposed? Motion carries.

COMMISSIONER ANAYA: Mr. Chairman, under Matters from the Commission, last night during the hospital hearings something interesting surfaced to take home to think about. It didn't hit me until I got home and I guess somebody in the audience

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during the public input mentioned that the hospital had been paid for, but I'm not sure, by bonds of some sort, whether they were industrial revenue bonds or general obligation bonds, and I can't recall as to how the hospital was paid for, but what I would like to do is have staff research that to see how it occurred and what's the history behind the building of the new hospital. I don't remember.

COMMISSIONER GRIÑÉ: I'd like to add on to that, Mr. Chairman, that if this hospital was paid with bonds, then obviously it was paid by the citizens of this community, then this facility belongs to the community and not to a board of directors.

COMMISSIONER ANAYA: Thank you, Commissioner Griñé, those were the words that I was going to say. In other words, it will have bearing on our decision making and I think that it definitely merits looking in to. Anyway, I think it's an interesting point that somebody from the public brought up and I think it should be pursued. I'd like consensus from the Commission to have staff look into that.

MR. WOLF: Yes, Mr. Chairman, Commissioner Anaya, we'll look into that.

COMMISSIONER TRUJILLO: Mr. Chairman, we, the community just passed a referendum on the gross receipts environmental tax, and I'd just like to get direction to staff to start developing a program as to how we can bring down the solid waste disposal fees, taking into consideration the impact of the fees that we're going to be subjected to if other entities, Rio Arriba County and/or the City of Santa Fe starts using the facilities. We need to make sure that we keep a close tab and monitor how the program is going to be put in place if we bring down the fees as we promised to the residents, the citizens of Santa Fe. So I'd like to give direction to staff to start looking into the fees.

COMMISSIONER ANAYA: Mr. Chairman, Commissioner Trujillo, I think in the Solid Waste Committee we're kind of looking into that. I think we're steering in that direction. I think Commissioner Gonzales will agree with that.

COMMISSIONER GONZALES: And I think Commissioner Trujillo is referring to the permits that having to get right now to go into our transfer stations and seeing if we can lower those, what we can lower. I think we all made the commitment that we were going to lower them or do away with them and I think the concern that Commissioner Trujillo brings up is a good concern, and that if city residents and Rio Arriba County residents use our transfer stations because they're either free or it costs very minimal to get into them, then that raises the volume of refuse that we have to take into our Solid Waste Agency. What we'll see happen is our costs as a County will go up and so the program that needs to be developed by Larry and by David is that as they bring those fees to zero or to one dollar or whatever it is, which I think we've all said, is that how do you create a program so that they can keep either a permit or some identification that identifies them as a county resident so that they can go through and there's some safeguard in there.

There's a big concern, I know in the south part of the county and in the north part of the county of other entities going into their transfer stations. I've got a couple of calls

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from people in the north and a couple from the south that says well, if you lower the fees does that mean that we're going to start seeing Torrance, or Bernalillo or Rio Arriba come into our transfer facilities where it's more expensive for them to do business in their own county. So that, I think, Commissioner Trujillo, we made that commitment and we need to move on it quick but we also need to rely on the staff to create the internal controls to make sure we don't bring in outside refuse that will drive our own personal costs up.

COMMISSIONER ANAYA: That's correct. But we are looking into that.

COMMISSIONER GONZALES: The Solid Waste Agency, you're right, is looking itself at reducing the rates that it's charging to the County and to the City.

COMMISSIONER TRUJILLO: So the coupons that are sold to use the transfer stations by the residents of Santa Fe County, possibly a sticker sent out with the property tax so the people from Santa Fe County are identified.

COMMISSIONER GRIÑÉ: Mr. Chairman, you won't -- Commissioner Trujillo, if you do that just for the property tax, to the property tax bills, you're only going to reach the owners of those properties, but you've got a lot of trailer courts, and those people don't pay property tax, so they'll never get a fair share of paying for their equal share for solid waste. So we're going to have to find another method.

COMMISSIONER TRUJILLO: But the owner of the trailer court will get his identification and some how get -- figure out some way that we can do this.

MR. WOLF: Mr. Chairman, Commissioner Trujillo, it's not a simple issue to figure out. It's going to take us some time but we will look into it. One of the issues that Commissioner Griñé brought up is how do you figure out a way to get a permit to everybody that should really have a permit in the county. But we'll get with Public Works and we'll bring a recommendation back to the Commission.

COMMISSIONER GONZALES: And David, not to belittle this, but I'm a little frustrated if it's going to take a lot of time, because I think that the staff has known for a long time, certainly since June, that all of us have wanted to reduce this. So I'm hoping that the staff has already thought of ways to deal with this and we're not going to wait another six months in keeping the fee program in place or whatever it might be. And the fact is, our fee program is significantly less than the City. So we have some indication whether city residents are going to use it or not. Whether it goes from five dollars to a dollar doesn't necessarily mean that there will be a proliferation of city use.

I know it's going to take some time, but I'm counting on the fact that you guys have probably already anticipated that the Commission was going to do this and hopefully not take too much time.

MR. WOLF: Mr. Chairman, Commissioner Gonzales, we have, we've given is some thought and we've got some ideas to put together and bring forward but there is one critical issue that wasn't addressed until January 5 and that was whether or not the gross receipts tax question was going to be passed and that was a critical component of whether or not we'd have the additional revenues to offset the fees, and so that just happened.

COMMISSIONER GONZALES: Thank you.

CHAIRMAN DURAN: I have a question for Larry. Several meetings ago, we agreed to take care of the Double Arrow Road again, and I know that we went in there and graded it. Can you tell me when you plan on going in there and doing the rest of the work or what the plan is for that road?

MR. VELASQUEZ: Mr. Chairman, Commissioners, I guess what we did is we posted signs indicating what the limits of our maintenance has been and that road got graded immediately after the decision was made and it's on our routine grading program. As far as providing any kind of significant improvements, we were not planning on that because in a priority system there are other roads that are probably in far worse shape than that that we've tried to focus on. We felt that it was unfair to divert money into something that we just picked up versus something that we've already had for a while.

CHAIRMAN DURAN: Who decided that?

MR. VELASQUEZ: I guess we administratively did. We don't have, other than routine maintenance money, we don't have a project to rebuild that road or to expend extensive monies on it, bringing it up into any kind of decent shape. So we've tried to allocate the revenues that we do have to maintain roads that we already are responsible for.

CHAIRMAN DURAN: So is the maintenance of that road going to be brought up at the next -- when will maintenance of that road be addressed on an ongoing basis?

MR. VELASQUEZ: As far as an improvement, that would have to evolve, probably through the Road Advisory Committee as a priority to start seeking funding and even through the basecourse program. That's how those capital monies get appropriated. From a routine maintenance, we'll provide the culvert repair, the grading and anything that requires the routine maintenance but we don't have in our operational budget, extensive monies to go in and do major rehab on that road, so that's probably how it would surface up the ranks, if you will, to get any kind of extensive improvements. Through the Road Advisory Committee.

CHAIRMAN DURAN: I just got a call from some people that live out there that said that the County graded it once and that was great, but it's back to its original state - - not original, but it's not very good any more.

MR. MARTINEZ: Mr. Chairman, Commissioners, as far as improvements being brought forth by the Road Advisory Committee, there is no member -- that area is vacant. So the people that are calling you, if they would like to serve on the Road Advisory Committee and represent that area, just have them give me a call.

CHAIRMAN DURAN: Okay, that's fine. I'll tell them that. That still doesn't get the road graded. How often --

MR. MARTINEZ: We grade it on a monthly basis. And we did do some culvert repair. The same day --

CHAIRMAN DURAN: It gets graded on a monthly basis?

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MR. MARTINEZ: Yes. We have graded it twice since we have reinstated it.

CHAIRMAN DURAN: Okay. They must have called me before you went in there last time.

MS. BROWN: Mr. Chairman, if I could just add to this. I've received one letter and two phone calls from people on Double Arrow Road, very, very happy that the County has gone out there and improved the road and they've been very, very thankful. So I'll just pass that on.

COMMISSIONER ANAYA: I did too.

CHAIRMAN DURAN: I don't know why they called me. Never mind. Sorry about that. Anything else from the Commission?

VIII. C. 1. Request to enter into negotiations for a contract with Waste Management of New Mexico and performance of the County solid waste collection and disposal services

MR. WOLF: Mr. Chairman, we had considered changing this item to just be for presentation purposes versus action. We discussed that before you left earlier but I wanted to make sure you're aware -- my understanding from Katherine is this proposal expires on the 31st of January if we were to do that.

COMMISSIONER GONZALES: What do you mean, it expires?

MR. WOLF: There's an expiration date on the proposal that we have right now and their proposal, the price arrangement and the structure, expires on the 31st of January. Maybe Katherine could explain it further.

KATHERINE MILLER (Procurement Manager): When contractors propose their proposals are usually good for sixty days, and we've had to continually ask for extensions on their proposal, because they base their pricing when they give that proposal at information that they have at that time. And the longer that period goes on, where we're continuing to ask them to extend their proposal, they're moving away from the figures that they used when they created their proposal. They have been kind enough to extend their proposal since August all the way through, or since September, all the way through January 31. And we need to either determine whether we need to ask for an additional extension to that proposal if they'll grant it for us, or reject their proposal or ask for an extension so we can enter into negotiations and finalize the contract with them.

COMMISSIONER GONZALES: So, Mr. Chairman, Katherine, if there's no action today, and the 31st comes are you going to need direction from the Commission to seek an extension by the contractor?

MS. MILLER: What we were looking for today was either direction to reject their proposal, or if you need more time to consider the information, to let us know that so

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we ask for an extension of their proposal, or if you wanted us to enter into negotiations with them, we need to ask them to extend their proposal.

COMMISSIONER GONZALES: My personal feeling is I think it's going to take more than a presentation to consider this. This is a big move. I don't know how the Commissioners feel but I had asked that we could this presentation and then at least have a couple of weeks for us to talk about it because I have not spent any time on this or discussions and I know this is big move that can have very beneficial aspects to the County Solid Waste Program, but there are a lot of issues when reaching those benefits, employees and how things may change. So that's going to be difficult for me to make that decision right now. I think the presentation should occur, but --

COMMISSIONER GRINÉ: How come, do you see it critical to eliminate positions in order to find better ways to manage our solid wastes and reduce costs to our residents? I think if we can find a way, regardless of how it's done, things may have an effect but bottom line here, it's money involved.

COMMISSIONER GONZALES: And I agree with you, Commissioner Griné. That's what I want to hear today. There's a lot of benefits to all these programs and I think we need to evaluate how we get to those benefits. But my point is today, I don't know if I'm prepared to make that decision.

CHAIRMAN DURAN: Could we bring this up at the next meeting? Do you think that two weeks would be adequate time to review?

COMMISSIONER GONZALES: I do.

COMMISSIONER GRINÉ: Let's see the presentation though.

CHAIRMAN DURAN: Okay, we'll make that decision later.

MS. MILLER: Mr. Chairman, what I was hoping is that we could at least give the presentation and then you could have the information and if you feel that if you need time to consider that information, then we know that we need to go back and ask the contractor for an extension of the proposal.

CHAIRMAN DURAN: Who do you ask? How do you extend the proposals?

MS. MILLER: The extend it in writing that their prices and their offer and their proposal is still good.

COMMISSIONER GRINÉ: I've got one more question. Is there something already that it's effectively operational now with this company, or this is brand new?

MS. MILLER: Right.

CHAIRMAN DURAN: So they don't have a track record?

MS. MILLER: This contractor does have a track record but not with the County. They are very experienced in this industry. What I'd like to do is go ahead and give you a background with what we were tasked to do. Basically, Public Works and the Purchasing Office last August were tasked with looking into the viability of contracting out solid waste management services. It was recommended that the best way to do this was to go out with a request for proposals and see what the contractors who are familiar with the

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industry could come back and state to us that they could do for us.

So in August we developed an RFP requesting the contractors' proposals for collection and disposal of solid waste at the County transfer stations and operation of the transfer stations. When we were developing the solicitation, the Public Works Department essentially identified areas or services that were the most feasible to contract out and those services that were identified and that we specifically requested in the RFP were the operation of the transfer stations, the collection, diversion and disposal of solid waste at the transfer station, and diversion refers to our recycling processing, the permit sales that are currently covered by the Finance Department staff, and customer service and education on solid waste programs and recycling.

COMMISSIONER TRUJILLO: What is the impact of outsourcing all of these services? What's the impact on people of outsourcing?

MS. MILLER: Commissioner, as I go through the presentation we do mention the items in the budget which are not included and then where their proposal would effect positions and the budget. The current solid waste budget is \$1.4 million per year. And there's several items that are not included in the proposal and were not requested that the contractors propose on that are included in the \$1.4 million. Specifically, the items in this year's budget that were not included in the RFP are the transfer station redesigns, specifically at Jacona and Eldorado. Our solid waste compliance, and that's the compliance monitor position, leases of the property for the transfer station sites, Agua Fria landfill monitoring and the recycling education, adopt-a-road and litter abatement. And then also we had to remove collection and disposal for the Agua Fria transfer station once it was determined that that was going to be closed.

After the original RFP was issued, there were several unforeseen program changes and concerns that arose during the team evaluation. That caused us to have to go back and request extensions on the proposal from the contractor and request revisions of their proposal. The main one was the closure of the Agua Fria transfer station. Another one was renovations and operational changes at the Jacona transfer station. That included moving from five days to a seven-day operation, and also the way that we haul the trash from the Jacona station.

Also, as 1998 actual figures came in, we noticed that from the estimated tonnages that we put in the RFP, because we did ask them to bid on a per-ton basis at each transfer site. And that's how the cost would be passed onto us. We noticed that there were differences in the '97 figures that we used to put the bids together and the '98 actuals that we were collecting as the year went on. So the cost comparison between the County and the contractors is based on these items.

One thing I would like to mention is that we received one responsive proposal from Waste Management of New Mexico. They were considered by the team to be a very responsible contractor and their representative, Marlene Feuer, is here today if you do have any questions of here.

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The original RFP as I stated had '97 estimated figures. As we were compiling '98 figures while this solicitation was out, we realized that those numbers were going to be higher and we needed to provide the contractor with those figures, plus an estimated 3% growth rate per year, which is the standard in this area and what we had seen in the data that we had been collecting. We also requested in the proposal that they give us a pricing for an eight year period, and that's four two-year terms or options for the County to renew the contract. We did that because we didn't want to see the County contract out and then two, three years down the road have to go renegotiate another contract. We wanted this to be a long term service if we did contract it out.

Another area that we did issue a second letter requesting revision of their proposal when Agua Fria was taken out. That was about a 40 to 50 percent reduction in the tonnages that we had estimated and that was a direct factor on the cost of contracting this out. Now, this chart is a constant cost comparison of the County's cost without Agua Fria, and the contractor's cost without Agua Fria. The red and blue line. I'll explain the bottom line in a minute. We did the best that we could in comparing how we compiled our price per ton and applied that to estimated tonnages over the life of the contract, versus how the contractor did. As you can see the red line is Waste Management, and then the blue line is the County's cost when we take our budgeted amounts and work to a unit cost at each transfer station.

The purple line that you see was actually the original proposal from the contractor. But after we issued two revisions and we made the changes at Jacona and we made the changes with Agua Fria it directly affected the overall cost to the County.

This next graph is really just one that shows that over time, with a 3% increase in waste and an increase in volume of trash that contracting out can end up costing you more money. But there are differences in the way that the contractor and the County figured increases in volume, so that does explain some of the difference as well. We'd like to point out that there's not just a cost factor when you contract out. There are other advantages that aren't quite so tangible or as visible as just comparing dollars to dollars. One of those, and the evaluation team tried to go through and determine what the advantages were to contracting out versus keeping the operation in-house. First off, we did come up with a short term savings where it appeared that the contractor could initially do this at a savings for the County, but that if volume increased, that cost is directly passed on to us in a per-ton price.

The second and probably the most noticeable advantage that the team came up with is that the shift of liability would transfer to the contractor and that can be significant if you consider workman's compensation, vehicle operation and operations at the transfer station. Another area we saw an advantage is that the contractor offered to purchase about \$187,000 worth of our equipment from us and that would bring in cash for us that they would use then to operate the transfer stations. And then also, I'd like to note that the contractor who proposes it is a very good contractor and a proven contractor in this industry and they have

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a lot of technical expertise to offer to the County.

The disadvantages that the evaluation team came up with was that we saw that immediately the County would have to give up the sixteen positions that we have in operating the transfer stations and the hauling. The contractor did propose to give preference to those employees, the County employees when they hire to staff those positions. We also identified that there's a loss of flexibility. Currently Public Works does hauling services for other County departments and they absorb that cost. They do things for community centers and fair grounds and special events throughout the year, and they just absorb that into the budget, and then those costs would actually have to be passed on to those departments and other entities.

CHAIRMAN DURAN: Excuse me, Katherine, is it possible for us to require that they absorb as many of the sixteen County employees as possible? My concern is that they come in and hire from out of the community. There are sixteen people there that are working.

MS. MILLER: I'd have to actually defer the answer partially to the contractor. That would be something that we'd have to negotiate if we went that route, and I don't know legally what we can force them to do in that respect. I would say that we couldn't force them but we could certainly put stipulations in the contract about hiring preferences and that type of thing.

Another area that we identified was that there might be a loss of flexibility to share that equipment and staff on other Public Works projects. We also felt that we might lose some flexibility when implementing program changes. For instance, if we wanted to do a pilot program on curb-side pick-up or something, that would all have to be negotiated with the contractor at a different rate. So we lose that ability to implement those type of changes quickly. And then also, one item that we consider a disadvantage but the contractor pointed out that by purchasing our equipment, they could alleviate this disadvantage and that was that both Public Works and the contractor have identified site deficiencies at the transfer stations that need to be brought up to a different standard, a better standard, and they estimated it at about \$141,000.

Now, the evaluation team recommended that those would have to be remedied before you could issue a contract, so they could not be done over time. And Public Works felt like this was something they could do on a continuous basis. But either way, both parties believe that they need to be taken care.

CHAIRMAN DURAN: I'm sorry, what was the last thing that you just said?

MS. MILLER: I said that either way, both entities, Public Works and the contractor view that those site deficiencies need to be addressed.

CHAIRMAN DURAN: I just have a question on this last previous screen. Again, isn't there a way of negotiating these losses that we're going to experience with the provider? I mean, not only the employees but -- isn't it possible that we can negotiate with this provider, the loss of flexibility to provide hauling services for County departments, the

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equipment and staff on other projects? Can't we build that into the deal?

MS. MILLER: I believe there is a certain amount that you can negotiate, but everything that you do contract with the contractor comes at a price and when we talked about losing the flexibility, it was the ability to absorb that and maybe find ways to work that into our current operation, that you would actually have to negotiate each service that you request from a contractor. Not that they couldn't do it or wouldn't do it or we wouldn't have a way, it was just that you loose a little bit of that flexibility to be able to do it immediately when you contract out. I believe that the contractor is a good contractor to work with and that they are very willing to work with us on a number of issues, though.

Pretty much that sums up the presentation. We wanted to give you a summary of what came in in their solicitation so that you have information as to what we received from the contractor and where we stood right now. We're not really able to go ahead and negotiate details of the contract without direction from the Commission that that's the avenue that you want to head down. If it isn't, we should send the contractor a letter stating that that is not the direction that we want to go. If it is, we need to go ahead and proceed further with entering into negotiations and hammering out details with the contractor.

COMMISSIONER TRUJILLO: Mr. Chairman, have we gotten an approximation of what the operation of the infrastructure would be, or do we need to do an RFP before you determine that? Do we have an approximation of the savings, or if there's any on the operation of the infrastructure would be?

MS. MILLER: Jill's probably the best one to answer that because she did compile all the costs on the County side and did some comparisons with the contractor's proposal.

JILL HOLBROOK: Mr. Chairman, Commissioner Trujillo, I looked at using the 1998 tonnages, which were revised and given to the contractor. In the first term, which again is two years, the County would save \$28,878 dollars by using the contractor versus - this is all projecting what those tonnages will be. The first term, that's the base term, the first term for option one is the third and fourth year, we lose \$36,625. The next option, option two, we lose \$30,000, and option three, we lose \$31,550. So over the term, the life of the term, the life of the contract, eight years, we'd lose \$69,375 dollars. And that doesn't include any increase in tonnage. That's just our current tonnage but just cost of living increases.

COMMISSIONER TRUJILLO: So we're losing, we would not benefit from the contract?

MS. HOLBROOK: Mr. Chairman, Commissioner Trujillo, this is based on the actual cost that the County would pay the contractor versus the cost that we have. Now it does not address their purchasing our equipment. It does not address the liability issues of what possible claims might come against the County at that time. It's just strictly the cost of operating the transfer stations.

COMMISSIONER TRUJILLO: I think that's the bottom line, what we're

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looking at is the cost of operations from year to year of that infrastructure.

COMMISSIONER GONZALES: I agree with Commissioner Trujillo. One of our goals was to see how we could reduce the cost of doing business and I know one of the unknown factors, and I just talked to Commissioner Anaya about this, a huge unknown factor is this liability issue. And I don't know which way the pendulum is going to swing or which way it's going to swing on the liability issue. Right now, I don't know what the County's paying when it comes to paying workman's comp and liability insurance on all those sites out there, and I'm assuming that if we contract out, that liability goes away. Is that right?

MR. WOLF: Mr. Chairman, Commissioner Gonzales, right now we pay almost \$700,000 a year for our liability insurance. We couldn't get the Association of Counties to break out the specific portion that we're charged for the solid waste operations, but we have had some claims and that's probably a significant piece and would probably be a factor to cause our rates to go up again next year.

COMMISSIONER GONZALES: So I can see the need for us putting this off because I think that's -- we just need, what do we need? A stronger push on the association to get us a number? Is that what it's going to take?

COMMISSIONER ANAYA: Mr. Chairman, Commissioner Gonzales, it's not based on what your reduction of exposure is. What it's based on is the history of what has occurred. That's how the premiums are based.

COMMISSIONER GONZALES: So there's a reduction in potential liability, not necessarily to lead to a reduction in our payment?

COMMISSIONER ANAYA: There's a potential for reduction but it would be reflected until maybe two years from now, depending on --

COMMISSIONER GONZALES: They'll wait and see if the number of claims has gone down.

COMMISSIONER ANAYA: Because the premium is based on the overall incidents that have occurred that have a history at the multi-line pool and membership in the multi-line pool. But it does have a potential to reduce it, maybe even one year, two years from now. I'd say even two years from now.

MS. MILLER: Mr. Chairman, Commissioners, I'd like to request that Marlene Feuer from Waste Management be able to just make a few comments because she said there is a few things she would like to add to the presentation.

CHAIRMAN DURAN: Okay. Any more questions of Katherine. Thank you, Katherine.

MARLENE FEUER: Mr. Chairman, members of the Commission, I guess we have some debate then and Jill, if you don't mind leaving that slide up. I am a division president and general manager for Waste Management of New Mexico. Thank you for the opportunity to speak to you. I want to refer specifically to this chart, because I feel we've got some interpretation problems here as I calculate. First of all, you need to know, the red

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line, which is Waste Management, when we compare apples to apples, those figures include a 6% lump and then some on gross receipts tax. Without that, from a service to service level, we calculate that we save the County in actual service to service, \$354,000 over the eight-year contract. And I understand the reason Purchasing on top of our bid put your gross receipts tax. Yes, we do have to charge gross receipts tax, but some of that money, and a good share of it does come back to Santa Fe County.

We are a licensed business in Santa Fe County. We are doing business at 5 Baca Lane in Santa Fe County. We currently employ 32 people in Santa Fe County already and report our gross receipts tax in Santa Fe County. So I think that has some bearing on the evaluation on the numbers and I need to make you aware of those. The other point I'd like to make, and I want to first of all, thank the County staff. I'm put in a very unusual circumstance. Normally, I'm competing with other private sector competitors to do services, not necessarily County staff. I have great admiration for your staff, great respect. Your Purchasing Division has been terrific to us. Yes, we've extended a lot and done a lot in the bids but so has County staff. Public Works has been more than gracious in sharing information to the best of their knowledge.

What I'm giving to you is information I'm perceiving is done with all due respect. I am also concerned that there is a different way of comparing prices between the public and private sectors. What was explained to me today by your staff is that what staff does is take their current budget and basically just take their costs linear up over the time period. What the private sector did was we took the costs and took them over based on the increase of tonnage over the eight-year period which reflects a 24% increase in the tonnage over that time period. I understand they've taken that tonnage and then just taken it right into almost a flat line budget except maybe for a small percentage, not accounting for the additional tonnage.

As you saw in one of the first graphs is that this proposal at handling solid waste is very sensitive to volumes, to the tonnages that you have to perform. I'm hoping I'm making myself clear. Beside the liability shift then, you also have a service level that you have to be concerned with. The way we projected when we started out at the very base year where you see that we are saving significant money if you take the gross receipts tax away, as you project that over the years, we have projected at an equal service level with increase in service levels. Increase in people, increase in equipment, based on the increase in the tonnage projected at 24%. It is explained to me that that has not occurred at the County staff level.

My position on that is that one, over the period of time, one of the two things would have to give. Either the service level or budget adjustments would have to be asked for. I felt the Commission needed to be made aware of that because I think this is being done for what is the taxpayers' benefit. You did ask, I think I heard a couple of questions that I can directly answer. Number one, we've extended this since August of last year, we are more than willing, if it gives the County time, to either negotiate or study or come up with the

best solution for yourselves, we will gladly extend and hold our prices again for a sixty-day period. I think that should be more than adequate at this point. So we're more than willing to do that for you.

I think another question is what is our flexibility? Our flexibility is great. Where we have contracts with whether it's municipalities or counties, which we count 32 in the state of New Mexico. We do provide and in negotiations provide flexibility in the types of services you're now asking for, which might be some, what we consider free services to the issuing government. So we're more than willing to negotiate that also with the County. If there's any other questions I can answer, please feel free to ask me.

CHAIRMAN DURAN: I have one. You mentioned that the County would save \$356,000 over an eight-year period?

MS. FEUER: Through the eight-year period, if you deduct the gross receipts tax. If you're going to compare service to service with not penalizing us for paying your gross receipts tax, yes sir.

MR. WOLF: Could I ask a question? In regard to gross receipts tax, it's a real cost. That's an issue with us privatizing functions, just like we learned with the jail. It's a cost that we don't have to pay as a governmental entity, but the contractor providing the service is obligated to pay the state. So it's a real cost which the County would then have to pay unless the contractor is willing to absorb it in the cost. And it's 5.875% is the rate, 5% of that 5.875 goes to the state, and then a small portion of that, well, probably about half of what's left, less than one percent, comes back to the County.

MS. FEUER: Point well taken. I'm just trying to give you a heads-up, service for service, negotiable how much the contractor would be able to absorb. Again, negotiating table, this was an RFP. We felt that if we got close, we could sit down and negotiate with the County.

CHAIRMAN DURAN: Maybe you mentioned this earlier. How does the person that goes to the transfer station benefit?

MS. FEUER: I'm talking about overall savings to the County. I'm also talking about -- I heard service level. Some of the things, I believe that were in our proposal, we had proposed upgrades, our own upgrades, not at a cost to the County in coming into OSHA compliance in putting up guardrails, in putting up wind-fencing, double wind-fencing to keep down the litter at those transfer stations, those are things that we noted as we did our site visits, to improve the operation. So they benefit operationally and our main objective is to get the cost down and keep the service level high, and that's what we think may not be part of our competitor's proposal.

CHAIRMAN DURAN: So, do the tipping fees and all that, does that change? I guess my question is how does someone that goes to the transfer station benefit? I understand the County benefits, but how does that trickle down to a savings for our constituents?

MS. FEUER: Mr. Chairman, I am hoping that if we can prove to you that

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we do have cost savings in our proposal over what's currently being done, that that money as it saves the County money, saves your citizens money. That when we provide a better operation, that saves money. The disposal fee, if that's what you're talking about when you use the work tipping fee, of course we don't have control over. And we certainly think that is a big factor that does need to be controlled. So I don't know that I'm answering your question. When I say benefit to your citizens, I mean long term. I think over the eight-year period, if you give your purchasing department time to truly look at some of the issues we discussed today, we're flat-lining the County operation within just a three percent growth rate in salaries and a one percent growth rate to handle a 24% growth rate in the volume, I'm using the term flat-lining the operation. Therefore, what has to give is service, is a service level that's not going to be performed over the period of time.

COMMISSIONER GONZALES: Mr. Chairman, just a couple of questions, and I apologize if I missed your answer. Chairman Duran had asked Katherine about the sixteen jobs and what kind of assurances that if the Commission chose to contract this endeavor out, assurances that these individuals who could potentially lose their jobs that they would be given first right to those jobs out in that are.

MS. FEUER: We made a statement in our proposal. We know it's a sensitive issue to the County. We have to hire employees. I do not have employees currently on staff to do this job. We will give -- I don't know if the word is preference, priority -- we'll stand before you and say they will have first right of refusal for the job, if they qualify. But we want to make sure, and our qualifications -- I'm not sure what yours are, but just to let you know, we do do drug testing. For drivers, we have to have CDL and they have to be DOT certified. Other than that our qualifications are just that they be physically fit for the job.

COMMISSIONER GONZALES: What's the total number of staffing that you feel you'll need for the transfer stations?

MS. FEUER: We had in here -- and please, I hope I get them all. We had eight transfer station attendants, because there were seven stations and we put in an additional one in to float for holidays, vacations and the extra hours. We have two drivers, two full-time DOT drivers scheduled. We have a -- I don't know how to separate half-time people. I've got a half-time supervisor and I've got a full-time dispatcher. I don't know, I haven't run the addition on that. And probably a half-time customer service representative-education kind of person.

COMMISSIONER GONZALES: That comes out to twelve FTEs including the halves. Assuming there's a gap of four between what the County uses to staff and what you use to staff and the fact that -- can you explain to us why your cost would be more expensive than the County's cost again and we're staffing at a higher level?

MS. FEUER: Well, first of all, given what you've said, you have no insurance costs built into your cost. That's what I just heard. We could not identify what portion of your insurance is being paid right now out of the Municipal League. I am fully

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loaded with insurance costs. I think our pay scale is about even. Our benefits are about at 30% of our payroll. I'm not sure where the County stands on theirs. It's about a 30% payroll. I've got a profit margin built in. I'm not sure. I pay my drivers very well. We work them and they get overtime. I don't put on more drivers so I have a lot of overtime on my drivers, more than just straight time. The insurance is a big difference.

COMMISSIONER GONZALES: Right. And I was going to ask a question of Larry or David. How, if the Commission went down this route, how realistic, if there is a gap of four employees that we can absorb them in our operations? I know we always have a need out there for lots of work. It's hard to commit now, without you guys going through the budget process but it would be something that we'd have to consider.

MR. WOLF: Mr. Chairman, Commissioner Gonzales, one way that it might work is if we could absorb them through attrition. Other vacancies that occur and use those people to fill those vacancies. But four positions, if we make four new positions in other divisions or other areas that would cost us a pretty significant amount of money.

COMMISSIONER GONZALES: Larry would know the turn-over in his department probably better than any of us. With the level of skills, do you see that there'd be opportunity to absorb them in potential jobs that are coming out?

MR. VELASQUEZ: Mr. Chairman, Commissioner Gonzales, I believe that at the skill levels -- the transfer station caretakers are very stable. A lot of them have been there for fifteen, sixteen years plus. The truck drivers we have a tremendous turn-over. And those positions would be easily absorbed into other positions. I guess, if I could take a moment is to tell you what our thought process was with the employees in this transition or in transition if the County remained in operation. I think it's our opinion that while we were operating the Agua Fria transfer station we were understaffed in being able to provide a service that I think the community expects.

Right now, after the closure of the Agua Fria transfer station, I think it's our opinion also that we probably have more staff than we need to operate. What our intention was is that -- we still need the same number of caretakers to run the transfer stations. We have five drivers and -- four drivers and we have a difficult time keeping up with recycling and all the other routes to do that. What we had actually structured but we haven't been able to implement because we have not been able to free up the staff was to have a floating crew that would address the clean-up of transfer stations, address the rehabilitation or the upgrade of the deficiencies that we had because I think both us and the contractor are in agreement that we have some problems out there that we need to correct.

We looked at that and we felt that would take probably a three, four year process to complete and refence, maintain, bring them up to a decent operation. And we also felt that as we got to that point and we also increased in volume, then by reclassifying some of the positions we can absorb, if we need another caretaker, if we need another truck driver, whatever it is we need in that program. That's why when Marlene mentioned that we had not loaded up with level of service that's why we did that. Because we thought that we have

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that internal flexibility by reclassing to address some of those needs. We also tried to look at this from a standpoint of historically, what has the County approved in the past. We assumed a 3% cost of living increase for the payroll. We assumed about a 1% increase in operational budget and that's been historically for the past four years. We haven't gotten more than one percent and we've been told to stay pretty flat. So that's how we approached it, but we also approached it from the standpoint of being able to increase the service by reclassing internally, or just the employees as we complete or correct certain aspects of our operation.

COMMISSIONER GONZALES: So if there's a gap of let's say four to six employees that don't have the opportunity to work for Waste Management, if we go that route, you feel fairly comfortable we'll be able to absorb them?

MR. VELASQUEZ: I believe that over a certain period of time we would probably be able to do that.

COMMISSIONER GONZALES: Well, I think just keeping them on the payroll, over a certain period of time. Are we saying that they'll have to wait until the work comes up and then they can come back to work?

MR. VELASQUEZ: I guess to give you a little bit of an example, when we knew we were going to close the landfill and we had vacancies, we kept those vacancies open because we knew we were going to reclass them or do something and in the interim we filled them up with temporary people and we'd probably hold that vacant while we filled that. We finished this other task that we were doing and then as we completed it, we'd move that person over is probably how we would do it.

COMMISSIONER GONZALES: I'd like to ask, Mr. Chairman, because if hopefully the Commission would hold off on a couple weeks on this, but to ask Marlene -- I appreciate the fact that you guys have standards of the employees that you hire and you look for qualifications. I also appreciate the fact that we've had dedicated employees for sixteen, eighteen years and forgive me if there's a little bit of reluctance from me to hear you say well, we'll take a look at it and give them a preference but we've got to see if they meet our needs. It's a little uncomfortable for me if we go this route to expose so many employees to Waste Management deciding whether you feel that they fit your criteria or not. Is there an opportunity to review the staffing levels and give us an idea based on your review of who's working at the County, how many positions you feel comfortable you will be able to absorb from existing positions?

MS. FEUER: All except giving them drug tests, or a physical.

COMMISSIONER GONZALES: Which we do also.

MS. FEUER: And that's fine. That's fine. Other than that, sure. I would not see a problem hiring, provided they meet those qualifications, and I'm talking the physical and the drug, that's where we usually have the problem.

COMMISSIONER GONZALES: And we require the same thing. Is that right, Larry?

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MR. VELASQUEZ: Mr. Chairman, Commissioner Gonzales, our drug testing applies only to CDL licensed drivers.

COMMISSIONER GONZALES: And that's a fair thing. I would support you in wanting to do drug tests for any one who --

MS. FEUER: All employees of ours require drug testing. Yes, sir.

COMMISSIONER GONZALES: So I would ask, it seems to me that you're telling me, assuming that those two items are met that yes, there will be a job if we go this route for people, at least twelve jobs.

MS. FEUER: Yes, sir.

COMMISSIONER GONZALES: So then in the next two weeks can we see, can we get a little bit more comfortable and see if there will be an absorption rate for at least four of these employees and which that will be? Can I ask for that, Mr. Chairman?

CHAIRMAN DURAN: Sure. I'd also like to ask for a little bit more information to review in the next couple weeks.

MS. MILLER: Mr. Chairman, is there anything specific you'd like us to request from the contractor as far as information and anything you'd like us to compile and put into report format for you?

CHAIRMAN DURAN: Well, I'd like to see the RFP. Is there a contract along with that?

MS. MILLER: There's an RFP in there. What we did is we asked for proposals and the contract is going to reflect what came in in the proposals and what we negotiated. So we did not develop a standard contract. That was going to be developed if we thought we had even a viable proposal to negotiate with.

CHAIRMAN DURAN: Well, maybe the RFP and copies of the presentation that you gave us.

MS. MILLER: Okay. We can also give you copies of their proposal if you'd like.

CHAIRMAN DURAN: That'd be great.

MS. MILLER: Okay.

CHAIRMAN DURAN: And Commissioner Gonzales, I'm glad that you brought up the fact that we needed to take care of these employees, because although I think our obligation is to keep the cost down at the solid waste facilities, it's also our obligation, I think to take care of our employees.

CHAIRMAN DURAN: Can I also ask -- I don't know if this is public documents, David, I was just talking to Commissioner Trujillo, of all the sixteen employees that would be affected, if we could get their service credits on that because I think that that's going to be an issue as well. Their service credits, the number of years that they've worked with the County. If you have 18 years vested into the PERA system I think you're going to be very reluctant in wanting to leave, so we need to at least come up with some kind of an analysis of --even if Waste Management offers jobs, there may be people that say, Hey,

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we don't want to leave because we've got too much vested in our retirement system. So we need to do that analysis as well. There may be people that see a great opportunity of working for a private company and I don't know if there's profit sharing agreements or if there's more abilities for moving up. There are a lot of pros and cons for some of the younger employees, or some of the newer employees where they may want to move into a company like that.

CHAIRMAN DURAN: Could you give us that analysis as soon as possible?

MR. WOLF: We'll include that also with the report.

CHAIRMAN DURAN: Any other questions of Katherine or the presentee.

COMMISSIONER GONZALES: Mr. Chairman, I know we're moving on to Public Hearings and I was given a call this morning by a couple of neighborhoods in the south county who've asked that me and Commissioner Griñé go down and do a presentation of the water ordinance and the -- the water management, resource management plan and the liquid waste disposal ordinance. So with that, again, I apologize. We need to get this stuff done but I'm concerned about -- if there's concerns out there in the community and we haven't taken this out then to at least have a say in that they may feel we're rushing to this. And they couldn't be here today. So can I ask for a tabling of Public Hearings items A and B?

CHAIRMAN DURAN: That would be fine. I'd like to request, I wouldn't mind attending those meetings also, so when you set those up, can you let Deborah know and we'll have it published that we'll all be there for those who want to attend?

COMMISSIONER GONZALES: Absolutely.

CHAIRMAN DURAN: Could you take care of that, David?

X. PUBLIC HEARINGS

- A. Ordinance No. 1999-___. An ordinance establishing the Santa Fe County Water Resources Management Plan and adopting policies and guidelines for the use, conservation and preservation of water resources within the county**
- B. Ordinance No. 1999-___. An ordinance amending the Santa Fe County Land Development Code, Article VII, Section 2 "Liquid Waste Disposal" for the purpose of modifying in what case a liquid waste system with nitrate removal is needed, and requiring system testing**

CHAIRMAN DURAN: Okay, so there's a motion to table these items, A and B.

MR. WOLF: Mr. Chairman, I just wanted to remind you, when we amended the agenda we moved the presentation from DOE to just about Public Hearings but you're just about done with these two items any.

COMMISSIONER GONZALES: I apologize. I jumped ahead. I'm sorry.

CHAIRMAN DURAN: I'm sorry, David, I didn't hear what you said.

MR. WOLF: Mr. Chairman, when we amended the agenda, we moved the presentation from DOE to the last administrative item before the Public Hearings, but it appears that you're going to move to table both of these items. Maybe if you go ahead and complete that, we could then move back to the presentation from DOE.

CHAIRMAN DURAN: That sounds fine. Let's just go forward. We'll table items X. A and B. There's a motion for that.

COMMISSIONER ANAYA: Second.

CHAIRMAN DURAN: Any discussion? Those in favor, signify by saying "aye." [Unanimous] All those opposed?

X. I. MATTERS FROM THE COUNTY ATTORNEY

MS. BROWN: Mr. Chairman, there are no matters from the County Attorney. There's no executive session today.

VIII. PRESENTATIONS

C. Northern New Mexico Citizens Advisory Board, presentation by M.J. Byrne

CHAIRMAN DURAN: Hi. Welcome.

M.J. BYRNE: Thank you very much, gentlemen. If I can approach your bench with some handouts.

CHAIRMAN DURAN: And could you please state your name for the record.

MS. BYRNE: Thank you. My name is M.J. Byrne, for the record. I'm with the US Department of Energy, from the Los Alamos area office. George Chandler, the chairman of the Citizens Advisory Board was not able to make it, however, Ray Armenta is with us. What I wanted to do today, and thank you very much for giving us a little bit of your time, and thank you for helping us, was to come before you and provide you with a simple presentation about the Citizens Advisory Board for northern New Mexico. I have joined the department out here since July and one of the purposes, things I'm doing is going out to elected bodies such as yours to help to increase the visibility and knowledge about the Citizens Advisory Board for northern New Mexico. I'll go to the first page. I'm not going to read all of this. You all are very capable of doing this. What I'm going to do is just highlight parts of it.

The mission, what I wanted to emphasize there on the first page, is that the mission

of the Citizens Advisory Board is to provide the Department of Energy with recommendations and advice on the environmental restoration, waste management, environmental monitoring and surveillance activities proposed for and ongoing at the Los Alamos National Laboratory. Monthly meetings are held throughout northern New Mexico. There's going to be a meeting tomorrow evening, as a matter of fact, the 27th. Our meetings are held from 6:00 until 9:00 at the Nambe Pueblo, for example, in the governors' office, and you certainly are invited to attend.

The membership, the Advisory Board seeks diverse, multicultural membership. We are -- the good news -- bringing on an additional, at this next meeting tomorrow, six new members on the board. Let's see, I'm doing a count. Dr. Freehan from the St. Vincents Hospital in Santa Fe, Royallynn Allen, the City Water Quality for Santa Fe, Domingo Martinez, the state auditor for Santa Fe, Jim Johnston, who is a Los Alamos contractor but also lives in Santa Fe, John Allesandro, state construction manager also lives in Santa Fe. So I guess my point there in going through the names is to emphasize that Santa Fe, we hope, is well represented on the board.

We only, our new members that we're bringing on this month and next month, our intention is to enlarge the size of the board from its current number of 16 to 21 and we will only have one new member that works up at Los Alamos in that new membership. The third page is kind of an organizational chart that I wanted to go through. George Chandler who works at the lab is chairman of the board. Connie Thompson Ortega is a member of the city council down in Española. Michael Smith, Connie Thompson Ortega, Michael Smith is a member of the Sierra Club. Anthony Armijo works for Nambe Pueblo and is a member -- excuse me, is a member of the Jemez Pueblo.

Anyway, I just wanted to emphasize the diversity is represented even by the chairmanship of the committees. The other thing I want to emphasize on the organizational chart are the committees that we have presently and to also, by their very names, emphasize that they have a lot of work to do. There's a lot of data, there's a lot of information that these citizens are volunteering to undertake to analyze, to go through and to provide the Department of Energy with some recommendations on prioritization of clean-up, where the budget, where the dollars should go, what kind of equipment, what kind of projects should be used, where it should be used. So I guess the emphasis there is that at these committee levels, with this amount of work, everyone I go to and meet with, I ask people to, if you know of some individuals in your communities who would like to help us out, join these committees to help them with their work, this will provide, I guess help us reach our goal toward providing the department with the kind of recommendations that we're looking for.

Why a Citizens Advisory Board? It's pretty clear that a recognition of the legacy of waste produced as a result of production activities over the past 50 years, the information on this is coming out and will continue to come out and the truth is that a lot of this information will not be good. There is pollution. There are problems up there. And the department again, I'm going to say this over and over again during my presentation, we are

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looking for citizen input to recommendations to help us decide where to put our dollars and what to do first.

Provide community involvement with the department on deciding the clean-up.

COMMISSIONER TRUJILLO: Mr. Chairman, I'd like to ask you a question. I understand that the cost of the clean-up effort in Los Alamos is between one and three billion dollars. Is that right?

MS. BYRNE: I'm sorry. Did you say one to three billion dollars? I don't have the cost figures right in front of me and so for me to say, yes, that's right or -- I can't say that. It's probably not going to be too far from that. It will be a major undertaking.

COMMISSIONER TRUJILLO: And adjunct to that question is, the funding for the clean-up effort has vacillated. We understand that there's a problem in environmental restoration, but the funding has been a rollercoaster. Can you tell us why?

MS. BYRNE: Having come from Washington, D.C. I can tell you that the Congress, they are the ones that provide us with the money for clean-up. What the department does is put their budgets together and they're presented to Congress. And they are looking for results. Sometimes very short term. They want to see where's the beef for the money that they're giving. The problem with some of that is that the amount of regulations and requirements for how you go out and come up with the results just to decide how much clean-up has to be done at -- there are over 2,000 sites, actually, that have been identified up there at the laboratory area, that may require some clean-up, varying levels.

So that's part of it. It's all of the amount of data and analysis that has to go into that data and then the sharing of the data that's sampling with the state of New Mexico because the state of New Mexico has a great deal of jurisdiction up there also, as well as EPA, so you're looking at multiple agencies that the lab has to satisfy, so to speak. Short answer is there's a heck of a lot involved in coming up with just the analysis and the data to say here's what we have and then, here's what we need to do to get it cleaned up and then getting the money to get it cleaned up and some of those processes don't happen over night by any stretch of the imagination.

Does that sort of answer your question? But the rolling of funding, when they see a major problem, environmental management and they will, some say, throw money at these problems, they want to then see the Congress, almost instantaneous results. And when they don't see them, they think, or they'll say, the money's being wasted. If they don't see where the beef is from the money, the results, they'll start to pull the money back. They'll say, well, you're not showing us results for the money that we're giving you, so they'll start cutting back. And then what that really does is start to impact the programs and as it impacts the programs, it slows down the amount of data, the amount of checking and rechecking of the data and the analysis that has to go in to all these projects and plans. So that's part of the roller coaster. But yes, it can be correctly characterized as a roller coaster.

Then I'll get on it with the Citizens Advisory Board, we have a viable, strong Citizens Advisory Board up here that can and I really think will be providing

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recommendations to the department, as well as the state of New Mexico. These won't be provided in secret to the department at all. They can be a very viable voice, not just here in New Mexico but this can be translated to the elected Congressmen, Congress. All of these recommendations go back to the Secretary of Energy, so it's an opportunity to increase the voice of northern New Mexico, the need for clean-up, and the amount of money that needs to come here for this clean-up. They can play a real viable role in that.

Who provides input? That's pretty clear. Our goal is really to be open to a lot of different diversity. When we say diversity, we don't just mean different -- the Pueblos or the Hispanics -- diversity of opinion, and I have emphasized this with the individuals from the environmental community. CCNS and some of those groups, we have invited them. We have asked them to come to the table to join us and regrettably, they have declined. So I will say for the record that the invitation is still on the table and we very much like them to come and to join us in a constructive manner. Their input is welcome.

The scope of the board is pretty clear there. I guess in the past I have learned that the board, some say lost sight of the scope of their mission and was attempting to provide the department and the lab with recommendations that went from who should be appointed the director of the lab to issues on the rift that happened out there in the past. That is not the mission right now of this board, so that has to be emphasized. The goals of the board, and I've said this, I think in my presentation, is to seek involvement, strong two-way exchange of information and increased community involvement. Any other questions?

CHAIRMAN DURAN: Any questions?

MS. BYRNE: What I would like to do too, is there a community calendar that I could ask to have our board meetings put on so that there is an opportunity -- I guess what I'm looking for is more visibility and more advertising, free if possible, for the board. Is there a community calendar that the County puts out?

MR. WOLF: Mr. Chairman, we put out a monthly and an annual calendar with all the meetings as we know that they're scheduled. And we're also going to include that as part of the webpage so that might be a possibility.

MS. BYRNE: I will, if I may give you a call and we can coordinate that to get that on the calendars.

MR. WOLF: That would be fine. Deborah actually coordinates it.

MS. BYRNE: All right, Deborah. I'll get your name and phone number when I'm finished. One last thing if I can. Another project that the CAB has kind of the idea came from the CAB, was to -- and then the Department of Energy said that was a good idea, so the Department of Energy is funding it -- is once a month we are inviting and flying individuals, elected and appointed members such as yourselves, down to the Waste Isolation Pilot Project. One day, meet us up in Los Alamos at the airport. We fly down and you're provided with a tour, go down there, hands on presentations and you're back by 5:00 to the airport. So I would like to personally extend an invitation. I get to go down on all of them. So if there's anyone that would like to go down. David went and I think he can speak for

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the experience. So if there's any of you that would like to participate in that, my phone number is 505-665-5025.

CHAIRMAN DURAN: Can you do this on a weekend?

MS. BYRNE: Could. Possibly not. I don't know that the guys down there are open at WIPP. I can go down, but I think since they're federal employees I don't know that they are.

MR. WOLF: Mr. Chairman, I just wanted to say, I took advantage of the trip. We left Los Alamos at about 8:00 in the morning, came back, it was 4:30 or 5:00 and I thought it was very educational. They take you down into the site and take the time to educate you on the kind of waste that's going to be transported through the county. Our corridor here in the county is a huge piece of the WIPP route. I thought the trip, the tour was very worthwhile. I just wanted to pass that on.

COMMISSIONER ANAYA: I'll echo that because I took that tour and it's interesting.

CHAIRMAN DURAN: Thank you. I'll try and go.

MS. BYRNE: I encourage you and actually, Ray Armenta, whom many of you know, is kind of coordinating the WIPP trip for me, so if any of you are interested, don't hesitate to let Ray know, please.

CHAIRMAN DURAN: Does the plane have two engines?

MS. BYRNE: I believe it does, sir. It's a smaller plane. It's not a 727, I promise.

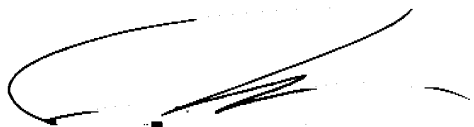
CHAIRMAN DURAN: As long as it has two engines, I'll go.

MS. BYRNE: I think Ray can -- the pilots are very, very experienced. I so far have been very impressed with how well they have flown the plane. So thank you very much.

ADJOURNMENT

Chairman Duran declared this meeting adjourned at approximately 5:30 p.m.

Approved by:



Board of County Commissioners
Paul Duran, Chairman

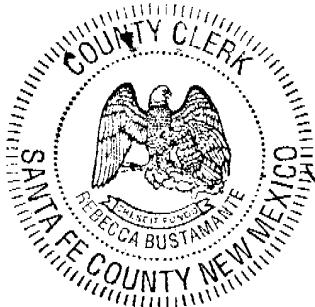
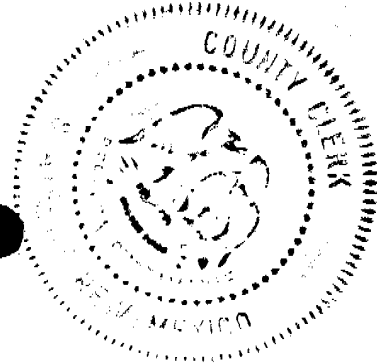
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Respectfully submitted:

Karen Farrell
Karen Farrell, Commission Reporter

ATTEST TO:

Rebecca Bustamante
REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK



1060.923
COUNTY OF SANTA FE
STATE OF NEW MEXICO

I hereby certify that this instrument was filed
for record on the 10 day of Feb A.D.
19 99, at 11:13 o'clock A.M.
and was duly recorded in book 1601
page 1669 of the records of
Santa Fe County.

Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.

Marcella Salazar
Deputy