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BOARD OF COUNTY COMMISSIONERS

SANTA FE, NEW MEXICO

REGULAR MEETING

FEBRUARY 29, 2000

**Joe S. Griñé, Jr., Chairman
Richard Anaya, Commissioner
Marcos Trujillo, Commissioner
Javier Gonzales, Commissioner**

Paul Duran, Commissioner [Absent]

SANTA FE COUNTY

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REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

February 29, 2000

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 1:30 p.m. by Chairman Joe S. Griñé, Jr., in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

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

Members Present:

Commissioner Joe S. Griñé, Jr., Chairman
Commissioner Richard Anaya
Commissioner Javier Gonzales
Commissioner Marcos Trujillo

Members Absent:

Commissioner Paul Duran

IV. APPROVAL OF THE AGENDA

A. Amendments

B. Tabled or withdrawn items

SAMUEL MONTTOYA (County Manager): There are two items to be tabled on today's agenda, Mr. Chairman. The first would be on page 3 under item IX.C.1, which would be the resolution advising the Santa Fe County Health Planning Commission to focus on health care recommendations. Mr. Chairman, we would like to have the Board table this. We would like to send it off to the Health Planning Commission first for review and discussion and then bring it to the Board at a later date.

Mr. Chairman, the second item for tabling is the item right below that, which is item C.2, which is a request to enter into a joint powers agreement with the City of Santa Fe for their crisis response project. We'd like to table that. We've not quite complete our work with the City.

COMMISSIONER TRUJILLO: I didn't hear Sam, that you want to table for the purpose of a special study session to discuss it further and understand it in detail?

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MR. MONTTOYA: Mr. Chairman, no, that is the next item. Mr. Chairman, the third item that is for tabling is on item 4 under item H, Matters from the Commission, item number 1, which relates to a joint powers agreement with the City of Santa Fe for the creation of a regional planning authority. Mr. Chairman, we're very excited about the progress on this particular item. However, we would like to convene a work study with all of the Board of County Commissioners and staff before we bring it for final review and approval by the Commission. We feel that that discussion would be very beneficial.

Mr. Chairman, those are the three items for tabling today.

CHAIRMAN GRINÉ: Okay, so we're tabling item IX.C. 1 and 2, and H. 1.

MR. MONTTOYA: Correct.

CHAIRMAN GRINÉ: All right. Thank you. Any further amendments or changes on this agenda? If not, could I have a motion to approve as amended?

Commissioner Anaya moved to approve the agenda as amended and Commissioner Trujillo seconded. The motion passed by unanimous voice vote.

VI. CONSENT CALENDAR

- A. Resolution No. 2000-15. A resolution requesting an operating transfer from the general fund/Community, Health & Economic Development Department to the general fund/Finance Department for the personnel salaries and benefits of an administrative assistant position
- b. Resolution No. 2000-16. A resolution requesting a budget decrease to the Farm and Range Fund to correct a prior year encumbrance expenditure from fiscal year 1999 which was duplicated as a current year expenditure within fiscal year 2000
- C. Resolution No. 2000-17. A resolution requesting a budget increase to the general fund/Region III Program income for a federal forfeiture cash proceeds for expenditure in fiscal year 2000
- D. Resolution No. 2000-18. A resolution requesting a budget increase to the law enforcement protection fund to budget remaining cash balance from fiscal year 1999 for expenditure in fiscal year 2000
- E. Resolution No. 2000-19. A resolution requesting a budget decrease to the road projects fund to recognize special assessment revenue not assessed to property owners for the Silverado Subdivision road project
- F. Resolution No. 2000-20. A resolution requesting a budget increase to the Clerk's recording fees budget prior year cash balance for expenditures in fiscal year 2000
- G. Resolution No. 2000-21. A resolution requesting a budget increase to the

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- Assessor's valuation fund to budget prior year cash balance for expenditures in fiscal year 2000
- H. Resolution No. 2000-22. A resolution requesting a budget transfer to the general fund/rural addressing program budget from various general fund cost centers for personnel salaries expenditures in fiscal year 2000
 - I. Request authorization to accept and award a price agreement to the lowest responsive bidder, IFB #20-45 RB1, for the printing and mailing of the 2000 notice of valuation forms
 - J. Request authorization to accept and award a price agreement to the lowest responsive bidder, IFB #20-48, for election ballot boxes
 - K. Request authorization to accept and award an indefinite quantity price agreement, #20-0146-FD for various rescue and fire equipment
 - L. Request approval of actual travel expenses for County Commissioners

CHAIRMAN GRINÉ: Commissioners, is that all right if we have a blanket approval, unless you want to single out a single item for discussion.

Commissioner Anaya moved blanket approval of the Consent Calendar and Commissioner Gonzales seconded. The motion passed by unanimous voice vote.

V. APPROVAL OF THE MINUTES
January 25, 2000

Commissioner Trujillo moved to approve the minutes of the January 25, 2000 meeting as submitted. Commissioner Anaya seconded and the motion passed by unanimous voice vote.

February 8, 2000

Commissioner Trujillo moved to approve the February 8, 2000 minutes as presented and Commissioner Anaya seconded. The motion passed by unanimous voice vote.

February 15, 2000

Commissioner Trujillo moved to approve the February 15, 2000 meeting minutes as presented. Commissioner Gonzales seconded and the motion passed by unanimous voice vote.

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VII. ADMINISTRATIVE ITEMS

A. Committee expirations, resignations, vacancies
1. County Development Review Committee

PENNY ELLIS-GREEN (Review Specialist): Mr. Chairman, Commissioner, Gene Bassett's term on the CDRC has expired. He is a resident of Edgewood, which is Commission District 5. Commissioner Joe Grinë has recommended that Mr. Bassett be reappointed for another two-year term. Staff would recommend it begin immediately and expire December, 2001.

Commissioner Gonzales moved to reappoint Gene Bassett to the CDRC. Commissioner Trujillo seconded and the motion passed by unanimous voice vote.

CHAIRMAN GRINÉ: He's been a good appointee. As a matter of fact he goes to every site visit and I think he's attended almost every meeting if not all of them.

VII. B. Committee appointments
1. Santa Fe County Lodgers' Tax Advisory Board

KATHERINE MILLER (Finance Director): Mr. Chairman, Commissioner, we have two vacancies on the Lodgers' Tax Board and we'd like to recommend Ms. Jill Maya for one of the current vacancies on the board. She's the sales manager for Ski Santa Fe and she has written in your packet a letter of interest in serving on the Lodgers' Tax Board. So we're requesting authorization to accept her as an appointment on the Lodgers' Tax Board.

CHAIRMAN GRINÉ: I've got a question here. Deborah, about four to six months ago, Florence Ruth Brown submitted also a letter to me and I put it on your desk that she also would like to serve on this advisory board.

DEBORAH SALAZAR (Administrator): I'll look into it, Commissioner. I think we did approve her.

MS. MILLER: There's a Florence Jaramillo but no Florence Brown.

CHAIRMAN GRINÉ: Her name is Florence Ruth Brown. She lives off of Highway 14 and she opened up that RV park. And she did give me a letter, and I put it on your desk, Deborah. See if you can find it or get a hold of her. Okay, what's the wishes of the Board on this appointment?

Commissioner Trujillo moved to approve Jill May to the Lodgers' Tax Advisory Board and Commissioner Anaya seconded. The motion passed by unanimous voice vote.

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MS. MILLER: Mr. Chairman, I would like to let you know that there is another vacancy, so we can still contact her.

CHAIRMAN GRINÉ: Okay, thank you.

VII. B. 2. Estancia Basin Water Planning Committee

MS. ELLIS-GREEN: Mr. Chairman, Commissioners, Jack Frost has been the County representative to the Estancia Basin Water Planning Committee. As he is no longer employed by Santa Fe County, the Land Use Administrator recommends that Doug Sayre, the Utilities Division Director be appointed to serve on the committee.

CHAIRMAN GRINÉ: Any questions on this appointment?

Commissioner Trujillo moved to appoint Doug Sayre to serve on the Estancia Basin Water Planning Committee. Commissioner Anaya seconded and the motion passed by unanimous voice vote. [Commissioner Gonzales was not present for this vote.]

VIII. PRESENTATION AND AWARDS

A. Recognition award to Diana V. Lucero for her twenty-five years of public service

CHAIRMAN GRINÉ: She did not want to be here for some reason, but: "It is my deepest appreciation for having afforded me the opportunity to serve Santa Fe County and to surrounded myself with a wonderful County staff and courageous, intelligent and dedicated and hard-working Land Use staff. Diana Lucero."

She was a great person on that department.

IX. STAFF AND ELECTED OFFICIALS ITEMS

A. FINANCE DEPARTMENT

1. Request authorization to terminate a professional services agreement, RFP #98-21-RB1, with Mazria and Associates for the design of the Santa Fe County Detoxification Center

MS. MILLER: Mr. Chairman, Commissioners, on March 31, 1998, the Commission approved a contract for the planning and design of a law enforcement complex that would include a sheriff's administration building and a detoxification and treatment center. Subsequently, on December 29, the contract was amended removing the sheriff's administration portion of the services of that contract. On May 4, 1999 the contract was

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amended to incorporate the changes in scope of services for the detox center.

At that particular time, since that time we've had several discussions with the architect on designing a detox center, and they feel that they can no longer design the facility that we are looking for. And they have asked that we terminate the contract with them, and we're in agreement with that. So we're asking for the Commission's approval to terminate their contract.

CHAIRMAN GRINÉ: Any questions of staff?

COMMISSIONER TRUJILLO: So what's the next step? We readvertise, RFP again?

MS. MILLER: Mr. Chairman, Commissioner Trujillo, yes, if we do decide to go back and to build the facility we would need to go out on an RFP for another contractor to design it.

COMMISSIONER TRUJILLO: Do you anticipate that that's going to happen, or are we in a situation where we haven't made that decision yet?

MS. MILLER: Mr. Chairman, Commissioner Trujillo, I think that we still have several things to work out on exactly what type of facility we would like designed and whether we're even going to move forward with that. So I think that staff and the Board probably have several things to discuss as to what we want to do. And then if we do decide to actually go forward with a facility, that we would need to go back out and have proposals on just the design of the detox center, and somebody who is appropriate for the type of facility that we want to build.

COMMISSIONER TRUJILLO: So we were a little bit premature in this RFP? The one we advertised?

MS. MILLER: I would say that that's probably true. A couple of years ago when this started, we didn't have a firm grasp of the type of facility that we wanted to design and several changes over the last couple of years have led to this, yes.

CHAIRMAN GRINÉ: Any questions of staff? If not, what's the wishes of the Board?

Commissioner Trujillo moved to approve terminating the contract with Mazria & Associates. Commissioner Anaya seconded and the motion passed by unanimous voice vote. [Commissioner Gonzales was not present for this vote.]

- IX. A. 2. Request authorization to accept and award a professional services agreement to the highest qualified respondent, RFP #20-43 for the Class III Archaeological Inventory of Parcels as identified in the County Open Land and Trails Advisory Committee**

MS. MILLER: Mr. Chairman, Commissioners, the Purchasing Division

requested proposals for a Class III archaeological inventory of open land parcels. Those parcels have been identified by the COLTPAC as lands for public recreation and open land preservation. We received four proposals and after review of the proposals, an evaluation team chose Louis Berger Group, Incorporated as the highest ranked and then in line with their cost proposal, negotiated a price and contract terms. We're requesting authorization to award a contract to Louis Berger Group, Incorporated.

CHAIRMAN GRINÉ: Any questions of Katherine?

Commissioner Trujillo moved to authorize a contract with Louis Berger Group and Commissioner Anaya seconded. The motion passed by unanimous voice vote. [Commissioner Gonzales was not present for this vote.]

IX. A. 3. Request authorization to accept and award a professional services agreement to the highest qualified respondent, RFP #20-46 for the environmental assessment of open parcels of land as identified in the County Open Land and Trails Advisory Committee

MS. MILLER: Mr. Chairman, Commissioners, this is also for the lands that have been identified by COLTPAC for public recreation and open land preservation. The Purchasing Division requested proposals for environmental assessments of these parcels. We received nine proposals and after an evaluation team performed review of those proposals, they ranked Souder, Miller and Associates as the highest ranked proponent and negotiated a contract with them based upon their cost proposal. We're now requesting authorization to enter into an agreement with Souder, Miller and Associates for the environmental assessments of the open land parcels.

CHAIRMAN GRINÉ: Thank you, Katherine. Any questions of Katherine?

Commissioner Trujillo moved approval of the contract with Souder, Miller and Associates and Commissioner Anaya seconded. The motion passed by unanimous voice vote. [Commissioner Gonzales was not present for this vote.]

IX. B. FIRE DEPARTMENT

1. Presentation of \$2.5 million general obligation bond requested for Fire Department

STAN HOLDEN (Fire Chief): Mr. Chairman, members of the Commission, we appreciate the opportunity to brief the Commission with a presentation this afternoon on the Fire Department's proposed \$2.5 million general obligation bond that we are requesting.

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either with the June primary or the November general election.

Mr. Chairman, if I could initially let you know that specifically this is in conjunction with our five-year plan that was originally adopted in 1997. As you recall, in October of 1996, the BCC commissioned a study of county fire services and in November of 1996, a one million dollar general obligation bond was approved to replace specifically aged apparatus for the Fire Department. The BCC at that time delayed expenditure of those funds pending the outcome of the study.

In February of 1997, I was hired to oversee the County Fire-EMS-Rescue services for the county. And then in April of 1997, the BCC adopted the Fire Department's five-year plan that the Fire Chiefs Association had been working on for some time at that point. That five-year plan included the vehicle replacement schedule that we're going to discuss today.

The five-year plan required the immediate replacement of these vehicles. For fire apparatus, any vehicle that was 15 years old or older was immediately scheduled for replacement and put on the plan. The same for the EMS vehicles, ambulances, rescues, that were five years old or older.

All replacements would be staggered over a five-year period for the specific purpose of alleviating any large purchases in one single year and thus when these vehicles were scheduled to be replaced at a later time, we wouldn't have to have a large infusion of cash again to replace the replacement vehicles. The vehicle replacement schedule alone was estimated to cost in excess of \$4 million. That included 15 County fire districts, 33 stations and over 100 apparatus.

Knowing that the money doesn't grow on trees, these were the funding sources that were utilized. The one million dollar general obligation bond that was approved by the voters in November '96, the \$2.2 million revenue bond that was approved in February '98 by the Commission and was paid for out of quarter percent gross receipts tax funds. District impact fees and quarter percent fire gross receipts tax continues to supplement these major purchases, specifically for major purchases like building fire stations, and equipment and supplies for these new apparatus. The \$2.5 million general obligation fund is part of the schedule and has been supported by the BCC and we know that it's dependent upon voter support as well.

In FY98 we purchased five fire engines or pumpers and five fire tankers with the one million dollar GO bond. In '99, we purchased six fire engines, five tankers and four EMS vehicles. Last fiscal year, we purchased two fire engines, six tankers and two EMS vehicles and our plan for replacement, depending on whether or not we get the approval of the GO bond. These are pictures of some of the apparatus that have been replaced and if you look, some of these are vehicles that are planned for replacement. These are the type of vehicles that have been typically in the fleet out servicing the public and as you can see, some of them are fairly old.

In Chimayo, these were the projects that we completed based on the five-year plan, and as you can see, it's not just vehicles. There is a new mini-pumper that's on order. We

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upgraded the existing brush truck that they had that needed extensive upgrades. We placed garage doors on the station. We replaced the main roof on the station and did repairs to the Cundiyo substation as well. And they just recently received their newer rescue unit, although it's a used unit, it's one that has been refurbished and put back in service from one of the larger districts.

In La Puebla, as you know, we built the Arroyo Seco substation. A new pumper was purchased for that substation. Newer rescue was refurbished and put in service and a new tanker is now on order.

In the Pojoaque Fire District they received a new EMS unit, new tanker and new engine, a new brush truck and the new regional main station is now under construction.

In the Tesuque Fire District, we purchased a new engine, a new tanker and a new brush truck. Agua Fria received a new engine, new tanker, new mini-pumper, finished the interior of the main station. That's a project that had been waiting for a number of years. They built the new La Tierra substation and we purchased again a used engine, but a newer engine for their substation.

La Cienega Fire District as well received a number of replacement vehicles and some new equipment as well. In Madrid, now this is an important one for the Commission to understand. The ISO is so stringently tied to the availability of water in many of our fire districts if we don't put water systems in these districts, our ISO ratings will not decrease. In Madrid, for instance, they had very little water available for fighting fires and this fire line project that the Commission approved over two years is now about 30 days from completion, and once that system is in with the equipment that you see there that's been ordered, you'll see at the very end of the presentation that there's a significant projected decrease or improvement in their ISO rating.

COMMISSIONER TRUJILLO: Along those lines, Stan, you also helped La Puebla with some fire hydrants to make water accessibility a lot easier.

MR. HOLDEN: That's correct. The very same rationale, Mr. Chairman, Commissioner Trujillo, is the dry hydrant system, but we've also got other systems planned for Chimayo behind the community center where we're going to upgrade that specific site, and we're also putting storage systems in at the Arroyo Seco substation.

I'm going to refrain from going over each and every one of these fire districts for the sake of time, but if you have any questions, please feel free to stop me and interrupt me. This is simply just to show the Commission what we've accomplished thus far in a very short amount of time, approximately 2 1/2 years. There's also a water storage project that was done in Galisteo in conjunction with the upgrade in the community water system where a significant number of fire hydrants were installed there.

Now, as I was telling you, the expected ISO improvements are significant. In Madrid, La Cienega and Galisteo, we certainly expect the ratings to go from a current nine, and that's out of a possible ten scale, with ten being the worst, we expect the drops to be in this magnitude, from a nine to a six, and for your information, when you go from a nine to

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an eight, that's really the biggest decrease that you see as a homeowner as far as breaks in insurance cost. So going from a nine to a six will be significant for these fire districts. Stanley and Chimayo, we expect to go from nines to sevens, and Eldorado to go from a six to a four.

Now the average age of the fire fleet decreased significantly. As you can tell, before we started this program, about 17 years was the average age of a fire truck and now, at the end of this project, if the \$2.5 million is approved, we'll be at less than ten years.

There was also significant impact to the services that were provided by the fire department, primarily, thanks to the support of the Commission, we implemented the regional paramedic program in all four regions of the county, and that improved citizen access to paramedic ambulance services county-wide from what was about 10% of all EMS calls to now better than 90%. That's a significant improvement in the amount of time that we've taken on this project.

Fire district rescues were also upgraded in these specific areas: Chimayo and La Puebla, we added fire district rescue squads to those fire districts. We added new rescue units in Edgewood, Eldorado, and Hondo and newer rescue units or upgraded rescue units in Galisteo, Stanley, La Cienega and Glorieta.

Now here's an example of some of the equipment that has been purchased. Up here in the left corner, you'll see this is Tesuque's new brush truck. This is a refurbished vehicle that we purchased for Agua Fria, La Tierra substation. And here is a new truck for Stanley, a new fire engine. Here's a new rescue for Pojoaque. Here's the upgraded rescue that we put in service in Chimayo, and here's another new truck. This is typical of the trucks that are purchased now and put in service in the county, thanks specifically to a standardized specification that is a County spec and is built to help each of our fire districts.

Here's, as we were discussing earlier, these are the regional med trucks with the paramedic firefighters that were staffed and put in service, and this is the new air truck that was put in service in the northern region. If the \$2.5 million GO bond is approved by the Commission and subsequently by the voters, this is our intent. As you can see, the projects are spread out throughout the county. Not any one specific fire district benefits more than any other fire district, if you compare the five-year plan to what we had intended to do. They're significant projects. They're very expensive projects, but they're all needed projects.

I believe that's the last slide, anyway, Mr. Chairman, and I'd stand for questions if there are any, but I'd also like to recognize that we have a number of our staff in the audience and if it's okay with the chairman, if I could introduce these people.

CHAIRMAN GRINÉ: Go ahead, Stan.

MR. HOLDEN: Starting in the back we have Assistant Chief Robert Anaya. Just to the front of him -- why don't you guys stand up so we know who they are -- Rudy Padilla from Agua Fria. Charlie Velarde, the Chief of La Cienega. Bill McSweeney, who is Captain of our Fire Training Division. And then we have the old grey haired gentleman

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that we all have a great deal of respect for. He looks very dignified, Victor Utes. He's the Chief from Glorieta. And then we have Bob Hughes, who's the Chief from Edgewood fire district. Gavin Longmir, who is the Assistant Chief of the Stanley fire district. And then Hank Blackwell, you know Hank. He's the Fire Marshal. And on this side we have Guy Monroe, who is the Fire Chief of Eldorado. Dennis Patty who is the Fire Chief from Agua Fria. You guys probably know these two guys, Jeff Saunders, who is the Assistant Chief of Fire Operations, Kevin Henson, who is the Assistant Chief of EMS, and last but not least, Chief John Wheeler, who is the Tesuque volunteer Chief. Come on up, John, but he's also the president of the Chiefs Association and if it's okay with the chairman, he'd like to make a couple of comments.

JOHN WHEELER: Mr. Chairman, members of the Commission, my name is John Wheeler. As Stan indicated, I'm the Tesuque District Chief. I've been in the fire service ten years. I'm the president of the Santa Fe County Fire Chiefs Association, essentially the president of the organization that represents these ladies and gentlemen in the County Fire Service.

The five-year plan that we implemented three years ago with your approval is working, and I think Stan has done a marvelous job with his presentation to educate you or the voters or frankly anyone who cared to see what we have done in the past three years under this administration. I think we're heading in the right direction. I think we have done a marvelous service to our end customer, which is the citizens of Santa Fe County. In many areas we have increased services that before that, didn't even exist. In a lot of other areas we have ensured that those services that we did provide or were capable of providing were always there on a consistent basis.

This \$2.5 million general obligation bond that we're here asking for your support with is an integral and necessary part of the five-year plan and the plan that we all developed together, you and us. And we're definitely asking for your help and your support. Again, we're headed in the right direction. The chiefs unanimously support this and I think it's important to state that this is not -- let me put it in the positive -- this is good money being spent on good things. The results are tangible and we can definitely show these results in improved and increased services to the voter and to the citizens of Santa Fe County. Thank you for the opportunity.

CHAIRMAN GRINÉ: Thank you, John. I think if we start taking pictures of ambulances out there, that they're available, I'm sure that you're going to get the attention of the public in the rural area. Go ahead, Stan.

MR. HOLDEN: Mr. Chairman, our presentation today is simply to inform the Commission as to what we've accomplished thus far with the moneys that have been approved by the Commission and ask for further direction about whether or not we are on the right track and whether or not we should proceed with the necessary work to ask the voters in either the June election or the November election for \$2.5 million GO bond.

COMMISSIONER ANAYA: Mr. Chairman, absolutely, Stan. I think you're

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heading in the right direction and the honorable thing about it is you put it out to the voting public to see if it's merited. In my opinion it is. But I think you're definitely steering in the right direction. I appreciate it and I'm sure the Commission, entire Commission and citizens out there appreciate all your efforts on a volunteer basis and everything that you put forth for the public. You definitely have my blessings, that's for sure.

COMMISSIONER TRUJILLO: mt, there's no doubt that fire protection and emergency response in Santa Fe County is headed in the right direction. I want to commend all of you guys, the fire chiefs, the volunteer fire personnel, the staff that we have on board, for giving impetus to such a refreshing and positive direction. I don't want to be recalcitrant, but in selling the \$2.5 million bond to the community, I think we need to also look at the impact fees, and I've been one of those people that have advocated for rescinding those impact fees and if we're going to impact them two ways, now with the \$2.5 million bond and the impact fees, we need to look for ways to alleviate some of the burden on the community.

In the presentation that you made today and what's happening with fire protection and emergency response in Santa Fe County is probably second to none in this state and I commend all of you for the direction that we're going. But again, if we're going to sell this to the community, maybe we need to look doing away with the impact fees. Just a suggestion.

CHAIRMAN GRINÉ: I don't know. I'd like to comment, in my district, I'm pretty much the opposite because much of the extensive growth has been in the southern part of the county, Edgewood, more so and I think in my district, those impact fees have come a long ways in improving the apparatus, the equipment, so I don't know. I would like to have maybe a study session on that before we even consider even dropping the impact fees, but to leave that alone, I've got to commend your department, Stan. We've come a long ways and your professionalism does show that and thank you very much.

MR. HOLDEN: Thank you, Mr. Chairman.

CHAIRMAN GRINÉ: Any further discussion on this matter? If not, I would like to make a recommendation that we send direction to have this bond election in the primary. I don't know how the other two of you guys feel about this.

COMMISSIONER TRUJILLO: I think that's appropriate.

CHAIRMAN GRINÉ: Okay, can I have a motion in that direction?

Commissioner Trujillo moved to have the general obligation bond issue on the primary ballot. Commissioner Anaya seconded and the motion passed by unanimous voice vote. [Commissioner Gonzales was not present for this vote.]

MR. HOLDEN: Thank you, Mr. Chairman. Thank you, members of the Commission.

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IX. C. HEALTH, COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

- 3. Request authorization to publish title and general summary of an ordinance repealing Ordinance 1986-6 and 1987-4 establishing the Santa Fe County Fair Board as a division of the County of Santa Fe; establishing the duties, powers and procedures of the board**

VIRGINIA VIGIL (Policy Analyst): Good afternoon, Commissioners, Mr. Chairman, members of the Commission, the item before you is strictly to get authority to give notice and publication for review of the ordinance that will reestablish the Santa Fe County Fair Board. The previous ordinance only identifies the board, it's background and identifies what it's make-up is. The new ordinance will start looking at duties, delegations, responsibilities and help clarify the County Fair Board as an arm of local government. The final draft of that ordinance will be made available for the public and for you previous to -- there is only one hearing that would be required for that. So that all we're asking before you right now is just your authorization to publish the notice and publication for that hearing and for the review of the ordinance.

CHAIRMAN GRINÉ: Thank you, Virginia.

Commissioner Anaya moved to authorize publication of title and general summary. Commissioner Trujillo seconded and the motion passed by unanimous voice vote. [Commissioner Gonzales was not present for this vote.]

IX. D. LAND USE DEPARTMENT

- 1. Resolution No. 2000-23. A resolution accepting a trails easement dedication adjacent to the Santa Fe River near the Agua Fria Village**

ALINA BOKDE (Planner): Mr. Chairman and Commissioners, the Bureau of Land Management approached the County's Planning Division about donating a trail easement to the County along the Santa Fe River near the Village of Agua Fria. The trail easement would provide an important portion of what would ultimately become a continuous Santa Fe River Trail. The BLM that is being donated to the County is actually slated for disposal at this time and that is why BLM approached Santa Fe County about the property. The easement will be approximately 1/2 mile long and there is a map in your packet that does show the area where the proposed half mile trail would be and the trail easement would become part of the County's Open Land and Trails program.

At this time there are no plans for development on this trail easement and the only

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cost to the County for acquiring a segment of this future Santa Fe River Trail is the cost of the survey of the easement which will be approximately \$2,300. Staff recommends adoption of the attached resolution, which would be accepting a trail easement along the Santa Fe River near the Agua Fria Village.

CHAIRMAN GRINÉ: Thank you, Alina.

Commissioner Anaya moved to adopt Resolution 2000-23, accepting a trail easement from the BLM. Commissioner Trujillo seconded and the motion passed by unanimous voice vote. [Commissioner Gonzales was not present for this vote.]

IX. E. PUBLIC WORKS DEPARTMENT

- 1. Request authorization to enter into change order number four (final) with A.S. Horner for the County Road 91-A bridge project**

ROBERT MARTINEZ (Deputy Public Works Director): Mr. Chairman, Commissioners, as a result of pile driving delays incurred by the contractor during the construction of the bridge on County Road 91A, a final change order is needed to cover these costs which weren't included in the original contract. The Public Works Department negotiated the amount down to \$5,000. I believe A.S. Horner was originally requesting about \$20,000, so the Public Works Department requests the approval of the project change order for \$5,293.75.

Commissioner Anaya moved to authorize the change order with A.S. Horner and Commissioner Trujillo seconded. The motion passed by unanimous voice vote. [Commissioner Gonzales was not present for this vote.]

- IX. E. 2. Request authorization to enter into an agreement with La Tierra Association for improvements to County roads**

MR. MARTINEZ: Mr. Chairman, Commissioners, the La Tierra Homeowners Association desires to enter into an agreement with the County to provide improvements on County Roads within the La Tierra Subdivision. The La Tierra Association is willing to participate in funding to provide the necessary work on these roads. Public Works requests authorization to enter into a planning agreement with the La Tierra Homeowners Association for the improvements on these County roads.

CHAIRMAN GRINÉ: Thank you, Robert.

COMMISSIONER ANAYA: Mr. Chairman, I like this kind of cooperation between neighborhood associations and the County. Mr. Chairman, I move for approval

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COMMISSIONER TRUJILLO: Second, Mr. Chairman.

CHAIRMAN GRINÉ: Got a motion to approve as requested by staff, by Commissioner Anaya, seconded by Commissioner Trujillo. Any further discussion?

PAUL SCHMIDT: I'd like to speak on this.

CHAIRMAN GRINÉ: Go ahead.

MR. SCHMIDT: Mr. Chairman, my name is Paul Schmidt. I am a member of the board of directors of the La Tierra Homeowners Association and I'd like to just take a minute and give you a brief background. The La Tierra Homeowners Association is the oldest subdivision in La Tierra, being the original. A little over a year ago, we recognized that the County had other problems in other areas of the county and was not able to work on the roads out there. You had serious problems with rains and so on.

Last September, the homeowners of La Tierra approved a pledge of \$110,000 to be spent over three years to work with the County to upgrade the roads to bring them back to where they should be, in other words to take care of the deferred maintenance. We ask that you understand that the agreement does not cover Paseo La Tierra, which is used by many other subdivisions besides La Tierra. And we do ask that you consider in your future budget deliberations making sure that there's funding to take care of Paseo La Tierra. Those roads are unsafe. There's just deferred maintenance. We have areas where we have washouts that are presently a problem and I know Mr. Garcia is aware of those.

And we do ask that in your deliberations you address Paseo La Tierra and a few of the other arterials that are not part of this agreement. We also would like you to understand that this is a three-year commitment to bring the roads back to where they should be and we hope that the County in the future doesn't run into rain problems that you've had in the past, obviously not this year, that will allow you then to fund out of the general fund, funds to continue the maintenance there should be.

We'd like to thank Commissioner Duran, who I know helped us get this project going. We'd like to thank Orlando Garcia who stepped right into this right after his appointment when he had many other things to deal with, and other members of the County staff for moving this project along quickly so that it came to your attention.

CHAIRMAN GRINÉ: Thank you. We had a motion and a second. Any other discussion? If not, all those in favor signify by saying "aye." [Unanimous]

IX. E. 3. Resolution No. 2000-24. A resolution requesting funding through the 2000 New Mexico State Highway and Transportation Department Local Governments Road Program

MR. MARTINEZ: Mr. Chairman, Commissioners, the Local Government Road Fund Program, which is administered by the New Mexico State Highway and Transportation Department is set up to provide funding for road improvement projects. To

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qualify for this program, the particular road named by the County for funding must be a school bus route or an arterial road. This resolution is the first step in receiving the funding. The County in past years has received, has participated in this program.

Last year the County received \$325,337 while providing a County match of \$108,445. Basically it's a 25% match. The road slated to receive funding for this program this year is County Road 66, which is Agua Fria Road. The portion of the roadway to be constructed is approximately 1.3 miles. It is to be used for archaeological, sewer, drainage and paving improvements. Public Works Department requests the approval of this resolution requesting funding and participation in the 2000 New Mexico State Local Government Road Fund Program.

CHAIRMAN GRINÉ: Thank you, Robert. Any questions of Robert? If not, what's the Board's pleasure?

Commissioner Anaya moved to approve Resolution 2000-24 and Commissioner Gonzales seconded. The motion passed by unanimous voice vote.

IX. E. 4. Discussion of a revised solid waste program

MR. MARTINEZ: Mr. Chairman, Jill Holbert, our Solid Waste Manager is not here yet. Can we come back to this item? She'll be here in a few minutes.

CHAIRMAN GRINÉ: All right.

COMMISSIONER GONZALES: Mr. Chairman, real quick, for Robert on a couple of issues from Public Works. Can you, do you know the status of the Tesuque project as it relates to El Nido and the work that we were going to do to widen the road. It goes from the Tesuque Market to El Nido. We had made some commitments and I think that there are some court documents that require us to do it in a timely manner. I just want to hear from you that we're going to get it down in that time line.

MR. MARTINEZ: Mr. Chairman, Commissioner Gonzales, I believe we have it scheduled for now and March.

COMMISSIONER GONZALES: That would meet the timeline that the courts have mandated that we do?

MR. MARTINEZ: I'm not sure that that's the timeline the court mandated but --

MR. GRAESER (Assistant County Attorney): Mr. Chairman, Commissioner Gonzales, I believe April 15 is the time for doing the majority of the work, striping and such has to be done by the end of May, May 30, something like that. But April 15 is the first critical day.

COMMISSIONER GONZALES: And then, I brought this discussion up at the last meeting a couple of weeks ago. So it's going to be March that it's going to be done.

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MR. MARTINEZ: We have it scheduled for now in March.

COMMISSIONER GONZALES: Okay, and April 15 was the deadline. Okay, moving on to another issue, we talked about the breakaway barriers on County Club Road. Were you hear last meeting for that discussion, Robert?

MR. MARTINEZ: Mr. Chairman, Commissioner Gonzales, no I was not.

COMMISSIONER GONZALES: I think I talked to Orlando a little bit about it and what I would like to do is have us get ready to put up breakaway barriers, or I would like breakaway barriers put up on County Club Road on the turn-off into County Club Estates. Do you know what area I'm talking about, right next to the nets?

MR. MARTINEZ: Yes.

COMMISSIONER GONZALES: On the golf course. I've got petitions that I don't have here, but they're somewhere. So I'll have those for the file, but I'd like to have the County move forward and set up those breakaway barriers.

MR. MARTINEZ: Okay, Mr. Chairman, Commissioner Gonzales, I will advise Orlando that you asked us to proceed with this.

COMMISSIONER GONZALES: Okay, thank you. That will be it.

CHAIRMAN GRINÉ: Robert, I've got a question too. I know we talked about it two, three weeks ago. What is the projected day, maybe, when the County is moving on on Avenida Eldorado to get it ready for paving?

MR. MARTINEZ: Mr. Chairman, currently the construction crew is working on the Public Works yard, so we can proceed with the installation of the new underground storage fuel tanks. I believe they should be completed by the end of this week. After they are done there, they will be mobilizing the equipment to Avenida Eldorado.

CHAIRMAN GRINÉ: Okay. Thank you. Any more questions of Robert?

COMMISSIONER TRUJILLO: Just one more. Robert, where are we at with Camino los Montoyas project? I understand we started that about a month ago or so. Has that been completed?

MR. MARTINEZ: Mr. Chairman, Commissioner Trujillo, I believe they are starting on Montoyas. I haven't been out there so I really couldn't answer that. But I believe it was already awarded.

COMMISSIONER TRUJILLO: I got a few calls a couple months ago that they were widening the roads, that they were doing some excavation, tearing down some trees. So I conjecture that that project was pretty much completed. Because it did start about two months ago.

MR. MARTINEZ: Yes. Mr. Chairman, Commissioner Trujillo, I believe what you're referring to is the utility relocations. I believe they were moving the utilities out of the area where the road was to be constructed.

COMMISSIONER TRUJILLO: Okay. So the actual construction is going to start pretty soon.

MR. MARTINEZ: Mr. Chairman, Commissioner Trujillo, yes.

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COMMISSIONER TRUJILLO: Thank you, Robert.

CHAIRMAN GRIÑÉ: Thank you, Robert. Any other questions of Robert?
Thank you.

IX. F. MATTERS FROM THE COUNTY MANAGER

- 1. Request approval of the jail inspection report conducted at the adult and juvenile jail facilities and submit findings to the Chief District Judge**

BERRON BRISCOE (Policy Analyst): Chairman Griñé, Commissioners, on February 15, the Board of County Commissioners authorized the County Manager to appoint a team of individuals to inspect the jails in accordance with New Mexico statute 33-3-4. The statute requires counties to inspect the jail facility two times a year for cleanliness and discipline. The County Manager appointed a four-member team which included Isaac Archuleta, a retired Municipal Judge, Leah Kellogg, an interested citizen, Captain Terrance Delgado from the Sheriff's Department and myself.

On February 22, the team inspected both the adult and juvenile facilities. And we have compiled a written report that is before you. Just, for the members of the public that are here I can read the report.

As requested, the Jail Inspection Team performed an inspection of both the adult and juvenile detention facilities on February 22, 2000. The purpose of the inspection was to fulfill Section 33-3-4 of the New Mexico State Statutes. The statute requires that the detention facilities be inspected twice a year as to cleanliness and discipline.

This inspection went beyond the scope of the statute in that we inspected all living areas, discussed programming, security, medical and food service. We also conducted random interviews of inmates at the facility to assist us in the evaluation. The following was noted at the adult facility:

On the whole the facility was clean and orderly. One exception was noted in that several trash bags had accumulated in the dental room, which made the room a little sloppy. There was an atmosphere of respect between the staff and the inmates. The facility was safe and secure. Several inmates commented that the staff did a good job of maintaining a safe living environment. The jail had good security measures in place related to the supervision and storage of maintenance tools, kitchen tools and keys.

The kitchen area was clean. We looked at the menu schedule and the nutritional contents of the meals were provided to us. A licensed dietician approves all menus to ensure they meet acceptable nutritional and caloric guidelines. The medical area of the building was well equipped and staffed.

Inmates had programs available to them such as recreation, books, religious services, educational opportunities, Alcoholics Anonymous, Narcotics Anonymous, work release, and

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employment opportunities within the facility. The team members talked to several inmates and many of the inmates had an opportunity to talk to the inspection team but chose not to. Not all inmates had complaints. However, some inmates did raise complaints. Several of the inmates complained about the taste and quality of food served. However, the team members ate lunch at the facility and found the food to be nutritional and tasty.

One inmate complained that he had requested a medical visit and his request had been ignored. However, one of the Cornell employees on the tour recalled he personally had escorted the inmate to medical. The inmate somewhat changed his story when confronted. However, the team asked to see the inmate's medical file in an effort to get the whole story. The medical file was reviewed and indicated that medical staff had seen the inmate at least three times during the month of February. In every instance, he was seen shortly after submitting a sick call form. Based on the team's inspection and investigation into specific instances, we found the inmate's complaints to be without merit.

In summary, the team concluded that based on the inspection completed on February 22, the Santa Fe County Adult Detention Facility is run in a very orderly and safe manner, and that the physical environment is clean and does not raise any concern.

With respect to the juvenile detention facility, the team noted the following:

The facility was very clean and the discipline in the facility was well very maintained. The morale of the staff was noted as being very positive and upbeat. The team felt this was very appropriate in dealing with the juveniles because the staff helped to create a positive environment at the facility. It was apparent that the juveniles respected the staff and vice versa.

The medical area was well equipped and staffed. Strong security measures were in place to control access to tools, kitchen equipment and keys. The juveniles have access to the following programs: individual and group counseling, psychiatric services, psychological services, Alcoholics Anonymous, Narcotics Anonymous, recreational and social activities, employment opportunities within the kitchen and building maintenance, educational opportunities including college courses.

Food service menus were reviewed and appeared to meet nutritional guidelines. In summary, the team concluded that based on its inspection performed on February 22, 2000 the Santa Fe County Youth Development Program is operated in a safe and orderly manner and that the cleanliness of the facility raises no concerns. Respectfully submitted, The Santa Fe County Jail Team. And then the report is signed by the members of the inspection team.

CHAIRMAN GRINÉ: Thank you, Berron. Any questions of Berron?

COMMISSIONER GONZALES: So this was for the juvenile?

CHAIRMAN GRINÉ: Both.

COMMISSIONER GONZALES: Oh, this was for both? Juvenile and adult.

MR. BRISCOE: Yes, sir.

COMMISSIONER GONZALES: Thank you.

CHAIRMAN GRINÉ: Any questions of Berron?

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COMMISSIONER TRUJILLO: Mr. Chairman, where does this report go to now?

MR. BRISCOE: We would request that you would authorize us to forward a copy of this report along with a letter to the District Judge, Michael Vigil.

CHAIRMAN GRINÉ: He's the Chief Judge.

MR. BRISCOE: That's who the Commission needs to report back to.

COMMISSIONER GONZALES: Mr. Chairman, Berron, I recognize your name and Terrance's. Can you tell me how the team was made up, or maybe the manager wants to comment on the particular expertise.

MR. BRISCOE: Isaac Archuleta was a retired Magistrate Judge. Leah Kellogg was just an interested citizen from the community at large. She has an interest, her children work in corrections and she was involved in what is now the juvenile detention facility was built, she was involved on a jail advisory task force back at that time.

COMMISSIONER GONZALES: So we had a general citizen, a citizen from the general community?

MR. BRISCOE: Exactly. There was basically the team comprised of two citizens and then two County employees.

COMMISSIONER GONZALES: Thank you.

CHAIRMAN GRINÉ: Thank you. Any other questions of Berron?

Commissioner Gonzales moved to submit the report to Judge Vigil. Commissioner Anaya seconded and the motion passed by unanimous voice vote.

IX. F. 2. Request authorization to accept and award a professional services agreement to Richard Crane, attorney at law, for legal services relating to the correctional facilities operating agreements

MR. MONTROYA: Mr. Chairman, we have before you a request for an approval from the Board to allow the County to enter into a professional services agreement with Mr. Richard Crane, who is an attorney at law, who has a specialized professional ability in the area of jail agreements. We are asking Mr. Crane to help us prepare the proposed necessary documents that would allow us to expand our jail facility to the annex that we have been discussing with the Commission over the last several months and we'll be talking to you in further detail when we bring to you a proposed lease between the state of New Mexico and the County of Santa Fe.

Mr. Chairman, we would ask that the Commission endorse this professional services agreement and utilize the services of Mr. Crane in the development of these documents.

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Commissioner Gonzales moved to approve the professional services agreement with Richard Crane, and Commissioner Anaya seconded. The motion passed by unanimous voice vote.

IX. F. 3. Request authorization to enter into a lease agreement with the state of New Mexico, General Services Department, for the lease of the main unit of the State Penitentiary

MR. MONTTOYA: Mr. Chairman, members of the Board, before you you have the latest draft of a proposed lease between the state of New Mexico and the County of Santa Fe relative to the County's interest to lease what is known as the main unit of the Penitentiary of New Mexico, which is currently out of service, has been out of service for approximately 18 to 24 months. We are seeking here, Mr. Chairman, to have a 25-year lease executed between the County and the State. The main unit will then be subleased by the County for the provision of an enterprise fund that will allow the County to expand its services into an annex there, and also quite possibly bring in some additional prisoners to the area that would allow the County to enjoy a lease sum from the third party.

Mr. Chairman, we have negotiated here in the lease agreement that the County would pay to the state of New Mexico 20% of the County's gross income from any subsequent sublease. We are also provided for in the lease to terminate this agreement if there is no longer a need for the utilization of this structure for any services that the County would be interested in. So there is a right to terminate. We are also, Mr. Chairman, have provided in the text of the lease, many of the other required components of the lease, including assignments, insurance, indemnifications, permits, discrimination, expiration, property insurance, default, all the way down to some general terms including tort liability, governing law, lessor/lessee relationships, etc.

Mr. Chairman, we are asking that the Board of County Commissioners allow the County to enter into this lease agreement for this 25-year period based on the authorization and approval from the General Services Department and review by the Attorney General's Office as well. I stand for any questions.

CHAIRMAN GRINÉ: Thank you, Sam. Any questions of Sam?

COMMISSIONER TRUJILLO: I have a question, just from a financial perspective. After covering salaries and operation and maintenance of the facility, do we have any idea what the positive cash flow to Santa Fe County will be? Or have we not looked at that yet?

MR. MONTTOYA: Mr. Chairman, Commissioner Trujillo, we have done several scenarios and it's basically a work in progress. We have not quite gotten to the point of developing the lease between the County and the third party. We are working on several scenarios involving different cost centers and in terms of what the County would receive in

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a clear format. But we are working on that, Mr. Chairman, and our intention is basically to bring forth some discretionary money to the County that we can utilize in other programmatic areas.

COMMISSIONER TRUJILLO: Thank you.

COMMISSIONER GONZALES: Mr. Chairman, just a general comment in that by leasing this we allow several options to occur, whether we want to actually use the facility or not. But one of the things that I would keep in mind is that we have been looking for some time for a way to take care of our pre-release inmates, and as we know, the current facility is not conducive or is not proper for handling the pre-release program. So it may be that we as a Commission decide to do it off-site, there next to the current facility, or we could, as an option, use this facility to handle our pre-release. And I think that by approving this, this allows us that option whether we want to go that route or not. Again, ultimately, everything has to come back before this Board for final approval when the County Manager makes a decision. Is that right, Sam?

MR. MONTTOYA: That's correct, Mr. Chairman, Commissioner Gonzales. I would also like to note in closing that if there are any substantive changes that occur during the approval process from GSD and/or the Attorney General's Office that we will come back with those changes if they are substantive. We are hoping, Mr. Chairman, that this draft, because we have worked it several times with GSD, will meet with their approval and the AG as well.

**Commissioner Gonzales moved to approve the lease agreement with GSD.
Commissioner Anaya seconded and the motion passed by unanimous voice vote.**

IX. E. 4. Discussion of a revised solid waste program

JILL HOLBERT (Solid Waste Manager): Mr. Chairman, Commissioners, I apologize for my bad timing here. Basically this is a simple issue. I just wanted to give you an update on the revised permit program that went into effect September 1. There's some information in your packet. I don't really want to go over it again unless you have questions. I just basically need to know if there are going to be any changes to the program, so when I go to print the permits or information about them, that it concludes any changes that you might want to make.

The current permits that we have out there expire June 30 of this year.

CHAIRMAN GRINÉ: Of this year?

MS. HOLBERT: Of this year, yes.

CHAIRMAN GRINÉ: Okay, so what's the request from you, Jill?

MS. HOLBERT: It's just a discussion item. If there's any additional changes

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that you would like to make when we go to print the permits for July through June.

CHAIRMAN GRINÉ: Okay. Any questions of Jill?

COMMISSIONER TRUJILLO: Now that we have you here, Jill, it has been brought to my attention, and I visited a site in Cuyamungue that essentially was a de facto dump, if you will. There was a lot of refrigerators there on the side of the river and the arroyo, and it really concerns me, because in further investigation I found out that some of these people are going to the transfer station, there in Pojoaque or Nambe or in Tesuque, and because the refrigerators have freon in them, they're told to go to a contractor or company in Española to purge them of freon.

Well, they went to the company, and as it turns out, the company is not doing business anymore, so they can't purge the freon from their refrigerators. They go back to the transfer station, and this is what really concerns me, and they tell the people there, hey, how do we get rid of this refrigerator? And the people there cannot accept the refrigerator so they're telling the people, well, take them to the nearest arroyo, or go up on top of the hill. That's what really concerns me and I think I brought it up in the last meeting that we need to get more proactive and start maybe considering to the retention of somebody at the transfer station to purge the freon from these refrigerators so that these refrigerators don't land up in riverbeds or arroyos or on top of hills. It's becoming a major mess, especially in my area. I think that this position would pay for itself, because if we purge the freon and turn around and sell it, and cover the salary of this individual.

MS. HOLBERT: Mr. Chairman, Commissioner, we have looked into that. I understand your concerns and we looked into that. We weren't able to find anyone. We've looked at it in the past, not recently, but in the past. And we weren't able to find anyone who was willing to go to the transfer stations to purge the freon. Basically, they'd have to be mobile. They'd have to have a generator and all their equipment on a truck and all of the operations in this area have it in a shop at their appliance store or appliance refurbishing store. We are looking into providing that service ourselves to the County residents. I've put it in to my budget for the next fiscal year.

The biggest hurdle will be to get someone to pass the test. There's a test that is administered by EPA to be a certified refrigeration/coolant remover. And you need to be certified. When I talked to the City, because the City does do this service at their transfer station, the City transfer station, they said they had 13 people take the test and only two passed it. So that's probably our biggest hurdle, is to get our employees trained and able to pass the test. But I have put that information or that amount of money in to the next year's budget so we can start hopefully in maybe six months from now.

COMMISSIONER TRUJILLO: Very good.

COMMISSIONER GONZALES: Jill, and this goes for Berron also. I'm getting a little concerned about the inmate program that we've been talking about, the inmate clean-up program. Periodically, I'll go out on the County roads, in addition to checking the roads, basically looking at cleanliness, and there's a lot of illegal dumping that's going on

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along County roads. Caja del Rio is a mess. I was just recently on the County road between Alameda and the Agua Fria Fire Station. What's the name of that County road, Robert? Sixty-two? And it's literally turned into a dump. There's bags that are out there. They're open. With winds like yesterday, it's just being shoved all over the area, and we authorized this program at the last budget cycle and here we are eight months into the year and we don't have an agreement with Cornell or we don't have anyone out there cleaning up these roads and I'm getting a little concerned, because we've been promising the public that we were going to have this program in place and we still don't have it in place and I'm not understanding what the holdup has been or what we need to do to try and encourage either Cornell or staff to get this agreement in place. Do you know when it's going to be done?

MR. BRISCOE: We have basically the crux of an agreement with Cornell. There's one point that the parties have been unable to come to mutual agreement on. About three weeks ago, I submitted back to Cornell for their review a proposal that I think will work and we have not yet heard on if it's going to be viable.

COMMISSIONER GONZALES: We need to tell Cornell, they're our operators, we want this program in place, that one month from now, I'd like to see some agreement come before this Commission for adoption and during the spring and the summer months, let's get these crews out cleaning up these roads, because it is -- now it's getting to the point where I'm starting to actually see these full trash bags on the side of roads that are half torn open and it's just a real ugly sight and we need to do something about starting to get it cleaned up. Short of us sending our own work crews out there, which that's not what they're paid for, I don't know what else to do, but I think that if we don't get a program in place, we're going to have to develop an internal program to get our own people out there to clean these County roads up because they can't stay the way they are.

CHAIRMAN GRINÉ: Let's use the summer youth for that.

MR. BRISCOE: I will relay the priority status of that to Cornell.

COMMISSIONER GONZALES: Thank you.

COMMISSIONER TRUJILLO: We've got a situation in Chimayo where the community center caretaker signs for community service for youth or adults that have been penalized, if you will for DWI or whatever, and we've got some people cleaning up the road going to the santuario, and I've never seen that road as clean as it is now. And it's going to save us some time now for Holy Week when the pilgrimage takes place. We don't have to send people there to clean up.

COMMISSIONER GONZALES: That's a great idea. Maybe we can get the same thing going here in Santa Fe.

MS. HOLBERT: Mr. Chairman, Commissioner Gonzales, we do send work crews out as we can. We are really limited in staff. If we get a call, we try to work between the road maintenance crew and the solid waste division to get it cleaned up, but we are really stretched thin.

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COMMISSIONER GONZALES: It's a huge county and I recognize that you can't do it on your own and be able to make it happen just because you don't have the resources. So I just want to make sure that the resources we do have, like a lot of these guys that are sitting in our jail with not a lot to do during the day, that they're our picking up some trash.

CHAIRMAN GRINÉ: Along those lines too is that -- is Berron still here? Maybe Sam we could visit with our Magistrate Judges that some of these people that don't get sentenced at our detention center, that maybe they can set up something along the lines of what Commissioner Trujillo described, that these people will maybe report to somebody and they would actually get an assignment like that to go pick up trash.

MS. HOLBERT: We would be really happy to have that opportunity and we would be able to coordinate that through our program, as far as if we got the labor to coordinate the pick-up and the provision of the bags and things like that.

CHAIRMAN GRINÉ: We may even visit with our District Court Judges, some of these people that get probation, maybe they can give us so many hours of community service to work, go out there and pick up trash. Thank you, Jill. Any other questions for Jill. This is just a discussion item. I guess everything is in place as you got it now, status quo, Jill.

IX. G. MATTERS OF PUBLIC CONCERN - NON-ACTION ITEMS

JOE MADRID: Mr. Chairman, Board of County Commissioners, I'm Joe Madrid from Santa Cruz. Last week, I provided some material for you to review. Have you got it with you? Let's first refer to the articles that we're in the local newspaper, the *Rio Grande Sun*, and I bring your attention to the third paragraph where the mayor states no one have ever brought this to our attention, Mayor Richard Lucero said, of the property. We're not expecting any decision at this time.

He certainly would know that he would have opposition from me because we have had difficulty with him in other matters that were of great concern to us. And then also at the bottom of the paragraph, in response to the protestors' pleas, Councilor Floyd Archuleta made a motion to rescind the action previously taken by the Council and proceeded post-haste with the property south of the Santa Cruz Church Cemetery. And then on third paragraph, Archuleta said he had already met with the director of the Holy Cross Church, Father Ron Carrillo, who had told him to let the people know that I'm in support of it.

The rest of it you have read, so I will not go in to it. But then the following week, in the third paragraph, I have also said, also expressed resentment for the announcement of Councilor Floyd Archuleta that the pastor of Holy Cross, Father Ron Carrillo, supported the project. And he goes on to say Father Carrillo said that he did not in fact promise the church full support for the project. During a brief telephone conversation with Archuleta,

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Carrillo said he had said personally supported the Crisis Center, though he could not speak for the entire parish.

The point that I want to bring here is that Mayor Lucero has stated that there wouldn't be any opposition. However, on the following week, he admitted that there would be some, and I would like to point out that Councilor Archuleta on the previous week has said that he had met with Father Ron Carrillo and that he had given him some kind of an approval. However, on the week of the 13th, Father Ron Carrillo has stated that Councilor Archuleta had called him by telephone and had not met with him. All those are things that I bring up because I have felt for quite a few years that the City of Española is not reliable and you can hardly trust them on their word.

The letter that I write to you brings two concerns. Number one is that the properties and that particular property where the City of Española has designated as their crisis center, is located, those properties are located in Santa Fe County. And then on the second paragraph I go on and say about how those properties became properties of the church, the cemetery and further on, I go and say that I am very concerned and dissatisfied that the City of Española in so many words and actions had used the land of the cemetery designated for that purpose, to use it as a conduit for the self purposes, and I believe that it's totally and morally wrong.

And then on the last paragraph I tell you that what are concerns are and they are many. They have to do with if that facility is allowed to be placed there in that location, it impairs our safety, our welfare, and our health, and as you probably can imagine, there are so many adjectives to say in which way it impairs our safety and also our welfare and our health. So then what I ask of you are a couple of things. Number one this facility would need an environmental impact study and also that with the provisions of your regulations that you also probably inform the city that they would need a permit for those facilities on the land and that permit will be denied until the studies are made. In the meantime, I will approach the Highway and Transportation Secretary as to not give them the highway permit on private land. I will ask of them too. I'm open for questions.

COMMISSIONER TRUJILLO: Mr. Madrid, as part of the protocol regarding any development that takes place in Santa Fe County, any entity, private individual or entity, has to go through the permit process and approvals and environmental impact statements and traffic impact, water availability, liquid waste containment. The whole gamut of quality of life requirements that are presently in place in Santa Fe County. So it's imperative that they utilize a process through public hearings, through environmental impact and that sort of thing. So that will take place before any construction takes place on that land and the community will be given the opportunity to articulate, to voice their opinions and their positions and things like that. So there's no guarantee that any construction will take place before the protocol is satisfied.

MR. MADRID: I thank you very much for that, but at the same time, as you have seen those pictures, these people without even approval from the church, they have

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begun to tear up the place and they've been working there almost three weeks. Actually, like I have told you, people have bad experience sometimes with their government. Actually, they're not my government. I don't live in the limits of the City of Española, but I have had many difficulties with them in the past. So what I'm saying is that maybe, with everything that you have said, Mr. Trujillo, that's well said and I would take you on that word. However, they probably need the brakes put on and not think that they can continue and then before you, we know it, they have most of the facilities done.

CHAIRMAN GRINÉ: Thank you, Mr. Madrid. Anyone else want to address the Commission?

IX. H. MATTERS FROM THE COMMISSION

- 2. Request authorization to publish title and general summary of an ordinance amending Ordinance No. 1997-10, amending the Interim Zoning Ordinance to provide a housing density bonus for the provision of affordable housing within the service area boundaries of Santa Fe County Water Company**

CHAIRMAN GRINÉ: Who's going to address that; Denice?

DENICE BROWN (County Attorney): Mr. Chairman, I believe that was Commissioner Duran's item and I don't think anyone on staff knows what that's about.

COMMISSIONER ANAYA: Since this is just an authorization to publish title and general summary, maybe we can move it forward. Then we'll open it up to a public hearing. So I'm going to move for approval, Mr. Chairman.

COMMISSIONER TRUJILLO: I'll second that.

CHAIRMAN GRINÉ: Okay, we got a motion to approve the request for publishing title by Commissioner Anaya and seconded by Commissioner Trujillo. Any discussion? If not, all those in favor, signify by saying "aye." [Unanimous. Commissioner Gonzales was not present for this action.]

IX. H. 3. Discussion and approval of a pedestrian walkway along Lopez Lane, County Road 62

MR. MARTINEZ: Mr. Chairman, Commissioners, a preliminary engineer's estimate was conducted for the pedestrian walkway long Lopez Lane, also known as County Road 62. Our preliminary estimate came in at \$59,114. We would have to execute a change order with J.R. Hale to reflect this addition to the project.

CHAIRMAN GRINÉ: Any questions of Robert?

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community. And I don't want to say that the project is not doable. What I am asking is that the Commission authorize to move ahead if we are able to make it work without an adverse impact on the budget.

We have some ideas as to how to proceed but we are not quite certain as to which of those will work. And I think if the Commission gives us that authority and we're able to find the method without adversely impacting the budget, that would be a good way to approach this problem, Mr. Chairman.

COMMISSIONER TRUJILLO: I don't have any problem with that.

The motion to approve the Lopez Lane walkway passed by unanimous voice vote.
[Commissioner Gonzales was not present for this vote.]

IX. I. MATTERS FROM THE COUNTY ATTORNEY

1. Request approval of a mutual aid agreement with the City of Santa Fe for law enforcement

CHAIRMAN GRINÉ: They should just annex so we don't have to do this.

MS. BROWN: Mr. Chairman, Commissioners, the state statutes allow the County and other local governments to enter into mutual aid agreements so that officers can provide assistance outside their normal jurisdictions. We have had in the past mutual aid agreements with the City of Santa Fe so we're asking to basically renew it, although I think there may have been a gap there. I say one from '96 I didn't see one since then.

In any event, the copy you have in your file, I think you have a new last page. The copy that the City signed did not have the correct signatures for the County and also omitted the Governor's signature. State law requires the governor to sign off on any mutual aid agreement. So that's why you see a separate signature page for the County's signatures and the Governor's signature.

It has been reviewed by the Sheriff's Department and they're in agreement with the agreement. So we're asking your permission to enter into the mutual aid agreement. We will then send it off to the governor for his approval.

COMMISSIONER TRUJILLO: I have a question. I just wonder, what's the added value to this agreement. Maybe the Deputy Sheriff can articulate or represent that.

BENJIE MONTANO (Deputy Sheriff): Mr. Chairman, Commissioners, I guess the value would be that we have the agreement in writing so that there would be no liability. Normally, we work very close with not only the City, the state, the tribes, the City of Española, Los Alamos. So I think, Ms. Brown, if I'm correct the value would just be the liability.

MS. BROWN: Actually, the value, Mr. Chairman, Commissioner Trujillo, is that it allows City police officers to assist us in emergency situations beyond the City

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limits. That's the direct value to the County. There's some specific provisions in here about who will process what. A lot of it has to deal with unusual circumstances, so we're in emergency situations. There's a provision about temporary processing, when we have a large number of people to be booked, so if there's a riot situation or something like that. It would allow the City police officers to assist the County beyond the municipal limits. And vice versa. The value to the City is that it allows the County -- well, we already have jurisdiction within the City, but it provides that we will help respond if there's an unusual disturbance in the city that the City police cannot handle by themselves without our assistance. And we agree to provide our canine assistance and some other things like that.

CHAIRMAN GRIÑÉ: A good example would be the bus wreck, right? The City came to our aid.

MS. BROWN: Yes.

MR. MONTANO: Mr. Chairman, Commissioners, that's a real good example. Also, I am a former bomb technician and I was responsible for everything north of Albuquerque. And right now, the bomb technicians are with the City police department and they're responsible for anything north of Albuquerque, so they will assist us in that. But in most instances we work very close and they do it anyway. This is just something in writing to make sure that everything is taken care of.

COMMISSIONER ANAYA: Mr. Chairman, Benjie, will this in any way deter from your obligation to serve the outer perimeters of the County?

MR. MONTANO: Mr. Chairman, Commissioner Anaya, no sir.

COMMISSIONER ANAYA: You won't be adding any new deputies into this particular district? And then a question of Denise, why would the Governor's signature be necessary on this? Is it because of the New Mexico Torts Claims Act, or State Police involvement?

MS. BROWN: Actually, Mr. Chairman, Commissioner Anaya, it's a provision of the Mutual Aid Act. It's only a three-section act, and oddly enough, the third section of that act requires that it be executed by the governing bodies upon approval of the Governor. I don't know what the wisdom behind that was. It's probably a formality more than anything. It could also be to allow the Governor to be aware that that agreement is in place, because he's got certain authority in the event of a natural disaster or emergency. And we just discussed that back in December when we were talking about having proclamations ready to ask the Governor to declare a state of emergency in the event we had Y2K problems. So it may be so that he can keep track of what local governments have entered into agreements with each other so that if there is a state of emergency that he needs to call, he's aware of who can assist whom. I really don't know, other than speculating.

COMMISSIONER ANAYA: Okay, that makes sense. Then one more question. As far as the risk management of the New Mexico Torts Claims Act, can you clarify where the parties are not permitted to indemnify each other in areas of law enforcement.

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MS. BROWN: Yes. Where that is the agreement, Commissioner Anaya.

COMMISSIONER ANAYA: Can you clarify that particular clause, what it means?

MS. BROWN: It's in paragraph 7, and it states the parties agree to cooperate with each other in providing quick and efficient officer support for crowd control and emergency situations. It is acknowledged between the parties that due to the New Mexico Tort Claims Act and other matters of risk management, the parties are not permitted to indemnify each other in areas of law enforcement. That's language that's been proposed, roughly, by the Department of Finance Administration for us to use in our joint powers agreements and we use a similar language here.

COMMISSIONER ANAYA: Which means risk management is mutually shared?

MS. BROWN: Yes. It means we're each responsible for our own folks.

COMMISSIONER ANAYA: Okay.

MR. MONTANO: Mr. Chairman, Commissioner Anaya, Sheriff Sisneros has commissioned all City police officers in the City of Santa Fe, which is something that will help that also.

COMMISSIONER ANAYA: I think it's a good idea. I really do.

CHAIRMAN GRIÑÉ: Any other questions of Benjie? Thank you, Benjie.

MR. MONTANO: Thank you, sir.

CHAIRMAN GRIÑÉ: What's the wishes of the Board?

Commissioner Anaya moved to approve the mutual aid agreement and Commissioner Gonzales seconded. The motion passed by unanimous voice vote.

IX. I. 2. Executive Session

- a. Discussion of possible acquisition of real property or water rights
- b. Discussion of pending or threatened litigation
- c. Limited personnel matters

Commissioner Anaya moved to go into executive session to discuss the matters listed above. Commissioner Trujillo seconded. The motion passed by unanimous [4-0] roll call vote, with Commissioner Anaya, Commissioner Gonzales, Commissioner Trujillo and Chairman Griñé all voting in the affirmative.

[The Commission met in executive session from 3:10 to 4:20.]

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Commissioner Anaya moved to come out of executive session, having discussed possible acquisition of real property or water rights, pending or threatened litigation and limited personnel matters. Commissioner Gonzales seconded and the motion passed by unanimous voice vote.

X. PUBLIC HEARINGS:

- A. Ordinance No. 2000-___. An ordinance replacing Ordinance 1999-4, declaring a moratorium on new subdivisions, land divisions and master plans for projects served by the Eldorado Utilities Incorporated, and encouraging conservation measures within the Eldorado Utilities Inc. service area [first hearing]

JUDY MCGOWAN (Planner): Chairman Grinë, Commissioners, on February 8 you authorized publication of title and general summary for this proposed ordinance, and scheduled the first hearing for today. The second hearing is scheduled for your meeting on March 14. The original moratorium was enacted in 1996 and it's been replaced with a new 12-month moratorium ordinance every year since then. This is your annual update of that moratorium. It updates the findings of Ordinance 1999-4, which is the moratorium ordinance which is in effect right now until April 14 or 15. It incorporates all the prior findings of the Board regarding the County's ongoing concerns, and we've tried to update the findings, the whereas statements at the beginning of the ordinance to the current permit levels also and activities levels.

One new item, County legal staff has indicated that if the Board should so choose, the ordinance could be amended to extend the moratorium indefinitely or until such time as the Board is satisfied as developments in the Eldorado Utilities service area can comply with state and County standards for water supply, instead of enacting a 12-month moratorium and re-doing that every year. So those proposed amendments for you to consider are included in this memo.

Notice of the public hearing has been published in the *New Mexican* and also in the *Eldorado Sun*, and the draft ordinance was sent to the state agencies for review, as required in the state subdivision statute. We have not heard from any of those state agencies yet. If we hear before the next public hearing, we'll make sure to include those comments in your packet.

CHAIRMAN GRINÉ: Judy, when do we have that second public hearing? Is it going to be the first meeting in March, or the second meeting?

MS. MCGOWAN: It's scheduled for March 14.

CHAIRMAN GRINÉ: Okay. Thank you.

MS. MCGOWAN: There's a 30-day period between when the ordinance is adopted and when it takes effect, so in order for it to take effect before or at the same time

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as the current ordinance expires, the hearing must be held on March 14. Once again, this is the first public hearing. Staff is recommending that the Board consider the ordinance, hear all public comments and we've proposed, for your consideration, two amendments having to do with extending the moratorium beyond the 12-month period. One of those would be to amend Section C.8, which is on page 4 of the draft ordinance, to say that County staff shall present updates describing any changes and conditions to the Santa Fe County Board of Commissioners approximately 180 days from the effective date of this ordinance. That's what's currently in the draft, and would add "and annually thereafter until such time as the ordinance is amended or its application is discontinued."

And then a proposed amendment to Section C.9, which is for the extent of the ordinance is new language which would say, "This ordinance shall remain in effect until the Santa Fe County Board of County Commissioners, County technical staff and the State Engineer are satisfied that developments which propose EDU as the water supply are in full compliance with state and County standards, at which time the Board shall pass a resolution discontinuing the application of this ordinance."

So what we have tried to provide is that the ordinance wouldn't be replaced by a new ordinance every 12 months, but that you would get an annual report and decide on the basis of that annual report whether to extend the moratorium or not. That's basically staff report. Former County Hydrologist Jack Frost is here in his capacity as former County Hydrologist to answer any question that may arise.

CHAIRMAN GRINÉ: Thank you, Judy. Any questions of Judy? No questions. Okay, this is a public hearing. Anybody would like to address the Commissioners?

ALEXANDER KONSTANTERIS: Mr. Chairman, members of the Commission, I'm Alexander A. Konstanteris and I am a principle of the Dos Griegos Corporation. I reside at 749 Camino Mirada in Santa Fe. Gentlemen, the purpose of the moratorium is obvious to all of us. We are all sensitive to the issue of water preservation in the Eldorado area and we are not only sensitive but we have made every effort in our commercial projects out there to assure that water supply remains adequate for primarily the residential use.

The commercial uses, as we all know, it really doesn't take too much water to run a commercial piece of property. We don't have showers. We have xeriscaping, etc., etc. The issue, basically, that I want to address at this point is that in the spirit of the moratorium, we're there to preserve water but the moratorium should not have as an intention to restrict the purchasing, selling or trading of properties. Historically, Dos Griegos established an area out there along Avenida Vista Grande and developed a portion of that into the Agora and subsequently the First National Bank established their facility out there.

There is a portion of vacant land which remains undeveloped and will remain undeveloped within the law of the ordinance and the moratorium. In 1996, there was find

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plat approval for development of a portion of that piece of property and when the First National Bank decided to build their own facility out there, we came to the Commission and requested a lot split so that they can develop their portion of the commercial zone. And it was granted administratively at that time. What we're requesting at this point in time that, as a friendly amendment to the ordinance that commercial property, as long as it's already zoned as such, and as long as it does not defy the moratorium through new zoning or development, similar lot splits be allowed to take place.

Specifically, there is vacant land between the Agora, which is the shopping center there, and the vacant land we're asking specifically that we be allowed to perform this lot split, which has nothing to do with the water moratorium but the way the ordinance is stated, any lot split at this point in time has to come before this body. So either administratively or as an amendment to this moratorium, to this ordinance, we're requesting an additional lot split the way we had when we were confronted with the First National Bank wanting to build their facility there.

The sole purpose is for financing the Agora shopping center and for selling, trading or buying at this point in time. It has no limitation and no violation of the moratorium and its water use. So as such, I'm requesting for either administratively or through a friendly amendment to allow an additional lot split to take place. Are there any questions?

CHAIRMAN GRINÉ: Is there any questions of Dr. Alexander? No questions. Thank you.

DON DAYTON: Mr. Chairman, members of the Commission, I'm Don Dayton, residing in Eldorado, 3 Manzano Court. I'm the president of the Eldorado Water and Sanitation District. The district was formed by the District Court in July of 1997. One of our goals has been to do intensive research into the underground water aquifer in the Eldorado area. We were fortunate in getting an appropriation from the state legislature through the efforts of Representative Max Coll for \$200,000 to do extensive water research. This work is about to culminate in June of this year when we will have a complete underground water modeling prepared by Dr. Shoemaker, one of the outstanding hydrologists in the area.

This comprehensive water model is a wrap-up of about six different hydrologic studies that we've conducted. We've worked closely with the State Engineer's Office and with Jack Frost, former hydrologist at the County in developing these studies. We hope, when this final report is given by Dr. Shoemaker we'll know more about the underground water resource than has ever been known before. The water model will not only include Eldorado but extend from the area of the Galisteo River to the Santa Fe River, from the mountain front to La Cienega.

As you know, Eldorado is only one of many areas of concentration in the Santa Fe Water Basin. We are on the northeast edge of the basin fringe area which means our depth to water is less than Santa Fe, which is in the middle of it. One of our studies just completed this last September, which will go into the water model, by DTW Limited. They

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did monitoring studies on 45 private wells in and around Eldorado. They took water depth measures and water quality. Their studies showed that the first test of these wells in the spring of last year, with a second test in the summer of last year and the final test last September. From the tests last spring to last summer, 75% of the wells declined from last spring to last fall, 100% of the wells declined. Some are major declines, some are minor. But it shows generally the wells are declining in the area.

So we feel that it is imperative that the moratorium be continued. We do support this moratorium. We have submitted a separate written statement to you regarding the moratorium. And our feeling is, and I think the research people, a lot of research people we have contracted with, that there is a serious long-term problem and we're going to have to import water in the future. We do have two supplemental wells that Eldorado Utilities put on line but they are limited only to supplementing existing wells that are declining, so they don't represent any new water at all or new water rights. They have a third one they have drilled but haven't put on line yet. These will help us in cushioning for a short period of time. They have no help in the long term problem of water.

So I think we're probably going to have to look for imported water before we can even consider any additions. As you know, we have about 400 lots that are required to be served with water that were previously approved by the County Commission and are approved lots, so we are increasing our water hook-ups by about 100 years out there for several years to come. So we feel we're going to be hard put, and I think these studies have culminated in the water model in June will verify this.

So we are in support of the proposed ordinance as stated. We are going to have a water forum in Eldorado in May, which we are going to invite all the water experts, private, County, State Engineer, PRC, to come and do a panel on water in Eldorado and we do invite the Commissioners to attend. We'll let you know later when it comes about. Thank you.

CHAIRMAN GRINÉ: Thank you, Don.

COMMISSIONER TRUJILLO: I have a question. When do you expect that your water paradigm or model will be completed? Your water analysis for the area?

MR. DAYTON: From Dr. Shoemaker's indication, he'll probably have preliminary results in May and he'll have a final water model in June completed. And this will be a culmination of about six other research, water research projects that are fed into the model.

COMMISSIONER TRUJILLO: That's going to be good to have.

MR. DAYTON: Also one other report we got back from Dr. Shoemaker is on recharge. It indicates our recharge is very limited, coming from the mountain front just on the east side of I-25. For other than the Lamy well, which is recharged from the Galisteo, but the snow pack is non-existent this year so we fully expect the Lamy well to go down this spring.

CHAIRMAN GRINÉ: Thank you, Don. Anybody else from the public like to speak?

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ROSEMARIE BIGONI: My name is Rosemarie Bigoni. I represent the 285 Coalition. On behalf of the residents in the area, of the subdivisions who are members of the 285 Coalition, we encourage you to support the continuation of the extension of the moratorium on development. We submitted a letter to you last week and rather than go through the details that Don has already covered, just a statement of your ongoing support. Thank you.

CHAIRMAN GRINÉ: Thank you, Rosemary. Matt Spangler.

MATTHEW SPANGLER: Mr. Chairman, members of the Commission, my name is Matthew Spangler. My address is P.O. Box 15698, Rio Rancho, New Mexico, 87174. I'm here on behalf of Eldorado Utilities. Eldorado Utilities opposes the continuation of the moratorium. I would like to report to you that the utility has added, since the last time we spoke a year ago, an additional well known as Well #14. That well produces approximately 200 gallons a minute of water and has produced that since approximately July 1 of last year.

As Mr. Dayton said, that well is a supplemental well and does not represent new water rights but does represent a new supply of water. Also this year, we have drilled and are preparing to put into service an additional supplemental well, which would be Well #15. We have some preliminary results from that well and they look very favorable. Commissioners, we plan to give you a full presentation on that well and on the state of the system at your second hearing in March, so I wanted to let you know that we do oppose this and we will present a more complete presentation at your next hearing.

CHAIRMAN GRINÉ: Thank you, Matt, and that meeting will be March 14, and that meeting starts at 5:00.

CAROLYN SIGSTEDT: My name is Carolyn Sigstedt. I live on De Vargas Street in Santa Fe, but for 18 years I lived in Ojo de la Vaca. I lived there during the drought. I was actually in this room the night that the moratorium took place. I can tell you that Ojo de la Vaca is just a little bit further out than Eldorado East. It's along the Galisteo Creek. It started out as sort of an illegal subdivision and the water is very, very minimal there. Most people have shallow wells plunked in right next to the Galisteo, just taking surface water. When there are wells further away from the Galisteo Creek, then that surface or shallow water is usually found to be sulfuric.

Right now, I can tell you in the community people are coming up dry and the wells are dry now, although I must admit, those wells are minimal wells. People haul their water during a year like now. Eldorado Utilities, my recommendation is that we continue the moratorium. I believe we should hold off until the detailed Eldorado Water and Sanitation District study is completed. This study will be quite detailed. Eldorado Utilities has drilled supply wells and added increased storage capacity to help with day to day services, but they have in no way discovered any new water. Nothing has changed. Nothing new has happened since the imposed moratorium in 1996. Even in the contractors, Eldorado Utilities have acquired pump tests, these tests would not produce all the results.

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I'm saying this in case they do this for the next hearing. These tests will only look at an isolated piece for a single moment of time. They do not reflect the whole problem. Again, I'll just stress that it's a very delicate water system out there. There is no new data to date. Wait until the detailed Eldorado Water and Sanitation District study is done, making long-term projections which will tell us how much the aquifer has been mined and what the water level will be in the future. This detailed study will tell us what the level of pumping is that can be maintained for 100 years, even during a drought.

What if the results of this study indicate that the model, as it exists is weak and unsustainable? Eldorado Utilities again at this time has no grounds for requesting abandoning the moratorium.

CHAIRMAN GRINÉ: Thank you, Carolyn. Anybody else want to speak?

PAUL RAUSCHER: Mr. Chairman, Commissioners, I'm Paul Rauscher. I live at 7 Alcalde Loop in Eldorado. I am not served by the utility. I have my own well as many other residents, especially in the western portion of the subdivision. And my concern is not only for me but the other families that depend upon their private wells. With the utility, if the water table goes down, they can certainly drill a deeper well. As a private well owner, the expense on a proportional basis would be so much greater for us that I believe that right now part of your consideration not only is what the utility can generate, but also the impact of what it will mean to us private well owners.

So definitely I and speaking for the other private well owners in the subdivision, ask that you continue the moratorium. Especially we have a study that is going to really give us a lot more enlightenment as to the direction that we're going, plus the fact, to be honest with you, I'm a little fearful. Because if we are going to be importing water, we're talking about ten years hence --

CHAIRMAN GRINÉ: Paul, I hope you're wrong. I hope we can do it sooner.

MR. RAUSCHER: Well, I'm only going by what I read and the meetings that I've attended. That's nice to hear from you, but I have to look at the reality right now, and that we have a very finite resource. We have to be good stewards of this resource. And if it means that we have to draw back a little bit, and be a little bit more on the side of caution, that I now the residents of Eldorado, and not just that subdivision, but the greater Eldorado area, and there's 7,000 people out there. So we need to really look and take care of the finite resource that we have. Thank you.

CHAIRMAN GRINÉ: Thank you, Paul. Anybody else in the audience like to address the Commission? Well, this was the first public hearing. The second public hearing will be on March 14. That meeting starts at 5:00. Depending on how far down the agenda we are, we'll probably be later in the evening.

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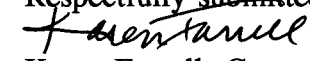
ADJOURNMENT

Chairman Griñé declared this meeting adjourned at approximately 4:45 p.m.

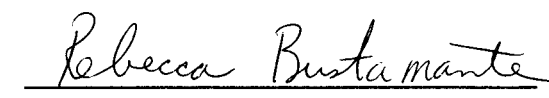
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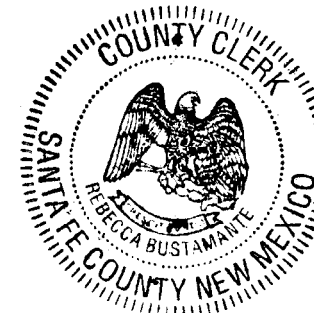

Board of County Commissioners
Joe S. Griñé, Jr., Chairman

Respectfully submitted:


Karen Farrell, Commission Reporter

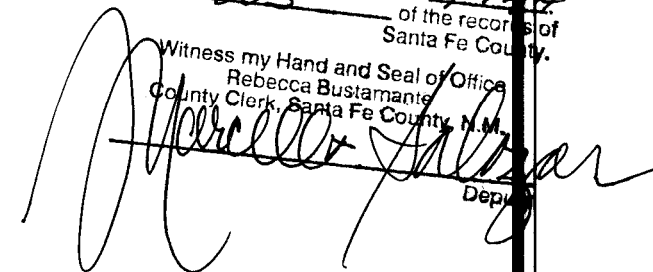
ATTEST TO:


REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK



1109.413
COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that this instrument was filed
for record on the 15 day of Mar 2000 at 4:45 o'clock P.
and was duly recorded in book 1744
page 803 of the records of
Santa Fe County.

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


Depy

SANTA FE BOARD OF COUNTY COMMISSIONERS
COMMISSION CHAMBERS **COUNTY ADMINISTRATION BUILDING**

REGULAR MEETING
(Administrative Items)

February 29, 2000 - 1:30 P.M.

Agenda

- I. Call to Order**
- II. Roll Call**
- III. Pledge of Allegiance**
- IV. Approval of Agenda**
 - A. Amendments**
 - B. [REDACTED]**
- V. Approval of Minutes**
- VI. Consent Calendar:**
 - A. Resolution No. 2000-15 A Resolution Requesting an Operating Transfer from the General Fund/Community, Health & Economic Development Department to the General Fund/Finance Department for the Personnel Salaries and Benefits Expenditure of an Administrative Assistant Position (Finance Department)**
 - B. Resolution No. 2000-16 A Resolution Requesting a Budget Decrease to the Farm and Range Fund to Correct a Prior Year Encumbrance Expenditure from Fiscal Year 1999 which was Duplicated as a Current Year Expenditure within Fiscal Year 2000 (County Manager's Office)**
 - C. Resolution No. 2000-17 A Resolution Requesting a Budget Increase to the General Fund/Region III Program Income for Federal Forfeiture Cash Proceeds for Expenditure in Fiscal Year 2000 (Sheriff's Office)**

- D. Resolution No. 2000-18 A Resolution Requesting a Budget Increase to the Law Enforcement Protection Fund to Budget Remaining Cash Balance from Fiscal Year 1999 for Expenditure in Fiscal Year 2000 (Sheriff's Office)
 - E. Resolution No. 2000-19 A Resolution Requesting a Budget Decrease to the Road Projects Fund to Recognize Special Assessment Revenue not Assessed to Property Owners for the Silverado Subdivision Road Project (Public Works Department)
 - F. Resolution No. 2000-20 A Resolution Requesting a Budget Increase to the Clerk's Recording Fees Fund to Budget Prior Year Cash Balance for Expenditures in Fiscal Year 2000 (Clerk's Office)
 - G. Resolution No. 2000-21 A Resolution Requesting a Budget Increase to the Assessor's Valuation Fund to Budget Prior Year Cash Balance for Expenditures in Fiscal Year 2000 (Finance Department)
 - H. Resolution No. 2000-22 A Resolution Requesting a Budget Transfer to the General Fund/Rural Addressing Program Budget from Various General Fund Cost Centers for Personnel Salaries Expenditures in Fiscal Year 2000 (Finance Department)
 - I. Request Authorization to Accept and Award a Price Agreement to the Lowest Responsive Bidder, IFB #20-45 RB1, for the Printing and Mailing of the 2000 Notice of Valuation Forms (Assessor's Office)
 - J. Request Authorization to Accept and Award a Price Agreement to the Lowest Responsive Bidder, IFB #20-48, for Election Ballot Boxes (Clerk's Office)
 - K. Request Authorization to Accept and Award an Indefinite Quantity Price Agreement, #20-0146-FD, for Various Rescue and Fire Equipment (Fire Department)
 - L. Request Approval of Actual Travel Expenses for County Commissioners
- VII. Administrative Items:**
- A. Committee Expirations/Resignations/Vacancies:
 - 1. County Development Review Committee
 - B. Committee Appointments:
 - 1. Santa Fe County Lodgers' Tax Advisory Board
 - 2. Estancia Basin Water Planning Committee
- VIII. Presentations & Awards:**
- A. Recognition Award to Diana V. Lucero for her Twenty-Five Years of Public Service

IX. Staff and Elected Officials Items:

A. Finance Department

1. Request Authorization to Terminate a Professional Services Agreement, RFP #98-21RB1, with Mazria & Associates for the Design of the Santa Fe County Detoxification Center (Community, Health & Economic Development Department)
2. Request Authorization to Accept and Award a Professional Services Agreement to the Highest Qualified Respondent, RFP #20-43, for the Class III Archaeological Inventory of Parcels as Identified in the County Open Land and Trails Planning Advisory Committee (Land Use Department)
3. Request Authorization to Accept and Award a Professional Services Agreement to the Highest Qualified Respondent, RFP #20-46, for the Environmental Assessment of Open Parcels of Land as Identified in the County Open Land and Trails Planning Advisory Committee (Land Use Department)

B. Fire Department

1. Presentation of \$2.5 Million General Obligation Bond Request for Fire Department

C. Health, Community and Economic Development Department

1. Resolution No. 2000-²³ A Resolution Advising the Santa Fe County Health Planning Commission to Focus on Recommendations for a Detoxification Facility, Access to Rural Health Care and Adolescent Health Care
2. Request Authorization to Enter into a Joint Powers Agreement with the City of Santa Fe for the Crisis Response Project for Training and Debriefing a DWI Impact Panel
3. Request Authorization to Publish the Title and a General Summary of an Ordinance Repealing Ordinances 1986-6 and 1987-4 Establishing the Santa Fe County Fair Board as a Division of the County of Santa Fe Establishing the Duties, Powers and Procedures of the Board

D. Land Use Department

1. Resolution No. 2000- A Resolution Accepting a Trail Easement Dedication Adjacent to the Santa Fe River near the Agua Fria Village

E. Public Works Department

1. Request Authorization to Enter into Change Order Number Four (Final) with A.S. Horner for the County Road 91-A Bridge Project
2. Request Authorization to Enter into an Agreement with La Tierra Association for Improvements to County Roads
3. Resolution No. 2000- A Resolution Requesting Funding through the 2000 New Mexico State Highway and Transportation Department Local Government Road Fund Program
4. Discussion of Revised Solid Waste Permit Program

F. Matters from the County Manager, Samuel O. Montoya

1. Request Approval of the Jail Inspection Report Conducted at the Adult and Juvenile Jail Facilities and Submit Findings to the Chief District Judge
2. Request Authorization to Accept and Award a Professional Services Agreement to Richard Crane, Attorney at Law, for Legal Services Relating to the Correctional Facilities Operating Agreements (County Manager)
3. Request Authorization to Enter into a Lease Agreement with the State of New Mexico, General Services Department, for the Lease of the Main Unit of the State Penitentiary

G. Matters of Public Concern - NON-ACTION ITEMS

H. Matters from the Commission

1. [REDACTED]
2. Request Authorization to Publish the Title and a General Summary of an Ordinance Amending Ordinance No. 1997-10, Amending the Interim Zoning Ordinance to Provide a Housing Density Bonus for the Provision of Affordable Housing within the Service Area Boundaries of the Santa Fe County Water Company
3. Discussion and Approval of a Pedestrian Walkway along Lopez Lane, County Road 62

I. Matters from the County Attorney, Denice Brown

- 1. Request Approval of a Mutual Aid Agreement with the City of Santa Fe for Law Enforcement**
- 2. Executive Session:**
 - a. Discussion of Possible Acquisition of Real Property or Water Rights**
 - b. Discussion of Pending or Threatened Litigation**
 - c. Limited Personnel Matters**

X. Public Hearings:

- A. Ordinance No. 2000- An Ordinance Replacing Ordinance 1999-4, Declaring a Moratorium on New Subdivisions, Land Divisions and Master Plans for Projects Served by El Dorado Utilities Inc. and Encouraging Conservation Measures within the El Dorado Utilities Inc. Service Area (First Hearing)**

XI. ADJOURNMENT

The County of Santa Fe makes every practical effort to assure that its meetings and programs are accessible to the physically challenged. Physically challenged individuals should contact Santa Fe County in advance to discuss any special needs (e.g., interpreters for the hearing impaired or readers for the sight impaired).