

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 86

I Hereby Certify That This Instrument Was Filed for
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Deputy Marcella [Signature] Witness My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM

SANTA FE
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

May 24, 2005

Michael Anaya, Chairman [Excused]
Harry Montoya, Vice Chair
Paul Campos
Jack Sullivan
Virginia Vigil

SANTA FE BOARD OF COUNTY COMMISSIONERS

COMMISSION CHAMBERS

COUNTY ADMINISTRATION BUILDING

REGULAR MEETING
(Administrative Items)
May 24, 2005 - 10:00 a.m.

Please turn off cellular telephones during the meeting.

Agenda

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. State Pledge
- V. Invocation
- VI. Approval of Agenda
 - A. Amendments
 - B. Tabled or Withdrawn Items
 - C. Consent Calendar: Withdrawals
- VII. Approval of Minutes
 - A. April 26, 2005 - *approved*
- VIII. Matters of Public Concern - Non-Action Items
- IX. Matters from the Commission
 - A. Request Authorization to Publish Title and General Summary of an Ordinance Requiring Arms Dealers to Prominently Post a Notice Advising Customers of New Mexico State Criminal Laws that Prohibit the Carrying of Deadly Weapons and Firearms (Commissioner Sullivan)
move forward
- X. Presentations
 - A. The Land Use Planning Division will Present a 14 Minute Video History of the Santa Fe Rail and Trail System. The Video was Produced by the Planning Division and Viewpoint Productions and Will Be Premiered as Part of Rail Trail Day on Saturday, June 4, 2005 (Land Use /Planning)
- XI. Committee Resignations/Appointments/Reappointments
 - A. Request Approval of Re-Appointments for the El Rancho Community Center (Project & Facilities Management Department)
 - B. Request Approval of Appointments for the El Rancho Community Center (Project & Facilities Management Department)
- XII. Consent Calendar
 - A. *ok* Resolution 2005 *63* A Resolution Requesting a Budget Increase to the Correctional GRT Fund (219) and an Operating Funds Transfer to the Jail Operations Fund (518)/ Adult Facility for Expenditure in Fiscal Year 2005 \$240,540 (Corrections Department)

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- B. ^{NO} Request Authorization to Award PSA #25-168-YDP to the Highest-Rated Offeror in Response to RFP 25-53, Psychiatric Services for the Youth Development Center /\$31,732 (Corrections Department) WITHDRAWN
- C. ^{OK} Resolution No. 2005-⁶⁴A Resolution Requesting Authorization to Surplus Obsolete Fixed Assets For Donation in Accordance with State Statues (Finance Department)
- D. ^{OK} Resolution No. 2005-⁶⁵A Resolution Requesting Authorization to Surplus Obsolete, Inoperable, or Duplicate Fixed Assets for Sale, Donation or Disposal in Accordance with State Statues (Finance Department)
- E. ^{OK} A Resolution ⁶⁶ Authorizing the Surplus and Auction of Certain Criminal Proceeds Pursuant to Court Order (Finance Department)
- F. ^{OK} Request Authorization to Award PSA # 25-169-FD to Terra Mar Architects, P.C., In Response to RFI # 25-14RBI, For Architect & Engineering Services to Thunder Mountain Fire Substation/\$25,500 (Fire Department)
- G. ^{OK} Request Authorization to Approve an Underage Drinking Grant Agreement Between Santa Fe County and the Children, Youth and Families Department in the Amount of \$24,000.00 to Begin July 1, 2005 Through May 31, 2006 (Health & Human Services Department)
- H. ^{OK} Resolution 2005-⁶⁷A Resolution Requesting an Increase to the Section 8 Voucher Fund (227) and to the Housing Enterprise Fund (517) to Budget Additional Subsidy Revenue From the US Department of Housing and Urban Development for Expenditure in Fiscal Year 2005/\$65,177 (Housing Department)
- I. ^{OK} Request Authorization to Award Construction Agreement with Mike Lopez Roofing, LLC, in Response to IFB 25-52, for Roof Repair & Gutter Replacement of Multiple Units in the Valle Vista, Camino de Jacobo and Santa Cruz Sub-Divisions / \$89,500 (Housing Department)
- J. ^{OK} Approval of Resolution ⁶⁸ No. 2005-A Resolution Approving the Santa Fe County Housing Authority's Payment Standards (Housing Department)
- K. ^{OK} Request Authorization to Award PSA # 25-144-LG to Basham & Basham, P.C., in Response to RFP 25-41. Legal Services to Santa Fe County \$TBD (Legal Department)
- L. ^{OK} Request Authorization to Award PSA # 25-145-LG to Modrall, Sperling, Roehl, Harris & Sisk, P.A., in Response to RFP 25-41 Legal Services to Santa Fe County (Legal Department)
- M. ^{OK} Request Authorization to Award PSA # 25-146-LG to Long, Pound & Komer, P.A., in Response to RFP 25-41 Legal Services to Santa Fe County (Legal Department)
- N. ^{OK} Resolution 2005-⁶⁹A Resolution Requesting a Budget Decrease to the EMS-Healthcare Fund (232) and a Budget Increase to the State Special Appropriation Fund (318)/ Detoxification Center to Recognize Program in Appropriate Fund for Expenditure in Fiscal Year 2005 (\$136,000) (Project & Facilities Management Department)
- O. ^{OK} Request Approval of a Cooperative Project Agreement Between the County of Santa Fe and the New Mexico Department of Transportation for the Santa Fe Rail Trail Improvements Project /\$400,000 (Project & Facilities Management Department)

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- P. ^{ok} Request Authorization to Accept Professional Service Agreement #25-0139-PFMD with United Way of Santa Fe County, Inc., to Provide 2-1-1 Service Within Santa Fe County (Project & Facilities Management)
- Q. ^{ok} Resolution 2005-¹⁰A Resolution Requesting an Increase to the General Fund (101)/ Project Development Division to Budget Prior Fiscal Year 2004 Cash Balance for Heavy Equipment Expenditures in Fiscal Year 2005/ \$500,000 (Public Works Department)
- R. ^{ok} Resolution 2005-¹¹A Resolution Requesting a Budget Increase to the Road Projects Fund (311)/ CR 74 for a Grant Awarded Through the NM Department of Transportation (\$45,000) and a Budget Increase to the Road Maintenance Fund (204) to Budget Developer Fees Revenue Received for Expenditure in Fiscal Year 2005 /\$31,914 (Public Works Department)
- S. ^{ok} Request Authorization to Enter Into Two Lease Agreements with Wagner Equipment Company for Road Maintenance Equipment/ \$ 567,420 (Public Works Department)
- T. ^{ok} Request Authorization to Award PSA # 25-169-LU to the Highest-Rated Offeror Under RFP 25-50, for Groundwater & Methane Monitoring & Reporting Services for the Agua Fria Landfill /Approximately \$64,000 (Public Works Department)
- U. ^{ok} Resolution No. 2005-¹²A Resolution Requesting an Increase to the General Fund (101)/ County Sheriff to Budget a Grant Awarded Through the New Mexico Depart of Transportation for Expenditure in Fiscal Year 2005/ \$5,040.00 (Sheriff's Department)
- V. ^{ok} Request Authorization to Accept and Approve Project Agreement 05-OP-CT-091 from the New Mexico Department of Transportation/Traffic Safety Bureau/\$5,040.00 (Sheriff's Department)
- W. ^{ok} Request Approval of a Contract with the Bureau of Land Management for Law Enforcement Services (Sheriff's Department)
- X. ^{ok} Request Authorization to Enter into Amendment No. 1 Extending Until June 30, 2006, the Term of the Lease Agreement Whereby Santa Fe County Leases Office Space for the Region III Drug Enforcement Task Force / \$36,556 (Sheriff's Department/Region III Drug Enforcement Task Force)
- Y. ^{ok} Request Authorization to Enter into Contract Amendment No. 1 to the Customer Contract for Commitment of Water Service Between Santa Fe County and Zena Boylan, Whereby the County Would Pay for Upsizing the Water Main Through Valle Serena Development from 8-inch to 16-inch (Utilities Department)
- Z. ^{ok} Request Authorization to Award PSA # 25-158-UT to ELG Engineering, for Evaluation of Water Diversion/Delivery Options with the Pueblo of San Idelfonso /\$19,700 (Utilities Department)
- AA. Request Authorization to Award Price Agreement 25-47-UT to Jim's Sewer ^{ok} Rooter, in Response to IFB 25-49, for Valle Vista Sewer Services/ \$17,101 (Utilities Department)

Tabled

Tabled

XIII. Staff and Elected Officials' Items

A. Finance Department

- 1. Resolution No. 2005-¹³ A Resolution Requesting Approval of the FY ^{ok} 06 Interim Budget

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- 2. Resolution No. 2005- A Resolution Requesting Authorization to Call for an Advance Refunding of the General Obligation Bond Series 1997
- 3. Requesting Acknowledgement and Acceptance of the Financial Audit Report for Fiscal Year 2004 for Santa Fe County
- 4. Request Approval of the Budget for FY 06 as Requested by the Santa Fe Solid Waste Management Agency (SWAMA)
- B. Housing Department
 - ok 1. Update on the Progress of the Housing Task Force and Recommendations
- C. Land Use Department
 - 2. Staff Requests Authorization to Publish Title and General Summary of an Ordinance Amending Ordinance 2002-9 and Ordinance 1996-10 Article XIV, Section 6.14.3 (Five Year Holding Between Family Transfer Applications), to Specify how Long an Individual has to Hold Property Before They Can Apply for a Family Transfer (Wayne Dalton) *(Tabled)*
 - 2. A Resolution to Make a Submittal to the State of New Mexico Economic Development Department for the Certified Communities Initiative *(Tabled)*
- D. Project and Facilities Management Department
 - 1. Request Approval of a Land Purchase Agreement Between Santa Fe County and the Trust for Public Land for Approximately 10.96 Acres of Land Along the Santa Fe River Near Agua Fria Village for Inclusion in the Santa Fe County Open Space and Trails Program *(Approved)*
- E. Public Works Department
 - (Withdrawn)* Discussion of an Ordinance to be Known as the "Solid Waste Management Ordinance" and Request Direction for Taking Final Action for Said Ordinance at a Public Hearing on June 14, 2005 *(Withdrawn)*
 - ok 2. Resolution to Approve an Ordinance To Restrict Through Truck Traffic on Caja Del Rio Road in Santa Fe County *(7/6)*
 - 3. Ordinance 2005³ " To Restrict Through Truck Traffic on Caja Del Rio Road in Santa Fe County (One Public Hearing Required) *(ok)*
- F. Utilities Department
 - ok 1. Request Approval to Update Rate Structure for Water and Sewage
- G. Matters from the County Manager ¹⁷
 - 1. Consideration of Resolution 2005- A Resolution Authorizing Staff to Take Steps to Transfer Title of the Regional Landfill to the Solid Waste Management Authority Pursuant to Section 5 of the Joint Powers Agreement *(ok)*
 - 2. Update on Various Issues
- H. Matters from the County Attorney
 - 1. Executive Session
 - a. Discussion of Pending or Threatened Litigation
 - b. Limited Personnel Issues
 - c. Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights

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XIV. ADJOURNMENT

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

May 24, 2005

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 10:10 a.m. by Vice Chairman Harry Montoya, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Following the Pledge of Allegiance, roll was called by Deputy County Clerk Shirley Hooper Garcia and indicated the presence of a quorum as follows:

Members Present:

Commissioner Harry Montoya, Vice Chairman
Commissioner Paul Campos
Commissioner Jack Sullivan
Commissioner Virginia Vigil

Members Absent:

Commissioner Mike Anaya

V. Invocation

An invocation was given by Rabbi Leonard Hellman.

VI. Approval of the Agenda

- A. Amendments**
- B. Tabled or withdrawn items**
- C. Consent Calendar: Withdrawals**

ROMAN ABEYTA (Deputy County Manager): Mr. Chairman, we have a few amendments. Under X. Presentations we added A. Recognition of Marti Chavez who is retiring after working 10 years with Santa Fe County. Under XII. B, that item's been withdrawn. XII. T, we made a correction. XII. W we added an amount of \$14,000. XII. X will be tabled. XII. Y will be tabled.

Under XIII. Staff and Elected Official Items, B. Housing Department, we added item number B.2, Discussion and request for direction regarding proposed County ordinance, an

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ordinance relating to countywide affordable housing requirements. Under item C, Land Use Department, 1 has been tabled. Item E. 1, Public Works Department has been withdrawn, and we added an item to item G, Matters from the County Manager, which is 2. Possible action on constituent service representatives if the Board feels that they want to take that action this afternoon. Those are all the amendments, Mr. Chairman.

COMMISSIONER MONTOYA: Okay. Thank you. Any items to be withdrawn from the Consent Calendar?

COMMISSIONER SULLIVAN: Mr. Chairman.

COMMISSIONER MONTOYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I would like to discuss item W and Y and Z.

COMMISSIONER MONTOYA: Commissioner, Y has been tabled.

COMMISSIONER SULLIVAN: Y has been tabled? Okay, I saw X was tabled
I didn't see Y.

COMMISSIONER MONTOYA: X was tabled as well.

COMMISSIONER SULLIVAN: And Y was tabled too?

COMMISSIONER MONTOYA: Yes.

COMMISSIONER SULLIVAN: Okay. I didn't hear that.

COMMISSIONER MONTOYA: So just W?

COMMISSIONER SULLIVAN: W and Z.

COMMISSIONER MONTOYA: Okay. Any other items to be withdrawn from the Consent Calendar? Could I have a motion for approval as amended?

COMMISSIONER SULLIVAN: Mr. Chairman, one other thing.

COMMISSIONER MONTOYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Did you want to do Presentation X.A before the Matters from the Commission?

COMMISSIONER MONTOYA: Is Marti here? Oh, there she is. Sure. Yes. We'll move that up. Okay, motion for approval of the agenda as amended?

COMMISSIONER SULLIVAN: So moved.

COMMISSIONER CAMPOS: Second.

COMMISSIONER MONTOYA: Motion by Commissioner Sullivan, second by Commissioner Campos.

The motion to approve the agenda as amended passed by unanimous [4-0] voice vote.

VII. Approval of Minutes

A. April 26, 2005

COMMISSIONER MONTOYA: Are there any changes, additions?

COMMISSIONER CAMPOS: Move to approve.

COMMISSIONER MONTOYA: Motion by Commissioner Campos.

COMMISSIONER VIGIL: Second.

COMMISSIONER MONTOYA: Second by Commissioner Vigil.

The motion to approve the minutes as submitted passed by unanimous [4-0] voice vote.

VIII. Matters of Public Concern - Non-Action Items

COMMISSIONER MONTOYA: Is there somebody out there dying, Karl, to come and say something in front of the Commission?

KARL SOMMER: I'm concerned that Marti is leaving.

COMMISSIONER MONTOYA: Okay, seeing none, now we'll move onto Presentations.

X. Presentations

A. Recognition of Marti Chavez who is retiring after working 10 years with Santa Fe County (Land Use Department)

MR. ABEYTA: Thank you, Mr. Chairman. It is with great pride and honor that I present today's retirement certificate to Marti Chavez from the Land Use Department. Marti has worked for Santa Fe County for the past nine years and seven months and I have had the privilege to work directly with Marti for eight of those years. Marti retires this week as an administrative assistant and during her years of service she has set the standard for administrative assistants throughout the County. She has been loyal, hardworking, and her customer service is second to none.

I do now and will continue to judge the performance of other administrative assistants that work for the County against the example that Marti has set. Marti, on a personal note, whenever I walk into an office, either here or at another place of business, and I see flowers in the reception area, I think of you. You are the beautiful flowers that decorated the Land Use Department for the past nine years. Your smile is the yellow daffodil that lit up the department every morning when I walked in the door. Your voice is the soft petals on the white tulips that answered our telephones throughout the day. Your demeanor is the calming purple iris that kept me from getting too stressed out every second and last Tuesday of the month.

Your patience, understanding and advice are the bundle of red roses that helped me deal with the challenges of being a department director. There are things that I needed to share with you that nobody else would have understood or cared to listen to. Today, almost ten years later, you walk out of these chambers leaving Santa Fe County a better place, and today you walk out of our lives leaving those that got to work with you throughout the years better people. Thank

you, God bless you, and enjoy your retirement.

[Ms. Chavez received a standing ovation and pictures were taken.]

MR. GONZALEZ: While everyone's returning to their seats, Mr. Chairman, as Roman so eloquently expressed, Marti is one of the rays of sunshine that we have around here so we want to make sure she doesn't remain a stranger and knows that she's invited to come back often and grace our lives as she has on a day-to-day basis here and with that I'd like to turn it over to Marti to say whatever she feels like.

MARTI CHAVEZ (Land Use): Thank you. First and foremost, I'd like to thank actually everybody in the County. It's been a wonderful almost ten years. Roman, we kind of like grew up together. You're like my son and I love you very much. All my coworkers, everybody's great. I can't say any bad things about the County. I love the County and if and when I do decide to come back I would definitely come back to the County. That's good government. Thank you very much for wonderful memories.

COMMISSIONER MONTOYA: Thank you, Marti and good luck to you and God bless you and your family. Thank you for all you've done for Santa Fe County.

IX. Matters from the Commission

A. Request Authorization to Publish Title and General Summary of an Ordinance Requiring Arms Dealers to Prominently Post a Notice Advising Customers of New Mexico State Criminal Laws that Prohibit the Carrying of Deadly Weapons and Firearms (Commissioner Sullivan)

COMMISSIONER SULLIVAN: Mr. Chairman, this first matter is a request to authorize publication of title and general summary requiring arms dealers to prominently post a notice advising customers of New Mexico State criminal laws that prohibit the carrying of deadly weapons and firearms. This proposed ordinance grew out of my desire from some incidents that took place during the last year during Fiesta to regulate the sale to minors of blow-darts and other deadly weapons, as well as the ability of minors to carry such weapons on school premises or in public.

On researching what our alternatives were and discussing this with both staff, Greg Shaffer and also Sheriff Solano, the New Mexico constitution, however, prohibits counties and municipalities from regulating in any way an incident of right to keep and bear arms, interestingly. Buying and carrying weapons are both incidents of the right to keep and bear arms. Consequently, the County can't specifically enact an ordinance prohibiting them. However, I'm requesting authorization to publish title and general summary of an ordinance that requires arms dealers to prominently post a notice advising customers of existing New Mexico State criminal laws that, with certain exceptions, prohibit the carrying of deadly weapons anywhere or on school premises.

I think by educating people on the existing state criminal laws that a notice of this

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sort would deter law-abiding citizens from carrying deadly weapons in violation of state law. So I would request your authorization to publish title and general summary of course and then we'll have Mr. Shaffer prepare the actual ordinance and review it with the Sheriff and bring it forward for discussion.

COMMISSIONER MONTROYA: Okay. Any discussion? Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chairman, question for Commissioner Sullivan. Are you saying that the conclusion of legal staff or County staff was that we could not regulate dart blowers? Is that right? Is that an arm?

COMMISSIONER SULLIVAN: The Sheriff had concerns not only with blow-darts but also with numchuks and other martial arts paraphernalia that also have been used in criminal ways. But our legal staff advises us that the constitution, Article II, paragraph 6 prohibits counties from regulating "in any way an incident of the right to keep and bear arms." Meaning I guess that if you wanted to make some changes that you would need to do it constitutionally.

COMMISSIONER CAMPOS: So you're saying that a blow-dart is an arm, according to our legal staff.

COMMISSIONER SULLIVAN: Yes.

COMMISSIONER CAMPOS: I'd like to have Mr. Ross comment on that. It doesn't seem right to me. A blow-dart is an arm.

STEVE ROSS (County Attorney): Mr. Chairman, Commissioner Campos, I think I'll let Mr. Shaffer talk about this. I'm only peripherally aware of this issue.

COMMISSIONER VIGIL: While Mr. Shaffer is getting up there what I would reference to Commissioner Campos is a deadly weapon can be defined as any object if in fact it is used with the intent of using it for those purposes. So in fact when I was a prosecutor a brick could have been used as a deadly weapon. It depends on the facts of the case, so that numchuks or darts can be deadly weapons depending on how they're used.

COMMISSIONER CAMPOS: The question is, is it an arm. How has that term been used in our constitution. To me it's a firearm.

COMMISSIONER VIGIL: The right to bear arms clause?

GREG SHAFFER (Assistant County Attorney): Mr. Chairman, Commissioner Campos, my research indicated that "arm" is not limited to a firearm and in fact when referring to arms as a general matter, that generic term is used, whereas when you're talking about a firearm, something that propels a projectile via an explosion they use the term firearm. The ordinary definition of arms is any item with which someone arms themselves or a weapon. If you then go to a weapon, the definition of weapon is something with which one can inflict serious injury. So it is my conclusion that an arm does include deadly weapons or dangerous weapons such as a blow-dart or other items that are commonly used as a weapon and can inflict bodily injury.

COMMISSIONER CAMPOS: Mr. Shaffer, has this been interpreted in New Mexico or are you looking in other jurisdictions?

MR. SHAFFER: I consulted – there's not a wealth of New Mexico authority on that particular point. Certainly, as Commissioner Vigil mentioned when you're dealing with the criminal laws that talk about deadly weapons, that term is given a very expansive definition and certainly is broad enough to encompass the sorts of things that prompted Commissioner Sullivan's concerns, such as blow-darts and the like. So I don't see any conceptual reason why it would be given a narrower definition when you go to the constitutional level and you're talking about arms generally. Looking at cases interpreted under the federal constitution, it's been a while since I looked at this but my recollection is that certainly, knives and the like have been construed to be arms within the meaning of that provision.

COMMISSIONER CAMPOS: Okay. Thank you.

COMMISSIONER MONTOYA: Commissioner Vigil.

COMMISSIONER VIGIL: Mr. Chairman, Commissioner Sullivan, I really like the idea. We actually passed an ordinance similar to this that required notice for minors not to use tobacco and had a strong state initiative involved with that too. I guess I'm willing to move forward in publishing title and general summary in this. One of the analyses I'd like to be included and perhaps this is more directed towards Greg, is the legislature recently passed the concealed weapons legislation and I know the following year after they passed it, the lobbyists who were involved with religious organizations had to go in there and include religious organizations as an exemptions, and that was overlooked initially.

I just want to make sure that what we do is in line with the concealed weapons legislation. Thank you, Mr. Chairman.

COMMISSIONER MONTOYA: Is that a motion, Commissioner Vigil?

COMMISSIONER VIGIL: No, it's staff direction to include the analysis of the concealed weapons legislation when we come forth on public hearing on this.

COMMISSIONER SULLIVAN: I move for approval to publish title and general summary.

COMMISSIONER MONTOYA: Motion by Commissioner Sullivan.

COMMISSIONER CAMPOS: Second.

COMMISSIONER MONTOYA: Second by Commissioner Campos. Any other discussion?

The motion to authorize publication of title and general summary of a weapons notice ordinance passed by unanimous [4-0] voice vote.

COMMISSIONER MONTOYA: Other matters from the Commissioners.
Commissioner Vigil.

COMMISSIONER VIGIL: Not at this time, Mr. Chairman.

COMMISSIONER MONTOYA: Commissioner Campos.

COMMISSIONER CAMPOS: Nothing, sir.

COMMISSIONER MONTTOYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Three items, Mr. Chairman. Number one is this weekend there was an event out at the County fairgrounds that dealt with the sale of animals, rabbits and puppies and birds and a number of individuals in the county and in the city were concerned about that, particularly in light of the fact that our animal shelters are overflowing and what types of health issues these animals had been subjected to. I went out there on Saturday and I was glad to see that the County animal control officers were there. They had looked at the undertaking and the animals and found them to be healthy and no sores. Checked the feces and that seemed to be acceptable. So I think from the standpoint of the immediate health of the animals at least their advice was things were okay.

But it brings up a larger question. Our ordinances, apparently are fairly weak. Vaccination is required after three months, but there's also apparently a three-month hiatus allowed where you can bring an animal into Santa Fe County and it doesn't have to be vaccinated for three months. The same for other types of health checks. I know we have 4-H events out there and those are animals that are owned locally by individuals and 4-H-ers who take very good care of their animals and are personally involved with them. This contract for this event was of course not between the County Commission and the promoter but rather between the fairgrounds board.

So what I'd like to ask the staff to work on is two things. One is to find out what written fairgrounds board policies there are regarding outside animal events there. What safeguards do we have in terms of health? This could be circuses, any types of events where live animals are brought in and either displayed or sold as they were in this case. The second thing is I'd like us to look at ordinances with regard to animal control and see if some of the few safeguards that we have in there are allowed. Some people indicated to me that the City has an ordinance requiring that no such event is allowed unless the animals are spayed or neutered. I don't know if that's true or not. And of course you can't spay or neuter a very young pet; they have to be a certain age. But if we could look at that ordinance and A, see what our fairgrounds board contractually does require or perhaps should require, and have a little discussion on that, and also see what kind of ordinance clean-up we might need on our ordinance. In conjunction of course with our animal control folks and the shelter people. And that's what I suggested to some of the people I talked to. I said that we may need to refine some of these policies and ordinances and we'd like to have your input on that in doing it. But it was a fairly emotional thing. There were some protesters. They weren't there when I arrived in the afternoon but it made the papers and people had a genuine concern that we were hurting, not helping the animal situation in Santa Fe County.

I feel that everything went according to the regulations that we do have, but it appears to me that maybe those can be improved.

COMMISSIONER MONTTOYA: Commissioner Campos.

COMMISSIONER CAMPOS: Just a follow-up for Commissioner Sullivan. As I understood it, there were some folks that were arguing that these types were what they

call puppy mills be excluded because there's so many animals locally that need adoption. Is that what they argued to you or presented to you?

COMMISSIONER SULLIVAN: That was one of the arguments to me and I don't know that I could totally accept that because we have a lot of local art in Santa Fe too but we don't exclude external art from coming in and selling on the plaza and we could say, well, we only want to do local art. Certainly we would like to get these puppies and dogs and cats adopted and not have them euthanized as they do but I don't know that we can really prohibit someone from coming in and doing that, but I think we can certainly have strict regulations and guidelines as to how those events are structured and what the health of the pets is when they do that.

COMMISSIONER CAMPOS: Mr. Chairman, how about any staff comments on that issue?

MR. GONZALEZ: Mr. Chairman, members of the Commission, I just want to make sure that we're clear about differentiated the use of the County fairgrounds from the county at large, because the implications and terms of enacting a countywide animal ordinance are different in that we have a rural county, lots of animals, lots of issues to deal with there, are perhaps on a different order than looking at regulations related to the County fairgrounds. So I didn't know whether we're distinguishing between those two in terms of how we want to move forward or what we want to look at there.

I do know that there are lots of other events that are held. For example, there's a local dog club that periodically uses the fairgrounds for training of animals and that sort of thing. I don't know. We just need to make sure that whatever we do make sense in terms of how we restrict the use of the fairgrounds. But at the same time, we also want to make sure that we keep in our consciousness the fact that we are a very large rural county. So I guess I'd like a little clarification in terms of the direction on how to move forward on each of those fronts.

COMMISSIONER SULLIVAN: Mr. Chairman, my thought was to physically focus on events that are non-local events and events that sell animals, and not bring animals to the event and then take them back home again. If that animal is infected, you're taking it back home with you and you have to deal with it. This particular event, the contract that they had, if the animal - it was up to the buyer of the animal to within, I think 72 hours take the animal to a veterinarian to determine if the animal had distemper or some other disease, in which case they would I think get another animal or a refund. They put that onus on the buyer as opposed to the seller to determine the health of the animal. And that was the contract that we received a copy of.

I think the first thing we need to do is just see what the fair board policies are, written policies, and get an inventory of that, and then see where we can improve on that, either through perhaps just the fair board policies or perhaps through an ordinance.

COMMISSIONER MONTOYA: Commissioner Vigil.

COMMISSIONER VIGIL: This issue was also brought to my attention over the weekend at community days, which I wanted to first of all thank the City of Santa Fe

for coordinating and just let everybody know that the Commission was there in full force except for our traveling Commissioner right not. Commissioner Montoya was there for the first shift. Commissioner Campos and I took on most of the second shift, and Commissioner Sullivan was performing. I asked if they would take any requests and he said not from Commissioners. Valerie Espinoza was there and she and I were fortunate enough to get interviewed for television. So we promoted what Santa Fe County was doing and I really appreciated the opportunity and thank the City for coordinating the efforts for that.

This issue was called to my attention actually at that event and one issue that we haven't discussed that I think is a critical component of this is not necessarily what kind of dogs, well, necessarily what kind of dogs are adopted or pets, but what families they go to. Part of the scrutinizing effort that is going on with our own animal shelter right now is identifying a family for a pet, and what happens in these kinds of transactions is the pets are brought in. There's a lot of scrutinizing as to whether or not the pets are in good health, but following through was the concern that a constituent brought to me as to where these pets go to after they get adopted.

I think that's part of the problem this whole issue brought to Bernalillo County and it must have dwindled in Bernalillo County. It fell through because they weren't able to push forth on an agreement that was entered into for this transaction to occur. I know that our scope is limited to the fact that we need to look at the policy in terms of who we lease to, but I think part of that needs to be entered into with regard to how the transactions that occur at the Santa Fe County fairgrounds affect our community? Who are these pets go to? What families? Where they're going to? What kind of care will they receive? Those kinds of things were what was brought to my attention so I hope we can factor that into it.

COMMISSIONER MONTOYA: Okay, Commissioner Sullivan, any other items?

COMMISSIONER SULLIVAN: Yes. A few other quick items. One, to bring to the Board's attention and to the staff's attention. In our process of looking at sites for the district court complex, you've probably seen in the paper that the Paramount building is now up for sale. That was one of the sites next to our County Anacon Building, just close to it, that we had looked in the preliminary study and the site seemed to be a little bit small because of the Paramount but I think with the Paramount it might have some potential, particularly being a site that we could assemble parcels. We have our law enforcement complex there as well and we might be able to put together a downtown parcel which a lot of people have been hoping that we could find some kind of way to keep district court downtown.

So I'd like to suggest that to the group. Have we gotten proposals in yet on that? I know at the last meeting, the staff's report was that we were requesting proposals from landowners. Have we received them? Have we passed that deadline yet?

MR. GONZALEZ: I believe those are due in June but I'll let Rudy comment on that, Mr. Chairman, Commissioner Sullivan.

RUDY GARCIA (PFMD Department): Mr. Chairman, Commissioner Sullivan, those proposals are due June 30th. We haven't received any yet. We've gotten several calls from different property owners, brokers, through out the Santa Fe area but we have not received one yet.

COMMISSIONER SULLIVAN: Okay. And then the last thing, Mr. Chairman, is I've asked our Public Works traffic staff to take a look at the problem we're having with parking on the Richards Avenue right-of-way in the vicinity of the Santa Maria de la Paz Church. During church services. A lot of people are parking on the right-of-way and when they leave, they're backing out into Richards Avenue and causing safety problems there in their rush to leave. So it's getting to the point that it's not, even though they have a security person out directing traffic, these people individually pulling in and out of the right-of-way are causing some close calls. So I would just ask if our staff would interact with the diocese and the church and see if they can encourage their parishioners to park in the parking lot so we don't have to get into enforcement. Because parking on the right-of-way is not permitted and it is dangerous. There's not much shoulder there on Richards Avenue. So we are working on that issue regarding Richards Avenue.

Those are the three items I have.

COMMISSIONER MONTOYA: Okay. Thank you, Commissioner. I just have a couple. One is I'd like to invite everyone this Memorial Day at 3:00 over in Cuyamungue. We're going to have a dedication of a bridge for the Romeros, who you may recall were here before us and we adopted and passed a resolution. So this Monday in Cuyamungue at 3:00 we'll have the formal dedication. And then I just wanted to publicly again congratulate the Pojoaque Elks on their successful state championship for the AAA baseball crown. They did that last Thursday by defeating Raton 9-1 in what was an extremely exciting game to be at.

Then just one last thing. Commissioner Sullivan, I had the opportunity on Saturday to see you performing and you brought new meaning for me for a Commissioner who toots his own horn. You did a great job. I tried to heckle you and you didn't even acknowledge me. So that's all. Commissioner Vigil.

COMMISSIONER VIGIL: Just one question and one comment. Gerald, did we get any response for Clean-up Day from County staff?

MR. GONZALEZ: The County is actually participating in two ways. We do have some inmate crews that are out there being supervised by County staff. They're participating. And we also had, at last count I think it was over 17 volunteers that would be out there also participating. And so we have a representative from the Public Works Department who will be out there when they have their little news conference.

COMMISSIONER VIGIL: Okay. And Mr. Chairman, we have an item on the agenda further on but lest I forget about it, because there's so much information to do, I'd like to put on the table that our Utilities staff looked at - I think we're currently on Stage 3 of the water conservation and I don't know if the City has gone to Stage 2 but I think it's really important that we parallel the conservation efforts. Both governments need

to be on the same page with that, is my position. Steve, do you want to respond to that?

STEPHEN WUST (Interim Utilities Director): Mr. Chairman, Commissioner Vigil, we are in Stage 3 and the City is in State 2. We are looking at that at the moment. There's no standing policy on when we do one or the other, so we're trying to develop a procedure to try to figure out the best way to do that, either by tracking the City or developing our own criteria. But we're in the midst of doing that right at the moment.

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

COMMISSIONER MONTOYA: Thank you, Steve.

X. B. The Land Use Planning Division will Present a 14-Minute Video History of the Santa Fe Rail and Trail System. The Video was Produced by the Planning Division and Viewpoint Productions and Will Be Premiered as Part of Rail Trail Day on Saturday, June 4, 2005 (Land Use /Planning)

JACK KOLKMEYER (Planning Director): Thank you, Mr. Chairman and good morning, Commissioners. I appreciate the opportunity to present this rather unique project to you this morning. On October 15, 1997, Santa Fe County, the City, the Conservation Trust and the New Mexico Department of Energy and Minerals and Natural Resources purchased the 11.5 miles, 20-foot easement along the Santa Fe Southern Rail for \$100,000. This was the birth of the Santa Fe Rail Trail and the first major open space acquisition for Santa Fe County.

The easement acquisition was the beginning of numerous open space, trails and transportation activities that included several Rail Trail Day celebrations, a commuter train demonstration week, the eventual development of the County's Open Space, Parks and Trails Division, the completion of the Spur Trail from Santa Fe Community College and the recent purchase of the entire Santa Fe Southern Railway right-of-way for future commuter service from the Eldorado/Lamy area into the heart of the City of Santa Fe.

Beginning with the Rail Trail celebration in June of '98, the Planning Division of Santa Fe County recognized that this was a very unique project that could eventually lead to other major land use and transportation decisions that would greatly enhance the future of this region. We made a decision way back at that point to begin to document all of the subsequent activities so that we could have a record of how this project evolved and the important interactions among so many government and community agencies.

The result of this documentation is a 14-minute DVD video presentation entitled Making Tracks. It has a sound track to it too. Unfortunately – Commissioner Sullivan is not visible in there but you can hear him if you listen closely enough. The video is the work of many individuals brought together by the County under a contract with the Santa Fe Video Production Company, Viewpoint Productions. The video will have a premiere on Santa Fe Rail Trail Day on June 4, a couple Saturdays from now. It's also been submitted for presentation at the National Railvolution Conference in Salt Lake City on the week of September 8th. The

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Planning Division wanted the Board of County Commissioners to have the first viewing of the video before it goes out to the public and you will each have a copy of this. It will be really nicely packaged and you will have a copy of it that will be made available to you a week from now. I'd like to personally thank Judy Goldberg of Viewpoint Productions for her fantastic work on this project.

And also a little bit later on on your agenda there's an item where we are going to be receiving \$400,000 in a grant that we put in a number of years ago for the improvement of the Rail Trail and I think that's really significant today, because the really important thing about what you're going to see is this is a grassroots project. It came from the bottom level and worked its way all the way up to the top and when you see all the people involved in it and the enthusiasm and the cooperation between the City and the County in particular, I think you'll be very pleased. So enjoy the show.

[A video presentation followed.]

VOICE OVER: In the high desert of Santa Fe, New Mexico, the Rail Trail is a testament to partnership and collaboration. In the late 1870s the Atchison Topeka and Santa Fe Railways crested over Raton Pass laying down tracks to Las Vegas, New Mexico. Santa Fe was the next destination, yet the grade was too steep and the terrain too rough to navigate. So rails ran northwest to Galisteo Junction, now known as the Lamy Station. On February 9, 1880, the Santa Fe Spur from Lamy to downtown Santa Fe was completed. Passengers arrived from as far as the east and west coasts up until 1938.

The Santa Fe Southern took ownership of the rail system in 1992, introducing excursion tours and continuing the transport of cargo.

On June 6, 1998 a cross-section of Santa Fe's population recognized Santa Fe Rail Trail Day as a significant step in regional transportation planning. Representatives from the County, the City, the Santa Fe Conservation Trust and the citizenry came together to celebrate innovations in transportation and community growth.

STUART UDALL: Now that we have an easement down the railroad track we all own it. Nobody can call us a trespasser. And whether we walk or jog or ride a bike, or there are going to horses on the trail out of Eldorado, it's ours and we share it together.

This community is lucky that we have a railroad. We damn well better keep it and let it grow.

CYRUS SAMII: It's just a wonderful spine that serves to connect off-road for pedestrians or bicyclists, people who choose not to drive their car to get around. This collaborative effort, it's been a collaborative effort. So I think it's been recognized a long time back in our planning documents, in the County's planning documents of what an important link this could be.

BOB SARR: And it's important because it has so many uses. There's fiber-optic cable underneath it. There's freight coming in on the rail. There's commuter service in store for us and people have all this fun. We will have 25,000 riders this year. In the month of May we had probably 40 school groups from as far south as Belen, almost to Gallup, Las Vegas School District, Taos School District, all come and bring school kids on

this train. So the corridor in its whole is just a real wonderful thing and we like supporting the wholeness concept.

VOICE OVER: The Santa Fe Rail Trail Day brought together many kinds of active users and potential participants. It was a day to confirm just how important this transportation system and community network could be.

To test the viability of the train, a trial experimental commuter week commenced, exploring how and if passengers could take advantage of the train and the trail. What better way to know if this transportation system works than to hear from the participants.

RIDER ONE: Right now, we're a one-car family and it really helps. Not out of choice but out of necessity we're a one-car family so over this past summer it might end up where I ride a bicycle, lose some weight and end up riding the train without bothering anybody else.

RIDER TWO: It's really important to me for the outlying communities of Santa Fe. For me, I happen to live on the railroad track. I work right next to the railroad track so it's very convenient to have a system to be able to bring people in on the commuter trail and back, it would really make it more accessible to everyone. I think it's really important to do.

RIDER THREE: I think it's a real good thing, the train, because a lot of people that live out here they work in the federal buildings and all or by the federal buildings. It's good for the environment. Also, it will help my family a lot to take the train in the morning, [inaudible] So I like it a lot.

RIDER FOUR: I want to go down to the Farmers' Market every weekend. I drive down anyways, Saturday morning taking my daughter down on trains, it's great. I think it's wonderful. Come back with vegetables.

RIDER FIVE: It's fun. I've always wanted to ride the train. I've never had the time and it stops right by my house.

MR. SARR: We've got a mariachi on the train and I also look across the way and we've got some food on the train. We had 76 riders on the train this morning. 26 of those are on bicycles, so we had a caboose full of bicycles. Actually, it does not take very long to cross an intersection. And if you figure that there were probably 76 cars that were not on the road this morning, it probably balances out.

VOICE OVER: As Santa Fe and their neighbors revitalize and transform a traditional way to get from portal to portal, the visionaries of the Santa Fe Rail Trail project have been busy studying and designing how this new system can address long-term transportation needs.

MR. KOLKMEYER: The Rail Trail helps solve a really important problem and that is building in types of movement systems for bicyclists, pedestrians, horse-riders, before development comes out into this area. There's a number of large development projects planned for this area and if we don't do these kinds of things now, then we have to go back and do them later, which becomes more expensive, harder to do, so this is a real opportunity that we want to take care of. It also helps us, the important thing now, it helps us put the kinds of systems in place now that can connect into other systems, particularly rail, pedestrian systems in the future

that are much larger. Who know? Between Albuquerque and Los Alamos, for example. This is the real first building block of a larger system.

DALE BALL: The benefit here I think is really involved in the participation by the broad public as possible here. Our vision is that the connection from Lamy to Santa Fe will just be the beginning, and then we'll branch out in both directions. So many things have a tendency to be more of a spectator type but when you get a trail, there's no watching, so it's a participatory act and that's what we're trying to build and develop.

VOICE OVER: In commemoration of the expanding rails and trails system a new spur trail was officially opened in the summer of 2004.

DERRITH WATCHMAN MOORE: Whereas the first Saturday of every June is declared National Trails Day in the United States to celebrate America's trails...

VOICE OVER: Now connecting southeastern Santa Fe County with the south-central region, trail enthusiasts can reach the Community College, the Institute for American Indian Arts and Rancho Viejo. Locals and visitors can walk or ride along the 4 ½ mile path, winding through desert landscapes and open sky.

ROBERT GRIEGO (Planner): The significance of this trail is that, yes, it is a connection. It allows people from the southern part of the county to get to this area, so we've created these village centers in order to try to allow people to be able to get to their work without having to get in their car.

PEDESTRIAN: This is wonderful to see that the money that we put into taxes is being used this way.

SECRETARY UDALL: This country faces a shock down the road. The world is going to run out of petroleum. Prices are going to go way up. The car part of our lives is going to shrink and we're going to have to have what we used to have, very good railroads, very good public transportation systems, and places where people can bicycle and walk to work. Our cities are going to end up being more compact and less sprawled when this happens, and I believe it will happen in the next 25 years, maybe sooner than that.

[The meeting resumed.]

MR. KOLKMEYER: Mr. Chairman, thank you very much. There's actually credits and things. We seem to have gotten stuck there. I hope you enjoyed that and as I said, we'll have copies of that for each of the Commissioners and I think there are a lot of very successful things in there that we've all been involved in and I wanted to make sure that we had documented that.

COMMISSIONER MONTROYA: Any questions? Thank you, Jack. Appreciate all the work you've done in looking at alternative sources of transportation here in the county. We're definitely going to need to consider that, particularly - it's going to go up to Pojoaque and Española too I hope, and avoid all those road jams.

XI. Committee Resignations/Appointments/Reappointments
A. Request Approval of Re-Appointments for the El Rancho Community Center (Project & Facilities Management Department)

AGNES LOPEZ (Deputy PFMD Director): Mr. Chairman, Commissioners, Projects and Facilities is requesting approval of reappointments for the El Rancho Community Center, including the president, Bennie Gomez, who has served for nine years and is requesting a two-year term, Gustavo Roybal who has served for nine years and is also requesting another two-year term, and Shirley Roybal, who has served for two years and is requesting a reappointment for two years. I stand for questions.

COMMISSIONER MONTOYA: Okay. Any questions? Is there a motion?

COMMISSIONER CAMPOS: Move to approve.

COMMISSIONER MONTOYA: Motion by Commissioner Campos.

COMMISSIONER SULLIVAN: Second.

COMMISSIONER MONTOYA: Second by Commissioner Sullivan.

The motion to reappoint Bennie Gomez, Gustavo Roybal and Shirley Roybal to the El Rancho Community Center board passed by unanimous [3-0] voice vote. [Commissioner Vigil was not present for this action.]

XI B. Request Approval of Appointments for the El Rancho Community Center (Project & Facilities Management Department)

MS. LOPEZ: Mr. Chairman, Project and Facilities is requesting two new appointments for the El Rancho Community Center, including Mike Childers, first two-year term, and Stella Ledbetter, for a two-year term.

COMMISSIONER MONTOYA: Okay. Any questions?

COMMISSIONER SULLIVAN: Move for approval.

COMMISSIONER MONTOYA: Motion by Commissioner Sullivan.

COMMISSIONER CAMPOS: Second.

COMMISSIONER MONTOYA: Second, Commissioner Campos.

The motion to appoint Billy Childers and Stella Ledbetter to the El Rancho Community Center Board passed by unanimous [3-0] voice vote. [Commissioner Vigil was not present for this action.]

XII. Consent Calendar

A. Resolution 2005-63. A Resolution Requesting a Budget Increase to the Correctional GRT Fund (219) and an Operating Funds Transfer to the

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- Jail Operations Fund (518)/ Adult Facility for Expenditure in Fiscal Year 2005 \$240,540 (Corrections Department)**
- B. Request Authorization to Award PSA #25-168-YDP to the Highest-Rated Offeror in Response to RFP 25-53, Psychiatric Services for the Youth Development Center /\$31,732 (Corrections Department)**
WITHDRAWN
 - C. Resolution No. 2005-64. A Resolution Requesting Authorization to Surplus Obsolete Fixed Assets For Donation in Accordance with State Statues (Finance Department)**
 - D. Resolution No. 2005-65. A Resolution Requesting Authorization to Surplus Obsolete, Inoperable, or Duplicate Fixed Assets for Sale, Donation or Disposal in Accordance with State Statues (Finance Department)**
 - E. Resolution No. 2005-66. A Resolution Authorizing the Surplus and Auction of Certain Criminal Proceeds Pursuant to Court Order (Finance Department)**
 - F. Request Authorization to Award PSA # 25-169-FD to Terra Mar Architects, P.C., In Response to RFI # 25-14RBI, For Architect & Engineering Services to Thunder Mountain Fire Substation/\$25,500 (Fire Department)**
 - G. Request Authorization to Approve an Underage Drinking Grant Agreement Between Santa Fe County and the Children, Youth and Families Department in the Amount of \$24,000.00 to Begin July 1, 2005 Through May 31, 2006 (Health & Human Services Department)**
 - H. Resolution No. 2005-67. A Resolution Requesting an Increase to the Section 8 Voucher Fund (227) and to the Housing Enterprise Fund (517) to Budget Additional Subsidy Revenue From the US Department of Housing and Urban Development for Expenditure in Fiscal Year 2005/\$65,177 (Housing Department)**
 - I. Request Authorization to Award Construction Agreement with Mike Lopez Roofing, LLC, in Response to IFB 25-52, for Roof Repair & Gutter Replacement of Multiple Units in the Valle Vista, Camino de Jacobo and Santa Cruz Sub-Divisions / \$89,500 (Housing Department)**
 - J. Resolution No. 2005-68. A Resolution Approving the Santa Fe County Housing Authority's Payment Standards (Housing Department)**
 - K. Request Authorization to Award PSA # 25-144-LG to Basham & Basham, P.C., in Response to RFP 25-41. Legal Services to Santa Fe County \$TBD (Legal Department)**
 - L. Request Authorization to Award PSA # 25-145-LG to Modrell, Sperling, Roehl, Harris & Sisk, P.A., in Response to RFP 25-41 Legal Services to Santa Fe County (Legal Department)**

- M. Request Authorization to Award PSA # 25-146-LG to Long, Pound & Komer, P.A., in Response to RFP 25-41 Legal Services to Santa Fe County (Legal Department)**
- N. Resolution 2005-69. A Resolution Requesting a Budget Decrease to the EMS-Healthcare Fund (232) and a Budget Increase to the State Special Appropriation Fund (318)/ Detoxification Center to Recognize Program in Appropriate Fund for Expenditure in Fiscal Year 2005 (\$136,000) (Project & Facilities Management Department)**
- O. Request Approval of a Cooperative Project Agreement Between the County of Santa Fe and the New Mexico Department of Transportation for the Santa Fe Rail Trail Improvements Project /\$400,000 (Project & Facilities Management Department)**
- P. Request Authorization to Accept Professional Service Agreement #25-0139-PFMD with United Way of Santa Fe County, Inc., to Provide 2-1-1 Service Within Santa Fe County (Project & Facilities Management)**
- Q. Resolution 2005-70. A Resolution Requesting an Increase to the General Fund (101)/ Project Development Division to Budget Prior Fiscal Year 2004 Cash Balance for Heavy Equipment Expenditures in Fiscal Year 2005/ \$500,000 (Public Works Department)**
- R. Resolution 2005-71. A Resolution Requesting a Budget Increase to the Road Projects Fund (311)/ CR 74 for a Grant Awarded Through the NM Department of Transportation (\$45,000) and a Budget Increase to the Road Maintenance Fund (204) to Budget Developer Fees Revenue Received for Expenditure in Fiscal Year 2005 /\$31,914 (Public Works Department)**
- S. Request Authorization to Enter Into Two Lease Agreements with Wagner Equipment Company for Road Maintenance Equipment/ \$ 567,420 (Public Works Department)**
- T. Request Authorization to Award PSA # 25-169-LU to the Highest-Rated Offeror Under RFP 25-50, for Groundwater & Methane Monitoring & Reporting Services for the Agua Fria Landfill /Approximately \$64,000 (Public Works Department)**
- U. Resolution No. 2005-72. A Resolution Requesting an Increase to the General Fund (101)/ County Sheriff to Budget a Grant Awarded Through the New Mexico Depart of Transportation for Expenditure in Fiscal Year 2005/ \$5,040.00 (Sheriff's Department)**
- V. Request Authorization to Accept and Approve Project Agreement 05-OP-CT-091 from the New Mexico Department of Transportation/Traffic Safety Bureau/\$5,040.00 (Sheriff's Department)**
- W. Request Approval of a Contract with the Bureau of Land Management for Law Enforcement Services (Sheriff's Department) ISOLATED FOR**

DISCUSSION

- X. Request Authorization to Enter into Amendment No. 1 Extending Until June 30, 2006, the Term of the Lease Agreement Whereby Santa Fe County Leases Office Space for the Region III Drug Enforcement Task Force / \$36,556 (Sheriff's Department/Region III Drug Enforcement Task Force)**
- Y. Request Authorization to Enter into Contract Amendment No. 1 to the Customer Contract for Commitment of Water Service Between Santa Fe County and Zena Boylan, Whereby the County Would Pay for Upsizing the Water Main Through Valle Serena Development from 8-inch to 16-inch (Utilities Department) TABLED**
- Z. Request Authorization to Award PSA # 25-158-UT to ELG Engineering, for Evaluation of Water Diversion/Delivery Options with the Pueblo of San Ildefonso /\$19,700 (Utilities Department) ISOLATED FOR DISCUSSION**
- AA. Request Authorization to Award Price Agreement 25-47-UT to Jim's Sewer Rooter, in Response to IFB 25-49, for Valle Vista Sewer Services/ \$17,101 (Utilities Department)**

COMMISSIONER MONTOYA: All items except for B, which has been tabled, X and Y, which have been tabled, and items W and Z, which have been pulled for discussion. Can I have a motion?

COMMISSIONER CAMPOS: I move to approve.

COMMISSIONER SULLIVAN: Second.

COMMISSIONER MONTOYA: Okay, a motion and a second.

The motion to approve the Consent Calendar with the exception of items B, X, Y, W and Z passed by unanimous [4-0] voice vote.

- XII. W. Request Approval of a Contract with the Bureau of Land Management for Law Enforcement Services (Sheriff's Department)**

COMMISSIONER SULLIVAN: Mr. Chairman, the question I had about this particular contract was that it has to do with providing law enforcement services in the Santa Cruz Lake Recreation Area and the urban interface area, known as the Camel Track, BLM areas that they say there are only two BLM law enforcement rangers assigned to patrol the area so they are proposing a \$13,800 contract with the Sheriff's Department to supplement the law enforcement activity.

It all sounds fine, except my concern is I get calls almost weekly about the limitations of our Sheriff's Department personnel in covering the rest of the county, let

alone BLM land. How are we going to deal with – how can we deal with this additional work load on non-county land with the staff that we have, would be my question.

RON MADRID (Sheriff's Department): Mr. Chairman, Commissioners, last year we did the same contract with BLM and what we do is we have officers work on their days off, on Friday and Saturday evenings, so it's officers that are not working their shifts.

COMMISSIONER SULLIVAN: But these days off that they work, those count up towards their overtime for that contractual period, doesn't it?

DEPUTY MADRID: Yes, sir, and they pay us \$50 an hour for that.

COMMISSIONER SULLIVAN: Our current deputies already work overtime in other areas of the county. Isn't that right?

DEPUTY MADRID: Yes, sir.

COMMISSIONER SULLIVAN: I realize that they're doing it in their off-time, but by the same token, they very often do other patrolling in their days off as well and we need to do that to keep up with the law enforcement. So what period of time is this? I guess it's until you run out of money, I guess.

DEPUTY MADRID: Yes, it's a \$14,000 contract and it's for two days a week, eight hours a weekend. So it's usually throughout the summer. We have the 285 project, which was an overtime issue also that we just finished up, so that has relieved quite a few deputies to conduct this overtime.

COMMISSIONER SULLIVAN: Okay, when they call me in Eldorado I'll just tell them to go out to Santa Cruz and that's where their deputies are.

DEPUTY MADRID: Mr. Chairman, Commissioner Sullivan, we are at this time working a contract with Eldorado also on an overtime basis. That contract should be coming to you within the next month or so.

COMMISSIONER SULLIVAN: With the ECIA?

DEPUTY MADRID: Yes.

COMMISSIONER SULLIVAN: Okay. That's all the questions I had on this item, Mr. Chairman. I would, if there are no other questions on it I would move for approval.

COMMISSIONER MONTROYA: Okay. Motion by Commissioner Sullivan.

COMMISSIONER VIGIL: Second.

COMMISSIONER MONTROYA: Second by Commissioner Vigil.

The motion to approve Consent Calendar item W passed by unanimous [4-0] voice vote.

XII. Z. Request Authorization to Award PSA # 25-158-UT to ELG Engineering, for Evaluation of Water Diversion/Delivery Options with the Pueblo of San Ildefonso /\$19,700 (Utilities Department)

COMMISSIONER SULLIVAN: Mr. Chairman, I had a question as to what we were going to get, what deliverable we would get from this agreement, because I know it's an agreement pertaining to the water pilot project that we did on the San Ildefonso Pueblo a year ago and that's completed. So what do we anticipate getting from this contract and was it competitively noticed for proposals, are the questions I ask.

DR. WUST: Mr. Chairman, Commissioner Sullivan, it was not competitively noticed. The amount was below \$20,000, but more importantly Mr. Gonzales was considered uniquely qualified to perform this service and that is what the contract is for. It's to continue an ongoing relationship with San Ildefonso Pueblo. It was recognized that with the Aamodt settlement possibly looming and with work being done in the Pojoaque Valley on water and wastewater matters that it behooved Santa Fe County to establish good ongoing communications with San Ildefonso Pueblo because that is the potential site of a water diversion structure to serve the northern part of the county for any water utility that may arise there.

Mr. Gonzales had acted in that capacity through the North Central New Mexico Economic Development Division as we did a contract with them. He again is uniquely qualified to be able to do that communications and relationship. We don't want to end up in a situation such as the City of Española which is not trying to retroactively work out a relationship with the adjoining Pueblos for the pipeline easements and locations for diversion structures and things like that. So we wanted to continue the good discussions that we've had and Mr. Gonzales has been very helpful in that regard and therefore we worked up a contract with him.

COMMISSIONER SULLIVAN: I guess this is the first I heard that this was even a possibility because ever since that pilot project was done, I think the response was that the Pueblos had their road right-of-way issues with us and they also had governance issues regarding that. Is ELG Engineering going to address those issues, or what's the deliverable of this contract going to be?

DR. WUST: Mr. Chairman, if it's okay, I'll ask Doug Sayre to address that question. He worked on the contract so he can give you the history of that.

DOUG SAYRE (Deputy Utilities Director): Mr. Chairman, Commissioners, primarily, this contract is to deal with delivering water from say, a point on San Ildefonso Pueblo to the vicinity of the Buckman Direct Diversion. It's to look at routes, to look at costs, to look at the feasibility of procuring right-of-way from this location down to the Buckman water system, and the Buckman town site. Because one of the things in the Aamodt settlement that was taken out was the portion of providing water from this location down to the Buckman water system. So that's why we wanted to re-establish this kind of unique contract that Mr. Gonzales could look into all of these different techniques of how we could deal with San Ildefonso say, to a deliverable point where the County can actually get the water.

COMMISSIONER SULLIVAN: Has the Pueblo indicated that they're in

agreement to contract with Santa Fe County to do this if we can find a route to get the water there?

MR. SAYRE: Mr. Chairman, Commissioner Sullivan, in discussions with their attorney, Peter Chestnut, they have indicated that they are amenable presently to doing that and we figured that ELG Engineering would be unique in this position that we could address the protocol, be a liaison and try to look at how we could work at a continuation of the existing contract that we had to look at I guess feasible use of the collector well and possible facilities necessary to deliver the water down to Buckman.

COMMISSIONER SULLIVAN: Is the collector well being used now?

MR. SAYRE: Mr. Chairman, Commissioner Sullivan, it is not. It is just sitting there. It has been tested. It's ready to be used, but no, it is not being used.

COMMISSIONER SULLIVAN: So you feel there's enough signals, as it were, from the Pueblo that they might be amenable to some type of contractual relationship that it's worth spending \$20,000 on some studies.

MR. SAYRE: Mr. Chairman, Commissioner Sullivan, I do. In my opinion I think we've got that relationship and it's certainly feasible at this time to do that, with the San Ildefonso Pueblo.

COMMISSIONER SULLIVAN: Is there a time period on this? There's no contract in the packet; there's just a memo. Is there a time period when the Commission is to get some reports or studies?

MR. SAYRE: I can't remember if we established a time period. We could probably do that. We have a whole scope of services to be looked at and I don't know that we've exactly got a timetable involved. We more or less scoped out things that were necessary and we would establish a time period to get some of these things done.

COMMISSIONER SULLIVAN: Could part of that scope include some update reports to the Commission?

MR. SAYRE: Mr. Chairman, Commissioner Sullivan, I'm sure it could be. Yes. I'm sure we could put that in there, because that would be done.

COMMISSIONER SULLIVAN: Okay. That's all the questions I had, Mr. Chairman.

COMMISSIONER MONTOYA: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Sayre, is that Ed Gonzales, who you're taking about? Is it Ed?

MR. SAYRE: Mr. Chairman, Commissioner Campos, it is.

COMMISSIONER CAMPOS: Okay.

COMMISSIONER MONTOYA: Any other questions? Is there a motion?

COMMISSIONER VIGIL: Move to approve.

COMMISSIONER MONTOYA: Moved by Commissioner Vigil.

COMMISSIONER CAMPOS: Second.

COMMISSIONER MONTOYA: Second by Commissioner Campos.

The motion to approve Consent Calendar item XII. Z passed by unanimous [4-0] voice vote.

XIII. Staff and Elected Officials' Items

A. Finance Department

1. Resolution No. 2005-73. A Resolution Requesting Approval of the FY 06 Interim Budget [Exhibit 1]

MS. LUCERO: Mr. Chairman, members of the Board, the Finance Department would like to introduce to you the fiscal year 2006 interim budget. This is a brief summary of the detail that was studied with you last Thursday and we are asking and seeking your approval of the interim budget at the conclusion of our presentation.

This is a summary of all funds within this budget cycle for this year, \$122.2 million representing approximately a \$20 million increase from last fiscal year. The increase is represented by a 10 percent increase within the general fund budget from \$35.6 million last year to \$40.6 this year. It represents an increase within jail operations fund of approximately \$5 million due to the growth in the juvenile detention program, the residential treatment center. Those programs are self-sufficient this year and are operating stand-alone.

We also have general obligation bond funds still remaining from the following fiscal years' issues. 1997, which was a water/road bond. We still have approximately \$600,000 there. A 2001 general obligation bond for a Public Works facility as well as fire equipment, with approximately \$6 million left there, and a 2000 GO series for open space with about \$5 million left there. And that is what comes to the \$11.9 million figure that you see there.

Those are the largest, going down the line. The EMS/Healthcare fund at \$9.3 million, capital outlay GRT at \$8.6 million, representing a normal increase of about four percent this year. The Indigent fund at \$6.3 million. Other GRT pass-through funds such as the newly create Correctional Facility GRT as well as our older environmental GRT is what comprise the \$5 million. Debt Service fund, just under \$5 million. All housing funds at \$3.8 million. The Road fund at \$2.3 million. The fire quarter percent tax fund at \$2.3 million. Alcohol/DWI/Substance Abuse program funds at \$1.8 million. The water enterprise fund at \$1.3 million, and all other miscellaneous funds at \$3.2 to comprise the total of \$122.2 million for this year.

We are depicting in the next few slides the larger major funds within the budget. This is general fund with sources of \$40.6 million, primarily comprised of property taxes at 69 percent and GRT at 12 percent, which comprise the total majority of sources to general fund at 81 percent.

The uses and our support programs of the Manager's office, the Commission, legal and finance represent \$9.7 million of the budget. The Sheriff at \$7.3 million. Transfers to the jail fund at \$6.0 million. Public Works and road fund at \$6 million. Project Facilities and Management Department at \$4 million. The elected offices of Assessor and Treasurer at \$1.9

million. The Land Use Department at \$1.7 million, and all other departments and elected offices at \$3.6 million, for the total uses at \$40.6.

Our EMS/Healthcare fund which is primarily responsible for our health and EMS services programs, total sources for this year are at \$9.3 million with 46 percent of that coming from GRT and 38 percent coming from the MOA that we have with St. Vincent's Hospital. The largest uses of this source of revenue is the Sole Community Provider program at \$4.1 million, and fire and emergency preparedness grants at \$3.6 million, plus the RECC program that we operate in conjunction with the City and Española 911 at \$682,000. This is what comprises the majority of the uses for the EMS/Healthcare fund.

This next slide is an illustration of the impact of Sole Community Provider funding. Keep in mind that as the County brings a dollar through the Sole Community Provider program it is matched with three additional dollars on the federal side. And the EMS/Healthcare fund, the amount of matching to Sole Community Provider programs equates to \$20 million to St. Vincent's Hospital.

The budget this year is primarily the GRT again, the Sole Community Provider funding that you see in red, the expense goes to our fire and emergency preparedness programs, the RECC, senior services, administrative and other programs. This year we also anticipate through the MOA additional funding for the detox program at \$585,000 and our jail medical unit program at \$560,000. The Indigent fund is the other side of the Sole Community Provider program as well as taking care of the indigents through indigent health services. Sources this year are through Indigent GRT at \$4.3 million, St. Vincent's MOA at \$1.8, and use of cash balance at \$153,000, for a total of \$6.3 million. This goes to fund the state Medicaid program through the Department of Health and Human Services at the state level at \$2.3 million, the Sole Community Provider program at \$2 million, direct health services that the Indigent program administers at \$1.6 million, and administrative costs at \$273,000 for a total of \$6.3 million.

Our fourth largest fund is the capital outlay fund, split between County and regional projects. We see where we have a cash balance coming forward for water, open space, roads and other programs totaling just a little over \$7 million and we anticipate revenue for 06 to be just over \$4 million, about \$4.3 million. And you can see then the creation of the uses on the regional side also, in terms of cash and in terms of revenue for the year. We have spent more in this year and in past years on the regional water project than we have on the County water projects.

The Housing funds, this is a federally funded program through Section 8 voucher of \$1.8 million, public housing enterprise through an operating subsidy from HUD of \$1.2 million, also to include co-payments from housing tenants. The capital improvement program at \$674,000. There is support through general fund for administrative programs at \$378,00 and I believe that may be a grant from HUD at \$45,000, for a total of \$4.223 million.

The use side is rental assistance for our economically disadvantaged at \$1.8 million. Public Housing at \$1.3 million. The capital program at \$719,000 and other community programs at \$270,000, for a total budget of \$4.223 million.

The road fund is primarily sources with a transfer from general fund at \$1.65 million. Gasoline tax through the state at \$540,000. Motor vehicle tax at \$135,000, and other miscellaneous revenue at \$52,000 for a total of \$2.385 million. The uses are primarily for the road maintenance program at \$2.2 million. This includes salaries and supplies and materials, and the basecourse program at \$125,000 for a total of \$2.385 million.

And once again to conclude, we are requesting approval of this resolution in order to submit our interim budget to DFA by June 1st. And we will come back at the end of July for a final budget approval. I stand for any questions.

COMMISSIONER MONTOYA: Any questions for Susan? Susan, I had one regarding the Sole Community Provider. The amount that you said that we have now is \$20 million. What does that reflect in terms of an increase, let's say over the last two years?

MS. LUCERO: The best way for me to explain it Mr. Chairman, it to go back to a time period that I can relate to, which was 1999. At that time, the County was submitting a little over \$2 million in Sole Community Provider funding, which equated to four times that amount that came to St. Vincent's through the federal match. At this point we are at right around \$6 million on the County's side – and this is total between the Indigent fund and EMS/Healthcare fund, which equates to a total of \$24 million matched with federal dollars that goes to the hospital.

COMMISSIONER MONTOYA: Okay. It significantly increased since 1999.

MS. LUCERO: Yes, it's gone up three times since 1999 in total.

COMMISSIONER MONTOYA: Okay. Any other questions? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Mr. Chairman, the only issue that I had that I think we still need to work on is on operational costs for the Vista Grande Library, I know we discussed that in the work session as a potential under Commission discretionary funds, but just as we have all of our senior citizens centers operationally run through contracts with the City, we have just one library in the county and we really need to look at that as a regional facility, which it is, and we need to bite the bullet and look at operational funding. They do a great deal themselves toward that with fundraising events, several a year, but we have to remember that this facility is not only a library but it's also a youth facility, the youth programs after school and on the weekends and during the summer are substantial. They have a whole room that was funded through local donations for youth activities. And if you've seen the library you'll know that it's very oriented towards the youth in the community. So I see this as one of our only youth centers, quite frankly, in addition to being a library.

I really want to encourage us to continue to look at this operationally as a resource that the County has and we need to fund it as such and not require it to scrape around for all of its operational funds every year. That's the only comment I have, Mr. Chairman.

MR. GONZALEZ: Mr. Chairman, Commissioner Sullivan, I did want to flag for the Commission, based on your comments, the fact that we have received some requests from the City of Española to partner with them in terms of funding their library on an ongoing basis, either operationally or in other ways, since they see themselves also as kind of a county

resource. So we may have more than one library on the books to take a look at for the future. I appreciate your comments. Thank you.

COMMISSIONER MONTOYA: Thank you. Any other comments?

Commissioner Vigil.

COMMISSIONER VIGIL: Mr. Chairman, in addition to that the south side library has also approached me. I know it's within the city limits but it does service the south side of the county. So I think if we are going to look at funding libraries we need to look at funding all of those that service countywide for the most part. And indeed maybe even look at those that are within the city limits.

COMMISSIONER MONTOYA: Okay. I'd like to entertain a motion.

COMMISSIONER SULLIVAN: Move for approval.

COMMISSIONER VIGIL: Second.

COMMISSIONER MONTOYA: Motion by Commissioner Sullivan, second by Commissioner Vigil.

The motion to approve Resolution 2005-73, the interim budget, passed by unanimous [4-0] voice vote.

COMMISSIONER MONTOYA: I know that the Housing Task Force people have been waiting for a little bit. Would the Commission be favorable to moving them up at this point? Susan, we'll be back with you here in a little bit. I'd like to ask Mike Loftin and any other members from the Housing Task Force to come forward, give us an update on progress of the Housing Task Force and any recommendations that you may have.

XIII. B. Housing Department

1. Update on the Progress of the Housing Task Force and Recommendations

MIKE LOFTIN: Thank you. I'll try to be brief because I know you've got a long agenda. As you know, the task force has been meeting regularly every two weeks now. We've settled on some preliminary recommendations on this. We took the original RPA task force as a starting point. The last couple of meetings have zeroed in on the price points that were originally recommended by the RPA. Let me give you a copy of this if that's okay.

So the pricing that we recommended is that we make the housing affordable in the three income groups – people making below 65 percent of the median income, people making below 80 percent of the median income and people below 100 percent of the median income. And the prices would be \$115,000 house, a \$145,000 house, and a \$180,000. The recommendation is to, and I think the consensus is to try to achieve 30 percent affordable housing, ten percent in each one of those ranges. There was some discussion about do we add a fourth price point that's higher but I think the consensus right now is we can look at that later, that we'll look at

what we got here now and one of the concerns is that we want to make sure that the full range, a big a range as possible of people living in Santa Fe have access to affordable housing.

We think the \$180,000 addresses a lot of that. The question is does there need to be something above that as well. The recommendation right now is to put that on hold, proceed with this approach, and then we can always review that and revisit that later.

The other thing on this – so the 30 percent is the big. Can we achieve all that, and one of the things the RPA report came out with in the task force was in talking about, what we're trying to do is everybody needs to step up to the table and the builders can't necessarily do this all their own but there does need to be some kind of a set of incentives here. It sounds like the two big incentives to achieve this 30 percent is going to have to do with water and it's going to have to do with density. Different situations will require different things.

So for instance, the Community College District there is plenty of density. They have density based on that ordinance. What we may need to do there is give some consideration on water. So for instance, maybe the affordable units would not have to come up with the County to look at making their water rights available to the affordable units so they don't have to purchase them and that's an incentive that would help take the sting out of providing the 30 percent. The other thing about that is that we need to have some incentives in here just legally so that we avoid kind of takings issues. If County government is coming up with some incentives and providing some consideration for this, at the same time requiring it, that's the combination you want to get at.

So the task force now its main focus is going to be talking about incentives and what are the ways to do that. Some of those are easy. Waiving permit fees is not a hard thing to do; you can do that. That's not a ton of money but it's something. The water and the density stuff is the more complicated stuff and I did do a little thing a while ago to just show – maybe I could give this to you as well – this is just – and I'd be glad to go over this with you in more detail individually if you'd like. But just briefly, what I did is just said, what does density do to help make this work? And what it does is – I just said, okay, well, let's look at a typical county tract of land that allows for 2.5-acre lots right now. And if you had 20 of those lots that you were entitled to, so if you see the column it says with no affordable, then you're entitled to 20 lots and you're paying \$40,000 an acre of land and you've got to do some improvements on the land, you've got to build a home. Or basically, you're selling lots in this case at \$180,000 I think we said. So if you had a \$180,000, which is not atypical in some of these, like out in La Tierra and stuff, what does it cost you to develop that lot and what can you sell it for? What's your profit? Well, if you just have 20 lots on these assumptions you're making \$1.2 million on that development.

If you're required to include affordable housing there, like in the Community College District where it's 15 percent of the next column, so now you have 17 market-rate lots and three affordable lots, so you're not making the same profit on those affordable lots by any means, so your profit goes from \$1.2 million to \$800,000 by having to do those three lots as affordable. So then I look at the 30 percent thing and said, well, if you give a density bonus, or without a density bonus it does cut into the profit margin pretty severely, right? So you get, it

goes down to a \$400,000 profit if you can only develop 14 market-rate lots and 6 affordable lots. Now, it's cutting in. But if you give density back in return for those lots so you're no longer entitled to 20 lots, but you're entitled to 26 lots, right? So those six units that you have to do as affordable, you get the density for that. You get the right to develop an extra six lots, your profit goes from \$1.2 million to almost \$1.4 million. So it actually increases.

So this isn't to say that these numbers are - this is just a conceptual way to analyze this. So the thing is, with the right incentives, you can - in fact, not only do you take all the bite out of having to develop 30 percent affordable, you actually have increased the profitability. Then the last example is maybe you don't get the density bonus for all the 30 percent; you get it for half of them, and what does that do for your profitability. So again, this is a pretty complicated thing. I'll be glad to go over this in more detail, but I just wanted to share the interaction with the requirement and the incentives is really important and this is one on density. We need to do a similar analysis on water. Are you all with me on this one? Okay.

So the other thing that I think we should talk about a little bit is the recommendations of the RPA or this task force, the County task force is this ten percent - ten percent - ten percent of the \$115,000, \$145,000, \$180,000 house, but we'll also just show you a comparison of how this compares with some other analyses. This is just showing - so right now in the Community College District the cheapest house is at \$103,000. Under this recommendation we're saying the cheapest house goes to \$115,000, so it's actually a little bit higher. We think we can do that, that that's okay and you still make it affordable to people below 65 percent of the median income. Also, the price of the house below 80 percent of the median income is \$142,000 in the Community College District Ordinance and we're recommending \$145,000, so that's about a wash.

The RPA recommendations were \$180,000. That house in the Community College District now is priced at \$154,000. So what we're saying is in return for going up on the prices a little bit because we think we can do that and still make it affordable to the people we want to make it affordable to, that that should be a way to increase the percentage of affordable housing so we can get above 15 percent. Are you with me on that? The thing about this is the feasibility of all this is based on two factors. One is, what are the price points? What is your definition of affordable housing? What are you required to be built? And then the second factor is how much of it are you requiring to be built? So if all you do is focus on the 30 percent but you don't know what the price of that house is it doesn't mean anything and if you just focus on the price but you don't know the percentage it doesn't mean anything. You've got to look at both of these.

So we're saying there's a trade-off here between how affordable we can make housing and the amount of the housing that gets built. So I just wanted to give you the logic of where the RPA original recommendations came from. So I think hopefully this gives you a good overview of where we're heading and I guess if you have questions I can do that. I know the Manager was going to be speaking as well. So however you want to proceed.

COMMISSIONER MONTTOYA: Commissioner Campos.

COMMISSIONER CAMPOS: I have a question. Mr. Loftin, you say that

density is key. But density often requires infrastructure and infrastructure is more expensive. Have you factored that or what ideas do you have about that?

MR. LOFTIN: Well, I think a lot of it is, Commissioner, is like how much density are you allowing until you get to those issues. So if you were doing a 2.5 – and that's why I wanted to look at a 2.5-acre typical, that kind of county development. You would have in that probably 30 percent affordable in an area where there's a 2.5-acre minimum lot size. That 30 percent, and if you didn't bring in outside, you didn't bring in a community sewer system. And you kept it at septics, you need $\frac{3}{4}$ of an acre for a septic tank. So if those six units, in this example, the 30 percent, were on $\frac{3}{4}$ -acre lots so that you could use septic, that would mean that the market-rate lots go from 2.5 acres on average to 2.25 acre. So it's still a big lot. There's a market for that, and you have these $\frac{3}{4}$ -acre lots. So even in a smaller, say a 20-unit subdivision like this, you could make it work without bringing in the infrastructure.

Now, if you're in high density like the Community College District, then of course you're going to have to deal with that infrastructure. So the point is, I think the thing is you could create a polity that applied to the county that worked in most situations. In my opinion I think it works in all situations. And then the land use decision, like for the affordable housing it could be an overlay of this is what everyone has to do, then the Planning and Land Use Department obviously has decisions to make on how they want that to lay out, what kind of density, what kind of concentrated density, what kind of public open space, what kind of infrastructure. So what we're trying to do here is have the affordable housing taken care of so it's very predictable. Developers know exactly what they have to do. There's no surprises. That's really important to developers. Surprises are what get them in trouble. Everyone knows they can run their numbers and they know those numbers are accurate.

So the housing part is taken care of. It leads the land use decisions where it belongs, to the land use folks, the professional planners, on how to do the best kind of development. The challenge is to incorporate affordable housing obviously, so it's integrated with the housing, but that's a land use/planning issue that I think other developments, Aldea and others have shown, and Rancho Viejo for that matter, you can integrate affordable housing into high-end housing and no one knows it's even there. So it's clearly do-able but that really, I think, belongs in the Land Use Department to make sure that those designs are working for the County's interest. Does that get to your question, Commissioner?

COMMISSIONER CAMPOS: Somewhat. Another question. The size of subdivisions. There's been some discussion that many small, say five-lot subdivisions may not – this concept may not work as well. What do you think?

MR. LOFTIN: Well, the task force has talked a little bit about that but not in detail. We kind of put that one aside. But my sense of it, and I'm speaking for myself here, is you've got to be very careful that you do it – that you don't allow ways to gain – so if you said this only applies to subdivisions of 25 units or more, you're going to start seeing a lot of 24-unit subdivisions. So you've got to be careful with that. And where the rub comes is you're going to have like if someone is proposing a small subdivision and they would be required to build $\frac{3}{4}$ of a house. There's no such thing, right? So then you do have to figure out how to deal

with that and the way the City dealt with that in their HOP Ordinance is they just allowed you to pay a fee, a fractional amount, what they call a fractional amount, a fee-in-lieu so you don't have to build the house but you pay a little something on that. You could exempt those small things possibly too, but you definitely want it to cover enough that you don't invite a gaming of the system, so that affordable housing is built.

If you built a small – let's say a 10-unit subdivision and you need to do three units. I guess if you had a four-unit subdivision you'd have to build one unit, right? And you're just doing a 2.5-acre thing, all it means is do one lot at $\frac{3}{4}$ of an acre and go ahead and use the septic tank. It uses that. And then build a small house. I think you can do it. They're doing it. There are smaller projects under the HOP Ordinance in the city where there's one unit, as part of that, and you can do that.

COMMISSIONER CAMPOS: Thank you.

COMMISSIONER MONTOYA: Commissioner Vigil.

COMMISSIONER VIGIL: I was waiting for Gerald's report.

MR. GONZALEZ: Thank you, Mr. Chairman, Commissioner Vigil, Commissioner Sullivan. First of all, I have been sitting in on the discussions, not only of the task force but also our internal housing team. We've been having our weekly meetings as well to look at these issues. I think Mike has framed the issues well in terms of starting the discussion. One issue of course still floating out there and he referred to it is how you set the tiers has an impact on how you move forward with the ordinance and how you move forward with setting the other criteria, including incentives. The discussion I think is still open with respect to how do we address or should we address a tier above the 100 percent. And there was some discussion at the task force meeting about the 100 to 120 percent tier.

One thing we don't have is a lot of good information about what is occurring in the market with respect to that tier. In order to address that your internal housing team is in the process of preparing a survey which will be sent to all County employees and will assess and give you a microcosm of what's going on with respect to County employees as far as housing is concerned. We went through the initial draft of that survey on last Friday. We're going to finalize it this Friday and try and get it out the following week. But that survey will go to every County employee. It will give you roughly 500 responses, which I think will be a sector of our housing community here in Santa Fe that can provide you with perhaps a little larger picture of what's going on with respect to housing and maybe give us a peak into that 100 to 120 percent group as far as what's happening in that portion of the market. The questions will be designed to track employees whether they're living in the county, out of the county. If they're living out of the county, did they live here and did they move out? Why did they move out? What affected their decisions? Was it the size of the lot? The size of the housing? The cost? How commuting impacted their decision, all of those factors which I think will help us understanding a little better what's going on out there.

The other thing, and I'm sort of I guess leading ahead to the next item, but in terms of looking at these issues and looking at the original notice to publish in the ordinance as originally published it seems pretty clear that that ordinance as originally proposed and published is not

going to work. I talked a little bit to legal about that. For one thing I know that it attempts to incorporate countywide standards that were set strictly for the Community Development District. So that's part of why the next item that appears on the agenda is a request for direction, because what we'd like to do is go back to the drawing boards. I know Steve is in the process of preparing a rewrite based on the information that we have received to date about how all of this could work countywide, and then bring forward a redraft of that ordinance at the next Commission meeting so you could take a look at it.

So those are kind of the overall comments that I have from a staff perspective.

COMMISSIONER MONTOYA: Okay. Commissioner Vigil.

COMMISSIONER VIGIL: This probably goes to you Mike. Could you elaborate a little bit more on the recommendations with regard to considerations of water?

MR. LOFTIN: Yes, Commissioner. We haven't made a clear recommendation on water yet. We know that that's a big issue. For example, an approach could be, I'm not sure it's the right one, but all the units that are affordable that are developed, so if it's 30 percent, then all those units – right now developers have to bring in their own water rights. So the approach might be is for that 30 percent, those units, the County provides its water rights for that. So they have to bring their water rights in for the market-rate stuff but the County may provide, bring something to the table in terms of water rights for the affordable stuff.

COMMISSIONER VIGIL: Any other?

MR. LOFTIN: What there might be is a choice. The developer may have a choice. I could get access to County water rights for the affordable, or I could get increased density, depending on which was more important to them, right? So you might have a choice there that you could choose one or the other. Then maybe everybody gets permit fees waived. So you have some standard little stuff and then you have these two big ones, water and density and you choose which one you want.

Then you've got the public sector stepping up to the table. The private sector is stepping up to the table and what we get is hopefully, start making big progress on a big problem that we have, a community problem. So that's the approach we're trying to take.

COMMISSIONER VIGIL: Did the committee fully endorse the 30 percent?

MR. LOFTIN: I think there was discussion – I think the agreement from what I understand was not at the last meeting. My understanding was that the agreement was that we should strive for that, that that's a good goal. But the big asterisk, if you will, is do we get the right incentives down? So it's really hard to say definitively until you talk about both sides of the coin, right? Here's the requirement, what incentives come with it? And that's why I say what we're trying to do now is how to see how would that water incentive work? How would the bonus incentive work. Because we're trying to get that right next. So that's where we're at now.

COMMISSIONER VIGIL: Thank you, Mr. Chairman. No further questions.

COMMISSIONER MONTOYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: What is, Mike, the AMI for Santa Fe County?

MR. LOFTIN: I think for a family of four it's \$66,000.

COMMISSIONER SULLIVAN: Okay. So when we're talking about 80 to 100 percent of AMI, the federal definition of affordable housing stops at 80 percent. Is that correct?

MR. LOFTIN: Yes.

COMMISSIONER SULLIVAN: So I just wanted to point out that as we have been doing in the Community College District, we're already targeting a group that is above the federal definition of requiring affordable housing, which is at 80 to 100. So when we're talking about people that can benefit from this, we're talking about people, families making up to \$66,000 a year. So this is a sizable portion of Santa Fe County that can fit in this category. There's another sizable portion of Santa Fe County that isn't able to afford housing at all in Santa Fe County, as we know. So that's why we have these other categories of 65 to 80 and 50 to 65, to try to help them as well. So I just want to point that out that we're not talking about people making \$15,000 a year in income; we're talking about you and me. Folks like us that can afford or could afford a mortgage that would be reasonable and have the advantage of owning a home.

The other question I had was on your little chart about Nava Ade, and their, for example their home price for the 80 percent and under is \$135,000, is Nava Ade under the City's HOP Ordinance?

MR. LOFTIN: No, it is not, Commissioner. Nava Ade was under a separate annexation agreement, when that was annexed into the city there was an affordable housing agreement negotiated. That's actually 35 percent of Nava Ade is affordable. Then you have those price ranges that you see there.

COMMISSIONER SULLIVAN: Okay. That was a separate agreement that the City negotiated with them, so they're coming out with the below 80 percent category for them is \$135,000 and what you're recommending here is \$10,000 more than that, which is \$145,000.

MR. LOFTIN: That's correct.

COMMISSIONER SULLIVAN: For that 80 percent category. So it seems like we're making some pretty good concessions in that regard. And then would this be adjusted periodically for the cost of inflation?

MR. LOFTIN: Commissioner, there are two approaches that I think you could take on that. One is you allow price increases to happen according to the Consumer Price Index. There's advantages to that because everyone knows what the Consumer Price Index is. The other way to do it is just look at - in the Community College District we made it more complicated than it needed to be, but the Community College District kind of indexes it to what's going on with median income. We made the formula more complicated than it needs to be but I think the way you could do that, a simpler way to do it is you just say what the median income last year went up, say three percent, home prices go up three percent. So you do it just like the CPI but you use what's changed is the median income.

There's advantages to the median income one in that now your home prices are tracking what's going on with income, which is within this market, right? So at least theoretically your home prices should remain affordable to those people in those income ranges if you track it to

the income ranges. The disadvantage of it is those changes in median income are not as well known as the CPI, but it's something that people - you could learn that. So those are the two approaches that we'll be discussing.

COMMISSIONER SULLIVAN: Okay. And a question that I had one developer discuss with me is do we have to build these houses ourselves, these affordable homes?

MR. LOFTIN: In my experience there's been two ways, a few ways that developers will approach this. In Rancho Viejo they build the homes themselves because that's what they do. They're a production builder and they know how to do this. If you're selling lots, you're selling just the lot to someone who's going to build a custom home and you're not in the homebuilding business, that's one of the problems. What we did, for instance in Aldea, which is a case where the County negotiated an affordable housing agreement. We administer that agreement. Homewise administers that agreement. They build lots and sell lots. They're not really in the homebuilding business. So what we've done with them is they've sold us the lot at a discount and then we get the house built. We hire a contractor and get the house built. Our agreement with Aldea is the house has to be delivered at what the County set the prices at. So we have to negotiate the price of that lot so we can do it. Right?

So for instance, this \$115,000, you're not going to pay very much for that lot at all. The \$180,000, obviously you could pay more. So there's a way for them to outsource that if they choose to do that. I think Aldea has also done some stuff with Habitat on that front. But what's important in the ordinance, when we get to the ordinance is it's the obligation of the builder to make it affordable. What we shouldn't do is have the Housing Department or Homewise or somebody go out and raise a federal grant to make it affordable. The idea is that this gets made affordable and if we can raise federal money for supporting housing, maybe that becomes a way to help people with down payment. It's in addition to. But I think what we're saying is the obligation, in return for certain incentives from the County, the obligation is on the builder to make sure that that housing is affordable.

So I think a small developer who's just developing lots and needs to get the home built, there's ways to get that home built and make it affordable.

COMMISSIONER SULLIVAN: So he doesn't physically have to stick-build it. He can work with a non-profit like you're from and adjust the lot prices and negotiate that with you in order to come out with a house that meets these criteria.

MR. LOFTIN: That's right. So it's really a business decision on the part of the developer, how they want to do that. Some will want to build the homes; some will outsource that,

COMMISSIONER SULLIVAN: Okay, then I guess the last comment I had was on the water. I think the water is worth looking at. There's two areas where incentives can be applied and one is in wet water. We see the bigger problem is getting wet water to developments than it is water rights. Water rights are a cost and that is something the County could look at as well because we have been purchasing water rights, but the other issue is getting wet water physically out there, particularly in the next two to three years or maybe even longer until the Buckman Diversion project is on-line and operational.

We do have the 375 acre-feet that we negotiated with the City as an interim measure that I think the general consensus is that that wet water which will be available is to be used for affordable housing. Or not all for affordable housing necessarily but for developments which include affordable housing as a component within their development.

The other source is that we still have some allocation of affordable housing water, and this is wet water, through our permanent 500 acre-foot agreement with the City of Santa Fe. That I think was brought up and discussed a little bit at the last meeting. I forget how many acre-feet it is. Between ten and twenty, I think. It's not a lot. But it's enough if you're doing six units here and four units here and five units here that you could do quite a few little affordable housing developments with that permanent allocation to our 500 acre-feet. And the advantage of that allocation is, as opposed to the 375, is that that one's permanent as part of our agreement with the City. That 500 acre-foot allocation remains.

So if we were to parcel out individual amounts of that 500 acre-foot allocation to the specific affordable homes, and maybe it might not be the 80 to 100. It might be just the under 80s or something like that, depending on how much we had, either way, that would be an immediate incentive because that water is there, it's already committed and we can draw on that 500 whenever we need it. So that could move a development quickly into the feasibility stage by being able to apply that water to it. Longer range developments we could look at the other issues.

So I think there are some built-in water incentives, and that's been the biggest delay factor that I've seen on all developments, has been how to handle water. So I think we can work with that and the recommendations, their suggestions are good. Thank you, Mr. Chairman.

COMMISSIONER MONTOYA: Okay. Any other discussion? Thank you, Mike. Appreciate all the work you're doing on this.

XIII. B. 2. Discussion and request for direction regarding proposed County ordinance relating to countywide affordable housing requirements

COMMISSIONER MONTOYA: Gerald, did you have any thoughts there?

MR. GONZALEZ: Mr. Chairman, Commissioners, we probably need to reformulate the ordinance as ordinance as originally published and what we can do is go back and take, if the Commission feels comfortable with the presentation that was made, we can take those criteria and wrestle with them and then bring something forward that's based on the discussion that we've just had and use that where we would notice and publish title and general summary. As I understand it from the legal standpoint, once we do the publication, the notice of title and general summary, then we have to have on hand a draft anyway of what we're proposing to adopt that is closer to what we would adopt that what we currently have.

COMMISSIONER MONTOYA: Okay. Commissioners, Commissioner Vigil.

COMMISSIONER VIGIL: Mr. Chairman, thank you. Gerald, I'm ready to

move forward with this and I have no qualms with the 30 percent recommendation, and I also would like the ordinance to include some of the recommendations that the Housing Task Force has made, particularly in the area of those developers who come forward who are less than 24, who are requesting less than 24 units or perhaps less than five units. I think affordable housing needs to be a part of every development, so my sense is we can look at the options of the in-lieu-of or the actual infrastructure for developing affordable housing. So I'm looking forward to what that ordinance will look like.

COMMISSIONER MONTOYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I would echo Commissioner Vigil's interest and direction. I think we need to go that way. I'd like to see this brought at the next Commission meeting for the revised title and general summary. That would be our second Tuesday meeting in June and I think we're on the right track. We have to hammer out some of the technicalities. We'll have the expertise of the task force to do that while we're publishing the title and general summary and while we're having the hearings that will follow. I think we can get it close enough to have a draft where people can see where we're headed.

MR. GONZALEZ: Mr. Chairman, Commissioner Sullivan, we should have also at that time I hope anyway, the results of the Countywide survey. And one of the thoughts that the housing team had was perhaps even extend that to the City to see if they would be willing to participate in such a survey as well, which would enlarge the sampling that we've got.

COMMISSIONER SULLIVAN: Now that survey really is pertaining to the above 100 category. Is that what you're trying to -

MR. GONZALEZ: No, it may capture some of that but really it would be a survey of all County employees and as we know, lots of County employees fit into those lower tiers that we've been talking about. Obviously, there will also be some, depending on where they fit in in our salary ranges who would fall outside that tier, but the bulk of them I think would be covered by the 50 to 100 percent tiers that we're talking about at this point.

COMMISSIONER SULLIVAN: Okay.

COMMISSIONER MONTOYA: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chairman, I agree. Thirty percent is what we should be shooting for. Water I think is going to be one of our biggest incentives. Water is difficult to get and if we could put it in the right place I think that's the key. You have to tie water and the infrastructure together. As far as density, another powerful tool but it raises questions of inadequate infrastructure or poor location. We have to, I think, in our zoning laws look at placing affordable housing in areas that do have adequate infrastructure, including access to roads, wastewater systems, community water systems, access to surface water, I think is important.

I agree, we're heading in the right direction. This is a big move and I look forward to seeing the ordinance and studying it in the near future. Thank you.

COMMISSIONER MONTOYA: Okay. One of the things about being chair is that after the collective wisdom of all of the Commissioners is that you leave me with nothing

to say. I just agree. Okay. What are the wishes of the Commission?

[The Commission recessed from 12:10 to 1:40.]

XIII. D. Project and Facilities Management Department

1. Request Approval of a Land Purchase Agreement Between Santa Fe County and the Trust for Public Land for Approximately 10.96 Acres of Land Along the Santa Fe River Near Agua Fria Village for Inclusion in the Santa Fe County Open Space and Trails Program

PAUL OLAFSON (Open Space and Trails Director): Mr. Chairman, Commissioners, this property is located at the end of Siler road at Agua Fria and includes approximately 10.96 acres. The Trust for Public Land owns the property. TPL has agreed to a discounted sale price of \$50,000 for inclusion of the property in the Santa Fe River Corridor. Currently, agricultural activities are being conducted on the floodplain areas of the property which will be continued to the extent that they do not interfere with river restoration and trail activities. There's a farmer there with cows that graze on that property and that will continue.

The purchase will be funded through gross receipts tax funds budgeted by the County for the Santa Fe River Corridor development in joint/regional project programming with the City of Santa Fe. The appraised value is \$115,000 and TPL has agreed to sell the property at a discounted price of \$50,000. The five percent maintenance fee for the County's open space maintenance fund will be paid by TPL.

COMMISSIONER MONTOYA: Thank you, Paul. Any questions of Paul?
Commissioner Sullivan.

COMMISSIONER SULLIVAN: Paul, you say there is grazing going on on the property. How long will that be going on?

MR. OLAFSON: Mr. Chairman, Commissioner Sullivan, this guy is a caretaker. It behooves us to have him there right now. We have an arrangement with him that he has to vacate upon 60 days notice.

COMMISSIONER MONTOYA: Are there any other questions? Commissioner Vigil.

COMMISSIONER VIGIL: Mr. Chairman, Paul, I believe there was testimony from the public with regard to continued efforts on open trails and I'm really glad that we're continuing this effort. It's going to be a huge endeavor to do a connection between the City and the County but I'm glad the County is actually moving forward on this.

One of my concerns that was brought up is with regard to bike trails. These trails that we're looking at, are they going to be bike-friendly, pedestrian-friendly? Has there been a vision? When you purchase these easements, is that design a part of it?

MR. OLAFSON: Mr. Chairman, Commissioner Vigil, yes. A focus of our

trails initiatives within the Open Space and Trails Division is to have bicycles, pedestrian and equestrian when possible, trails. Sometimes in a more urban area the equestrian uses aren't there or aren't maybe appropriate, but as we go further out towards 599 the equestrian uses I think would be appropriate and so our design concept is to incorporate all three uses, and certainly pedestrian and bicycle.

COMMISSIONER VIGIL: Okay. I noticed through the packet of information there is a maintenance fee and in this case the Trust for Public Lands appears to be taking on that responsibility. Is that accurate?

MR. OLAFSON: Mr. Chairman, Commissioner Vigil, that's not quite accurate. The way our open space program is designed is that we have a resolution that requires the seller to basically give back to the County five percent of the sale price for a permanent maintenance fund. So as TPL is the seller in this case, that's where they're coming in. But they are not taking responsibility for that maintenance obligation on the property.

COMMISSIONER VIGIL: Okay. I have no further questions. Thanks, Paul.

COMMISSIONER MONTOYA: Commissioner Campos, do you have anything?

COMMISSIONER CAMPOS: No. I could make a motion though.

COMMISSIONER MONTOYA: Okay.

COMMISSIONER CAMPOS: Motion to approve the subject land purchase.

COMMISSIONER VIGIL: Second.

COMMISSIONER MONTOYA: Okay, motion by Commissioner Campos, second Commissioner Vigil. Any other discussion?

The motion to approve the purchase agreement for 10.96 acres near Siler passed by unanimous [4-0] voice vote.

COMMISSIONER MONTOYA: Thank you, Paul.

MR. OLAFSON: Thank you, Commissioners, and I just wanted to mention too that Karen Stockdale is here in the audience and she works with the Trust for Public Land and she's been the main spearhead on a lot of these river projects and has been a tremendous support for the County program, as well as for the entire community and I just wanted to recognize all the great work she's done and will continue to do I'm sure, and also thank the Trust for Public Land for their participation and their help on a lot of these projects. Thank you.

COMMISSIONER MONTOYA: Thank you, Karen.

XIII. A. Resolution No. 2005-74. A Resolution Requesting Authorization to Call for an Advance Refunding of the General Obligation Bond Series 1997

MS. LUCERO: Mr. Chairman, members of the Board, what you have

before you is a resolution calling for an intent to refund the general obligation series 1997 through a process of an advanced refunding. In 1997 the County issued a general obligation bond in the amount of \$10.5 million at an average interest rate of 6.25 percent. During the past three years interest rates as you are aware have substantially declined. They've remained relatively stable during the last year but we anticipate that they will increase over the upcoming year. Therefore, we're considering an advance redemption of this bond.

The Finance Department in conjunction with our bond counsel, Peter Franklin from Modrell Sperling, reviewed five different proposals from different firms. Those firms were Southwest Security, RBC Dain Rauscher, George K. Baum, Estrada Hinojosa and Kious and Company. We reviewed certain criteria to assist us in determining what appeared to be the most feasible refunding option. Factors that we considered were basically the following: Number one, the interest rate outlook. The net interest costs on the refunded bond would be in the 3.69 to 3.77 percent range, a savings of approximately 2.5 percent compared to the average rate of the original bonds issue.

The method of sale is the second item we considered. The refunded bond would be based on a negotiated sale whereby targeting a predetermined interest rate savings.

Number three, efficiency of the refunding. The goal would be to refund the bond at minimal cost so as not to arbitrarily increase the refunded debt, to limit the costs of issuance through negotiating the underwriting fee, and to eliminate the need to bring additional cash resources to exercise the refunding option.

Number four, present value savings. This is the issue that we're probably all most familiar with. The goal would be to maximize the present value of the interest to be saved over the life of the refunded bond. The State Department of Finance and Administration requires a minimum of three percent savings. The Government Finance Officers Association recommends a three to five percent savings. The percentage savings based on the size of the refunding bond ranges from 5.65 to 5.78 percent based on current market rates.

Based on the summarized information, which was reviewed to determine the most feasible refunding option, it is the recommendation of the Finance Department to pursue an advanced refunding option of the 97 general obligation bond series with the underwriting firm of RBC Dain Rauscher, Incorporated. Now we thereby request your approval to consider adoption of the attached resolution. And I have Peter Franklin here as our bond attorney for any questions you may have of him and I stand for any questions.

COMMISSIONER MONTROYA: Any questions of Susan? Commissioner Vigil.

COMMISSIONER VIGIL: Susan, there was no RFP required in this scenario?

MS. LUCERO: Mr. Chairman, Commissioner Vigil, on the refunding of a general obligation bond you don't need an RFP. You can do it through negotiated sale. And we didn't need to pursue informal proposals from other firms but we did that as a way

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of trying to reduce their fee down to a very competitive rate.

COMMISSIONER VIGIL: Thank you, Mr. Chairman.

COMMISSIONER MONTTOYA: Any other questions?

COMMISSIONER CAMPOS: Mr. Chairman.

COMMISSIONER MONTTOYA: Commissioner Campos.

COMMISSIONER CAMPOS: Are these the jail bonds?

MS. LUCERO: Mr. Chairman, Commissioner Campos, no, sir. They are not. I wish they could be. These are general obligation bonds and the jail is a revenue bond.

COMMISSIONER CAMPOS: You talked recently about defeasing the jail bonds.

MS. LUCERO: Mr. Chairman, Commissioner Campos, what we want to explore as a future task is defeasance. It has numerous issues tied to it and it may or may not be accomplished, but it's something we will have our financial advisor, once one is determined, to work on.

COMMISSIONER CAMPOS: Are there any penalties in doing what you propose to do?

MS. LUCERO: Mr. Chairman, Commissioner Campos, there are no penalties. The only thing we are doing is because it's an advance refunding, meaning that we are redeeming it in advance of its maturity date, I believe you are restricted to do that only once in the life of a bond. So for example, if, over the remaining life of this refunding, which I think it's seven years, if the rates were to drop even lower than they are now, I believe we couldn't go back for another advanced refunding.

COMMISSIONER CAMPOS: Now, what is our net savings? I don't see a dollar amount.

MS. LUCERO: Mr. Chairman, Commissioner Campos, there was a range.

COMMISSIONER CAMPOS: The 5.65 to 5.78?

MS. LUCERO: Mr. Chairman, Commissioner Campos, I believe that the net was just under \$500,000, about \$493,000 and as I indicated, the rates were anywhere from 5.6 to about 5.8, depending on what you're looking at.

COMMISSIONER CAMPOS: So this is a net savings of close to half a million dollars?

MS. LUCERO: I believe so, and that's after costs of issuance.

COMMISSIONER CAMPOS: Okay. Thank you, Mr. Chairman.

COMMISSIONER MONTTOYA: Okay. Any other questions? Commissioner Vigil.

COMMISSIONER VIGIL: Susan or Peter, why is it that RBC received a recommendation? What did they propose that was different? Was it a higher amount of a refund, or could you explain that a little further?

MS. LUCERO: Mr. Chairman, Commissioner Vigil, what I can explain is that we had five proposals and of those five, two were extremely comparable, very

negligible in difference, and one of those was RBD Dain Rauscher. And what we looked at was the lowest cost or interest rate, the maximum savings, in conjunction with the lowest underwriting fee, and the lowest refinancing amount. So for example, if you were to refinance your house and you want to limit incurring additional debt to pay for outside fees, that's what we looked at. One scenario indicated refinancing at a principal amount that was about I think \$700,000 more than what was needed. So it was a give and take type of review and analysis and that's how we arrived at our recommendation.

COMMISSIONER VIGIL: Fine. Thank you, Mr. Chairman. And with that I'm ready to move to approve.

COMMISSIONER MONTOYA: Motion by Commissioner Vigil.

COMMISSIONER CAMPOS: Second.

COMMISSIONER MONTOYA: Second by Commissioner Campos. On a somewhat related question, where are we with the financial advisor and the RFP that was going out?

MS. LUCERO: Mr. Chairman, we have completed the scope. We completed the evaluation criteria and I will pass that on. It's in draft form. I'm passing that on to Peter Franklin for his input and also to our own legal counsel for their input. Then we will complete it in the template format and it will be advertised this coming Sunday.

COMMISSIONER MONTOYA: This coming Sunday?

MS. LUCERO: The 30th of May.

COMMISSIONER MONTOYA: Okay. So we're about a half a month behind schedule then what we had anticipated?

MS. LUCERO: Mr. Chairman, I think if we are about two weeks behind, we can still award probably by the end of June or certainly in July.

COMMISSIONER MONTOYA: Okay. We have a motion and a second.

The motion to approve Resolution 2005-74 passed by unanimous [4-0] voice vote.

XIII. A. 3. Requesting Acknowledgement and Acceptance of the Financial Audit Report for Fiscal Year 2004 for Santa Fe County

MS. LUCERO: Mr. Chairman, members of the Board, pursuant to Section 2.2.2.1.0.K.3.d of 2.2.2 NMAC requirements for contracting and conducting audits of agency, it's required that we present to you the financial audit reports for fiscal year 2004. During last year we engaged in an audit with Barraclough and Associates, engaged in a contract for them to conduct the annual audit of financial statements for the fiscal year ending June 30, 2004. I summarized in my memo to you certain highlights of the audit results and they consist of the following;

Number one, the most important, the auditor's report expresses an unqualified or

clean opinion on the financial statements and on compliance requirements for the major federal award programs of the County.

The second item, we have two reportable conditions noted involving internal controls over the financial reporting, and they're composed of the following: Number one, accounting transactions that originate outside of the Finance Department. Whenever this happens it increases the risk that transactions aren't recorded timely or accurately. The more the County grows we have greater exposure for this and with the institution of internal audit division, of which you approved two FTEs for this a few months ago, that will help in this area to some degree but it will take probably a couple of years to really note the difference.

The second reportable condition item included cash controls. As you're aware, we were plagued with problems last year at different cash receipts sites, mainly at the Treasurer's office, a lot to do with security issues there. A lot of that has been improved, but the actual internal controls over that cash are items that still need additional attention.

In the current year no instances of non-compliance material to the financial statements was disclosed. Issues of non-compliance, not material to the financial statements were disclosed and are summarized in the following highlights. One, arbitrage and post-closure cost liabilities – the County has unspent funds from 97 and other bond issues. Also, annual costs for the post-closure of the Agua Fria landfill have exceeded their original estimate and this liability needs to be revised and increased and how it's recorded on the books.

Another item is exceptions to audit test work regarding disbursements out of the sample of 115 items that were tested, five exceptions were noted. These items were in the area of milage reimbursements not commensurate with the Per Diem Act and also cost of the primary election ballots was not property encumbered with a purchase requisition before the supplies were actually purchased and delivered. Also along the lines of capital assets, County employees outside of police and fire department who take a County vehicle home must have additional compensation reported at year-end based on IRS guidelines for personal commuting use of the vehicle.

Collateral, during a review of pledged collateral for the County's deposits, it was noted that there was no pledged collateral for deposits held within three different banking institutions. And also the Employee Benefit fund, the County has an Employee Benefit Committee fund derived from rental property income and vending machine proceeds and according to state constitution Article IX, Section 14, all monies coming into all agencies are considered public monies and must be accounted for in such manner.

These are the final findings and results of fiscal year 04 audit and we're hereby requesting acceptable and approval of the audited financial statements. I stand for any questions.

COMMISSIONER MONTTOYA: Questions? Commissioner Vigil.

COMMISSIONER VIGIL: Several, Susan and Gerald. Some of these findings could easily be remedied. Are we addressing those right of way? For example, the

Employee Benefit fund. Those have always been considered state monies, so if that's something we can readily do -

MR. GONZALEZ: The Employee Benefit fund was addressed directly with the Attorney General's office who found that the process that we were employing, after looking at the fund and making some changes was appropriate. There's a difference of opinion between the Attorney General's office and the State Auditor, but the Attorney General's office is the one that did the ultimate review and cleared the County.

COMMISSIONER VIGIL: Okay. So are we going to be operating under the Attorney General's opinion or our auditor's?

MR. GONZALEZ: I believe the auditor will probably operate under the Attorney General's opinion since that's who they cite normally when they deal with these issues.

COMMISSIONER VIGIL: Was he aware of that when he made this finding? The auditor?

MR. GONZALEZ: No, the finding was subsequently reviewed with the Attorney General's office because it was referred by the auditor to the Attorney General. That's why I say the Attorney General is the party to deal with.

COMMISSIONER VIGIL: Okay. And then can you address any of the other issues that might be being put into place as a result of this? Or responses or procedures?

MR. GONZALEZ: There's a number of responses and I'll let Susan kind of go through some of the issues that we've addressed. We've gone through the audit as well as post-audit.

MS. LUCERO: Mr. Chairman, Commissioner Vigil, we have throughout the year incorporated a review of a lot of the findings and attempted to put revised controls in place. For example, we met very consistently with the Treasurer's office. We did what you call a walk-through of daily transactions that occur across the desk, across the counter. In doing that, we made like an outline, if you will of kind of where the areas of weakness may be portrayed. And once the Treasurer came into office in January, he has instituted a lot of the recommendations that we were given from a previous review outside of our office. And he's incorporated a lot of those changes.

Along the lines of accounting transactions occurring outside of the Finance Department, this is an area I have to honestly say is more and more difficult for the Finance Department to control. It is going to require additional personnel in the Finance Department and it's also going to require a lot of outside training from our department to other departments with our financial counterparts. It's tough, because you need additional people for that. But we are working on it, it's just a much slower process.

The arbitrage of County unspent funds for the 97 and previous GO issues, we are anticipating piggy-backing off a State Highway agreement to have a calculation of that done. That will alleviate that finding. I believe Solid Waste Division of Public Works has initiated a contract to review the post-closure costs of the Agua Fria landfill. If they haven't yet we've definitely talked about it and we've put things in the works to get that started.

COMMISSIONER VIGIL: Susan, we just approved a contract today on the Agua Fria landfill on our Consent Calendar. Is that what you're referring to? The methane and any kind of groundwater contamination. Is that what is addressing this?

MS. LUCERO: I'm going by our Public Works Director nodding of the head that that is what that is.

COMMISSIONER VIGIL: Okay. Continue.

MS. LUCERO: The collateral issue about pledged collateral, what we do monthly and most certainly at critical times such as year-end, we are reviewing within Finance and within our cash reconciliation, verifying that pledged collateral. And that is something we're taking on. In terms of capital assets, primarily the vehicle take-home policy is something that needs to be revised and looked at and we anticipate still making some suggested changes to that prior to fiscal year-end and to getting on the books any individuals who do take home County vehicles, that compensation to be reported on their W-2. So those are the things we have been working on.

COMMISSIONER VIGIL: Thank you, Mr. Chairman. Thank you, Susan.

COMMISSIONER MONTOYA: Okay. Any other questions? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Susan, the report indicates that the new GASB 39 regs for accounting now require that the Rancho Viejo Improvement District be a component unit of the County and that the debt service activity is included in the County's financial statements. We've had some problems getting information from the Rancho Viejo Improvement District on deeds and financing costs and things like that. Does this now place all of that liability on us, or what's the change?

MS. LUCERO: Mr. Chairman, Commissioner Sullivan, what that change requires is from this last year forward, if we were to continue a similar engagement with Rancho Viejo or anyone else, all disbursements would have to flow through the County. In the respect of what's reported in this year's audit, or last year's audit, the debt service was the only component that at this time is still active. That is what we do show flowing through the County as a component unit. That is information we can get because we are receiving the statements from the trustee. We in the past didn't receive the disbursement information. I have to verify if Rancho Viejo sent this to us recently; they did send us a packet. And the deed transfership is still an item of question. But at the time the audit was conducted and without being able to verify the written information in terms of the transfer of ownership, the conclusion was that the respect of how the bond document read, the County is considered a party and liable for the activity and so we did consider it basically that the County is owner. We've adopted the roads. We operate the waste treatment facility and we maintain the roads and this is what dictated ownership.

COMMISSIONER SULLIVAN: Okay, so that means that some of the issues that you and I have discussed before about how this assessment district was set up and the payment for the general expenses, whether they were to be incurred over the 2500 acres or whether they were to be incurred over the smaller districts, does that now become

our problem or is our problem limited to just tracking that the principal and interest is paid?

MS. LUCERO: Mr. Chairman, Commissioner Sullivan, at this point and because of the history of what occurred before was prior to I believe the pronouncement of GASB 39, what we're obligated to here is the debt service. However, if tomorrow or any point in the future we engage in a similar transaction, it would all need to be on the financial statements completely from beginning to end.

COMMISSIONER SULLIVAN: And the disbursements would come through the County, as opposed to through the developer.

MS. LUCERO: Yes, sir.

COMMISSIONER SULLIVAN: Okay, so you don't see this as a major change?

MS. LUCERO: It's more of a reporting requirement. It's not something that we have control over changing just from that standpoint.

COMMISSIONER SULLIVAN: And the other question was on the notes about the arbitrage, it says that the County may owe the IRS money. Is there any indication how much we might owe them?

MS. LUCERO: Mr. Chairman, Commissioner Sullivan, we have budgeted for potential money we may owe through some of the bond proceeds that will be affected with this calculation. Until we get a final calculation through a group that specializes in this we don't know the exact amount, but we have set aside funds.

COMMISSIONER SULLIVAN: Is it a whole lot of money?

MS. LUCERO: It's a whole lot to me but I don't know if that's a whole lot to the IRS.

COMMISSIONER SULLIVAN: If it's a whole lot to you it's a whole lot to me. Okay, what do we do to avoid that happening or worsening?

MS. LUCERO: Mr. Chairman, Commissioner Sullivan, I think the best thing is to engage in this contract and to make it a continual contract year after year. In the past I think the understanding was that we only needed to worry about bonds that were unspent, but really you need to calculate this for every bond issue that you have. So we will play catch-up. We don't have anywhere near the exposure as our New Mexico Department of Transportation has over years, but the idea is to get it in place and then continually fund it every year so as to avoid this.

COMMISSIONER SULLIVAN: Thank you.

COMMISSIONER MONTTOYA: Any other questions?

COMMISSIONER VIGIL: Move to approve and thank you, Susan. This is a worthwhile and noteworthy audit.

MS. LUCERO: Thank you very much.

COMMISSIONER MONTTOYA: Motion for approval by Commissioner

Vigil.

COMMISSIONER SULLIVAN: Second.

COMMISSIONER MONTOYA: Second, Commissioner Sullivan. Further discussion?

The motion to accept the audit findings for the FY04 statements passed by unanimous [4-0] voice vote.

XIII. A. 4. Request Approval of the Budget for FY 06 as Requested by the Santa Fe Solid Waste Management Agency (SWMA)

MS. LUCERO: Mr. Chairman, this is a formality that's required based on the joint powers agreement that the City and County signed in 1996 pursuant to Section 1.03.c of that agreement, the City and County have the power to approve or disapprove the annual budget of the agency. The Solid Waste Management Agency met on April 7th and the board approved the adoption of the recommended budget for fiscal year 06. I have been in contact with the director of SWMA who indicates to me that the final budget was actually yet lower than what the proposed dollar amount you have here of \$5.121 million. It was approximately \$500,000 to \$800,000 less than that. And that was because they opted to reduce the budget on the capital side for cell construction and fund it through cash that they had on reserve. So that is why ultimately the final numbers are actually adjusted down lower. On behalf of the agency we are hereby requesting adoption of their proposed budget for fiscal year 06.

COMMISSIONER MONTOYA: Any questions? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Quick question. Does this mean that their revenues are down, or just simply that they've got a great deal of cash and so they're able to reduce their budget?

MS. LUCERO: Mr. Chairman, Commissioner Sullivan, what I understood from the meeting, they are funding capital type requirements like cell construction in the form of reserves that have been budgeted in the past, and in some cases, some of those reserves were higher than necessary, and in some cases they were lower. But when you netted those together what came out of it was they had additional cash that they could use for capital type expenses like cell construction. So basically, they opted to fund it with cash rather than recurring revenues. That was my understanding. The operating revenue is not down.

COMMISSIONER SULLIVAN: I didn't think it was. I just wanted to bring that up to our SWMA members. Who's our SWMA board?

COMMISSIONER CAMPOS: And Mike too on the end.

COMMISSIONER SULLIVAN: Is it about time for another County/City disbursement sharing?

COMMISSIONER CAMPOS: I wouldn't even think about it.

COMMISSIONER SULLIVAN: Why not?

COMMISSIONER CAMPOS: We're going to go into this recycling plant. It's going to take some money.

COMMISSIONER SULLIVAN: It's supposed to make money.

COMMISSIONER CAMPOS: You don't want to milk it, do you?

COMMISSIONER SULLIVAN: I want to get a return on our investment. We invested \$6 million in this and so far we've gotten \$200,000 back, during my term, by the way, as a SWMA member. But it would seem that the entity is doing quite well, which I'm happy for, and that we can begin to refund some of those capital investments. Can't we?

COMMISSIONER CAMPOS: I wouldn't think that's a good idea.

COMMISSIONER SULLIVAN: You don't think so? Just keep loading up the cash reserve?

COMMISSIONER CAMPOS: Let's see how this goes with the recycling program and the plant. It's going to be a major expenditure in the next two, three, four years. So I wouldn't hold my breath.

COMMISSIONER SULLIVAN: Don't hold your breath, huh?

COMMISSIONER MONTOYA: Commissioner Sullivan, you still have the floor.

COMMISSIONER SULLIVAN: Yes, I'm not going to volunteer to be on that board again.

COMMISSIONER MONTOYA: You did a good job with it.

COMMISSIONER SULLIVAN: Yes, right. We got \$200,000 out of it.

COMMISSIONER CAMPOS: He brags about it.

COMMISSIONER SULLIVAN: It took a year and a half. I don't know if it was worth it or not.

COMMISSIONER CAMPOS: Karen Heldmeyer thinks you were behind that.

COMMISSIONER SULLIVAN: So you don't see that on the immediate horizon is what you're saying.

COMMISSIONER CAMPOS: I don't think so.

COMMISSIONER MONTOYA: Okay, any other questions? Commissioner Vigil.

COMMISSIONER VIGIL: I would just underscore Commissioner Campos' recommendation that we not go there. I think this is a potential, sustainable project for the County and perhaps even as Commissioner Sullivan suggests, refundable. However, we're still at the apex of making many decisions. Brokers haven't been located in terms of where we're going to actually send recycling materials and how we're going to make that a project that would provide sustainable funding for it.

One of the issues that I had and I remember looking at this project, Susan. Could you tell me if there are any additional FTEs in this budget?

MS. LUCERO: Mr. Chairman, Commissioner Vigil, I believe there are from my discussion with the director, but part of it required reclassifying one employee to a little different level, I think a lower level, to anticipate to bringing on to something like that. If I remember the detail right.

COMMISSIONER VIGIL: Okay. Because my understanding is that the FTE

situation with our Solid Waste Management and our landfills is such that oftentimes some of the directors had to fill in for some of the hours that are unavailable for FTEs who are sick or for whatever reason. And that's unfortunate, because we need to dedicate those times to the public and make sure that they're staffed. So I want to make sure that that was addressed in this budget.

MS. LUCERO: Mr. Chairman, Commissioner Vigil, I can double-check as to the detail. I don't have that in front of me but I do know there was an increase. But I can't tell you exactly at what staffing level.

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

COMMISSIONER MONTOYA: Okay. Any other questions?

COMMISSIONER CAMPOS: Mr. Chairman.

COMMISSIONER MONTOYA: Commissioner Campos.

COMMISSIONER CAMPOS: If you're ready for a motion.

COMMISSIONER MONTOYA: Yes, sir.

COMMISSIONER CAMPOS: I'd move to approve the budget for FY06 for

SWMA.

COMMISSIONER VIGIL: Second.

COMMISSIONER MONTOYA: We have a motion and a second.

The motion to approve SWMA's FY06 budget passed by unanimous [4-0] voice vote.

COMMISSIONER MONTOYA: Thanks, Susan.

XIII. C. Land Use Department

2. Resolution 2005-75. A Resolution to Make a Submittal to the State of New Mexico Economic Development Department for the Certified Communities Initiative

ROBERT GRIEGO (Planner): Mr. Chairman, Commissioners, the Board of County Commissioners gave staff direction to submit an application to New Mexico Economic Development Department for the Certified Community Initiative. The purpose of the program is to facilitate the recruitment, retention and expansion of economic based jobs. Certification assists the County in developing its economic development capacity by partnering with economic development organizations, developing a community assessment and community business plan, a land and building inventory, and expanding the County's ability to facility economic growth.

Since the Board gave the County direction to submit the application, staff has been working on the application submittal. We're requesting at this time for this resolution to authorize the County to make this submittal. I stand for questions from the Board.

COMMISSIONER MONTOYA: Any questions for Robert? Do we have a motion?

COMMISSIONER SULLIVAN: Move for approval.

COMMISSIONER MONTOYA: Motion by Commissioner Sullivan for approval.

COMMISSIONER VIGIL: Second.

COMMISSIONER MONTOYA: Second by Commissioner Vigil. Any discussion?

The motion to approve Resolution 2005-75 passed by unanimous [4-0] voice vote.

COMMISSIONER MONTOYA: Thank you, Robert. Good job on this by the way. I think this moves us definitely to a spot where we were talking about a couple of years ago in terms of really trying to do something as far as economic development for the County. So I think this is a good job.

MR. GRIEGO: Mr. Chairman, thank you. We will bringing forward the community business plan at the next administrative meeting and you can get another chance to review that document at that time.

COMMISSIONER MONTOYA: Great. Great. Thank you, Robert.

XIII. E. Public Works Department

2. Resolution 2005-76. A Resolution to Approve an Ordinance To Restrict Through Truck Traffic on Caja del Rio Road in Santa Fe County

DAN RYDBERG (Traffic Engineer): Mr. Chairman, Commissioners, for background and summary, as per an agreement titled "Agreement for improvement of road" dated November 15, 1994 by and between Santa Fe County, King Brothers Ranch, Las Campanas Limited Partnership, Colony Materials and Richard Cook. There was a section in that agreement, Section 8, page 4, that has a limit on road use. Which states that the road may not be used by vehicles of more than five tons for through commercial traffic between US 84/285 and the Santa Fe Relief Route.

Through direction from legal Public Works is requesting approval of a resolution to adopt an ordinance restricting through truck traffic on Caja del Rio Road in Santa Fe County.

COMMISSIONER MONTOYA: Any questions? Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chairman, Mr. Rydberg, this is simply a resolution saying that at some time in the future we're going to adopt an ordinance?

MR. RYDBERG: No, we have the ordinance prepared. It's a public meeting so we are prepared to discuss it if we need to, but we have the ordinance prepared and it's

reviewed.

COMMISSIONER CAMPOS: You're saying it's ready for consideration and approval today?

MR. RYDBERG: Yes, sir. It's the next item on the agenda.

COMMISSIONER CAMPOS: Oh, it's the next item on the agenda. Okay, so you need a resolution first and then an ordinance? Okay. Thank you.

COMMISSIONER MONTOYA: Do we have a motion?

COMMISSIONER VIGIL: Mr. Chairman.

COMMISSIONER MONTOYA: Commissioner Vigil.

COMMISSIONER VIGIL: This issue originally came to both the County and the City at one of the joint powers board meetings with SWMA and we heard from residents with regard to that. Commissioner Anaya, though I don't want to speak for him about this because he has been concerned with regard to this as it involves construction vehicles, and I think those are exempted, right?

MR. RYDBERG: Yes.

COMMISSIONER VIGIL: And I think what we're actually doing right here is validating an agreement and bringing in an opportunity for the County to be able to enforce the intent of the parties that have entered into that original agreement. And with that, Mr. Chairman, I think I will move for approval.

COMMISSIONER MONTOYA: Okay, we have a motion by Commissioner Vigil.

COMMISSIONER SULLIVAN: Second.

COMMISSIONER MONTOYA: Second by Commissioner Sullivan. Any further discussion?

The motion to approve Resolution 2005-76 passed by unanimous [4-0] voice vote.

XIII. E. 3. Ordinance 2005-3. An Ordinance to Restrict Through Truck Traffic on Caja del Rio Road in Santa Fe County (One Public Hearing Required)

COMMISSIONER MONTOYA: This is the ordinance now. This is a public hearing, Dan?

MR. RYDBERG: That's correct, Mr. Chairman.

COMMISSIONER MONTOYA: Do you have anything else that you wanted to add?

MR. RYDBERG: No, I don't, but I stand for questions.

COMMISSIONER MONTOYA: Okay. Any questions for Dan? Okay, this is a public hearing. If anyone would like to speak for or against this ordinance, please come

forward. Seeing none the public hearing is over. What's the pleasure of the Commission?

COMMISSIONER VIGIL: Move to approve.

COMMISSIONER MONTOYA: Motion by Commissioner Vigil to approve Ordinance 2005-3.

COMMISSIONER CAMPOS: Second.

COMMISSIONER MONTOYA: Second by Commissioner Campos. Any discussion? Commissioner Sullivan.

COMMISSIONER SULLIVAN: Dan, could you show me in the ordinance how you distinguish from construction vehicles and other vehicles over five tons in weight.

MR. RYDBERG: Section 3 under the definitions. I'm sorry, Section 2 is the definitions. Section 3 is the restricted traffic. It calls out the different types of trucks that are restricted. It says it will not apply to emergency vehicles, government or utility vehicles, service and transportation vehicles and a school bus.

COMMISSIONER SULLIVAN: What is service and transportation vehicles? What does that mean?

MR. RYDBERG: That would be City or County -

COMMISSIONER SULLIVAN: Buses and things like that?

MR. RYDBERG: Buses, and then also County maintenance crews, because that's a County maintained road for us to be out there filling pot holes or installing signs, doing road maintenance.

COMMISSIONER SULLIVAN: So if I'm hauling wood to Las Campanas on a tractor trailer which exceeds five tons, what am I categorized as? A service vehicle?

MR. RYDBERG: I think letter C under Section 3. The ordinance shall not apply to travel of a solid waste truck or truck trailer which is delivering to a local residence. So if you're a wood truck and you're delivering to a local resident, you'd be exempt from this ordinance.

COMMISSIONER SULLIVAN: So let's turn it around the other way. It really only applies to solid waste haul trucks, right?

MR. RYDBERG: Not necessarily. It applies to different types of trucks if they're using it - the ordinance is to restrict through truck traffic. So what we're trying to do is restrict trucks coming from 285 down to 599 utilizing that portion of the road. But we have to be careful on how we categorize the trucks because certain trucks to have to deliver to local residences in that area, and then there is service vehicles and school buses that need to be able to move through there too in that area.

COMMISSIONER SULLIVAN: So explain to me what's the difference between Section 3.a and Section 3.b. Section 3.a says solid waste trucks and trailers with a gross vehicle weight of five tons or more are prohibited from using Caja del Rio to travel between 285 and 599, or to use Caja del Rio between Las Campanas and Wildlife Way. Then Section b says Trucks and trailers with a gross vehicle weight of five tons or more are prohibited for through traffic between US 285 and 599.

MR. RYDBERG: It's pretty much the same. It's calling out solid waste trucks

and truck trailers. So a truck trailer could be a wood truck or a truck delivering basecourse or another vehicle of that type. So I think it's solid waste trucks and truck trailers.

COMMISSIONER SULLIVAN: But if they're delivering to a local residence then they would be exempted from a and b. Is that your reading?

MR. RYDBERG: That's correct, Commissioner Sullivan.

COMMISSIONER SULLIVAN: So going in and out, or going in one way and dropping off a load and continuing on, that would be a delivery.

MR. RYDBERG: Mr. Chairman, Commissioner Sullivan, that's how I understand it. Yes, that would be a delivery.

COMMISSIONER SULLIVAN: Thank you.

COMMISSIONER VIGIL: Mr. Chairman.

COMMISSIONER MONTOYA: Commissioner Vigil.

COMMISSIONER VIGIL: Dan, correct me if I'm wrong about this, but part of the problem that this community was having is there were trucks delivery dirt, delivery rocks - not actually delivering. Excuse me. Using that as a thoroughfare. Is that correct? And that's where the concern came in?

MR. RYDBERG: Mr. Chairman, Commissioner Vigil, that is correct. There was concern over that situation exactly.

COMMISSIONER VIGIL: Okay. Thanks. No further questions.

COMMISSIONER MONTOYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I'm still having trouble with this language. Dan, help me out here. If we're prohibiting from using Caja del Rio between 285 and 599, does Caja del Rio go to 285?

MR. RYDBERG: Via Las Campanas and Camino La Tierra. Mr. Chairman, Commissioner Sullivan, it could be used as a cut-through. Somebody coming down from Española could get off on 599 and go through Camino La Tierra, which is a County Road, through Las Campanas and down Caja del Rio to get to 599 instead of saying on US 84/285 down to the 599 exit. So there's a way that large trucks could use that as a cut-through to get to the garbage dump.

COMMISSIONER SULLIVAN: Okay. To the landfill.

MR. RYDBERG: Instead of getting on 599, which is a designated route, and then getting off and coming up, they could use that as a cut-through which would go through residential roads and County maintained roads.

COMMISSIONER SULLIVAN: Okay. Between 285 and 599, 285 runs into 599.

MR. RYDBERG: Yes, but much further down and if there's back-ups or if they just don't want to use that road they can take the scenic route.

COMMISSIONER SULLIVAN: Okay.

COMMISSIONER MONTOYA: Any other discussion?

The motion to approve Ordinance 2005-3 restricting truck traffic on Caja del Rio

Road passed by unanimous [4-0] roll call vote with Commissioners Campos, Montoya, Sullivan and Vigil all voting in the affirmative.

COMMISSIONER VIGIL: Mr. Chairman, could I just ask Dan and James to inform the residents of that area that this ordinance has been enacted?

MR. RYDBERG: Mr. Chairman, Commissioner Vigil, I'll do so.

XIII. F. Utilities Department

1. Request Approval to Update Rate Structure for Water and Sewage

DR. WUST: Thank you, Mr. Chairman. I also have with me to answer question Millie Valdivia, our Finance Director who put a lot of these numbers together, and Leonard Quintana, our operator, if there are any questions regarding one of the positions I'll discuss in terms of operations.

The reason the agenda item might sound a little vague is because there's no standardized policy on how we go about raising rates on the County utility. So what I would like to do is review for you the reasoning why we need to raise rates now and it will be at the Commission's discretion to either say go ahead and do it or direct a procedure. Last time, I'll mention, the Commission required two public hearings before the rates were raised and we were also looking for some direction in terms of the amount. We have a number of options here. So I'll go through that process fairly briefly.

The impetus for this is two-fold really. One is the City, from whom we get our water is about to raise their wholesale rates which means our costs are going to go up and we need to raise our rates at least enough to be able to compensate for that. Currently, in this fiscal year, the Utilities Department, which is an enterprise fund and we try to pay our own way - not make money but not lose money - we're going to come out about \$10,000 ahead, which is pretty negligible, which means we don't have enough in our current rate structure to cover any increase in costs. So if the City raises its wholesale rates we would like to look at raising our rates to be able to compensate for that.

The other impetus is a direction from this Commission that they see the need for the Utility Department to expand, both to keep up with our own operations and to take on additional roles and responsibilities in terms of water in the county. So what you're seeing here is a combination of those two things. I'm going to bounce around just a couple things in your handout. There are reams more data and spreadsheets that Millie put together in case you have some specific questions about how certain numbers were derived. If you look first off at the spreadsheet that says Rate analysis: water, just for the moment, look at the top line that says map City of Santa Fe increase.

What this sheet does in general is, and I'm going to come back to it is give you several options about if we wanted to do this in the department the rate should be this number. If we

wanted to do this other thing in the department your answer would have to be this number in order to generate the additional revenue required to do those things. But the top one is I was mentioning for the City, to match the City of Santa Fe increase, going from \$2.92 to \$3.50 per thousand gallons would require our base rate to go up 57 cents.

I was going to bounce around just a little bit before I come back to this sheet. If you look at, I believe it's the last one in your packet and hopefully it's in color, there an organizational chart and that goes to our expanded roles and responsibilities. I talked about this a little bit when requested to, I think last month's administration meeting where you were asking how we were looking at organizing the department for the future. What we're trying to do is be able to accommodate those additional roles and responsibilities and yet keep the organization as efficient and streamlined as possible. Putting those together we're looking at adding three additional staff members. And I'll just go through those quickly one at a time.

You see under the County Hydrologist there it's called permit review and that comes from the fact that my role as County Hydrologist, one of the primary things was reviewing the geo-hydrology reports for land use permit applications. I think that's a justifiable role for someone in the Utilities Department to do because it is water-related and it requires certain expertise. So I can see it housed in Utilities and not in Land Use and we're more than happy to do it. In fact it keeps us involved, these things because a lot of these permit applications are asking to be hooked up to the utility and they make proposals to drill a well and maybe turn it over to the utilities. So I think that's a good role.

However, most of the permit reviews for the hydrology reports, the reconnaissance reports, water availability reports, they take a lot of time but they don't require a lot of high-level expertise. So what we were looking at is getting a position to review the majority of the bulk of those applications and the hydrology reports for what you might call the more standardized applications, and that would take a big burden off the County Hydrologist. The other thing the County Hydrologist and the permit review water person would do, in conjunction, you can see I have them vertically there working together, would be to work with the Land Use Department on these water-related land use items such as the new hydro zone map that needs to come out after the new land use code is adopted, the finding and evaluating the water meter readings that the County's been requiring, that Wayne Dalton is now building a database for, and additionally to compare that to - one of my ideas is to compare that to the water use of the various subdivisions that are on County utilities, because we already have those numbers in our billing system. They could compare those versus people who are on their own wells or shared wells. I think that would be a very valuable piece of information for the County Commission as it does land use decisions to see how water use compares for people on the utilities versus on their own wells. That's things that we could do in conjunction with land use.

A lot of that again is very time-consuming. We also, after the Commission's direction, put together a file system for public access of all geo-hydro reports that have been submitted to the County over the past years and those are now publicly accessible. However, I can't keep up with them in filing the new ones. All of that was filed through a part-time person we had and she put it all together and put it into a database. We're now getting behind on that because

there's nobody there to do that kind of thing. That would be that additional position. And again, the County Hydrologist would look at the broader aspects, use in the county, resources of the County, but also the County Hydrologist would take on those larger geo-hydro interpretations, such as say, the one we got for Suerte or the big well at Ranch Viejo drilled several years ago, or Oshara. Those big-ticket items, the County Hydrologist would work with the permit review person to look at those.

Under finance, it's called reception here, that's basically somebody at a front desk. The County Utility operations, which really is our biggest day-to-day operation, has ground a lot. We're at 1200 customers now and to date, because we don't have any online billing, and I know the County Treasurer is looking at that, and we don't have any credit card billing, the Treasurer is looking at that also, but people either mail in or walk in with checks, with cash. Again, that's a big time sink, although it's not really a high level of expertise required to be able to do that. We recently had installed in our building a security window because we do take in cash and checks. A security window, kind of like a bank teller's window and a security door. So right at the moment what happens is somebody has to come in and ring a bell and somebody from the office space goes and finds them and brings them in and helps deal with them. And we'd like to sit somebody at that front desk who would be able to take billings, be able to post them, and that would really free up the other staff to do more financial, customer service things. We have some questions with customer service, water losses and things like that and so you can see that's only three positions to do all that. So the front desk person would be basically answering the phones, taking information and doing the walk-in billings or mail-in. Be able to do that kind of thing.

The last position is field staff. As I've said, we've grown significantly up to 1200 customers now. A significant portion of that is in Rancho Viejo as you well know. We also have a potential, shortly in the future, to possibly grow if we enter into partnerships with mutual domestics. Some of those discussions we've had, the mutual domestics have admitted they have some difficulties operating their own systems and would like assistance from the County. We don't have the resources to do that but we certainly would with additional field staff. Not to do it for them, but to help keep them up to speed and maybe look in on them once in a while. As I mentioned, Leonard Quintana, our operator is here to discuss if you wanted to know the specific duties of that particular field staff.

You might have heard, we recently advertised for a position but that was one that was vacated by one of these existing people in the blue. So the yellow one is an additional field staff. And that would be entry-level. We would bring them in and train them to help them move up through the County system.

So that is what we're looking at. By the way you might notice at the top of that and I think I put it in my memo, because of the additional roles and responsibilities, the suggestion made was that we change our name from Utilities Department to Water Resources Department and have the utilities operations be a part of that. And that's because the Utilities Department, right now folks see us primarily as meter readings and billing and providing service down pipes, but because of the overall working with land use decisions and reviewing things for Land

Use and looking at water resources for the County, evaluating technologies. As you know, there was – somebody had to evaluate the ASR, the Aquifer Storage and Recovery possibilities, desalination, things like that, that we thought it would worthwhile to Water Resources Department. As far as I can tell, and I've asked, there's no formal process to do that either so I put that in front of the Commission to ask for your guidance in that also.

So going back from there, that explains the bulk of what we're looking at in some of these rate increases. That would be the position. So to go back to that sheet I mentioned before, the first one – actually, let me back up just a second. Before we do that, the second sheet, right now, that's wastewater. Right now, the water side of things subsidizes the wastewater. The wastewater loses money and water is subsidizing. It's also being subsidized by the environmental gross receipts tax. We could eliminate both of those, the subsidy, both through the water side and through the gross receipts tax by raising the rates. What we put here is just to who show you what rates would have to be in the wastewater side in order for the wastewater side to break even on its own.

We don't have a very large wastewater operation right at the moment. However, we could, if in the future we do make some kind of deal and take over either the state pen as ours, or Rancho Viejo as ours, or Las Campanas or one of the other subdivisions. Most of those aren't in the works right now but that's a possibility in the future if the County looks to be the regional wastewater treatment operator. So these rates would fit into that because as we grow we also gain our rate basis. But right now it loses money. It's mostly Valle Vista and this is what it would take in order for the wastewater side to break even.

So, finally back to the first sheet. That is the one that gives you all your options, that says basically, If > Then. If we fund it, all three positions, 100 percent, that's the last line, it would required rates to go up to \$5.68 per thousand gallons. These are assuming we do not change the base rate. We would keep our base rate the same. There's a line right at the bottom you can see, but if we raised a dollar on the base rate for residential and two dollars commercial, every time we do that we would raise our revenue by \$14,952. That gives you a general idea. There's an option there of raising the revenue. We also propose in this that we, on the wastewater side, we cease – we have like a minimum. If we just went to usage, that's part of the second sheet. The base rate on the water side is for a minimum and then as it goes above that.

This is not assuming any surcharge, and that question was raised before about what stage we're in, and because we don't know how the stages may change and what's going to happen over the next year, we worked up our budget and the rates, based on assuming we're not going to be depending on the surcharges. So that's one thing we did not put in here. Btu you can see through there, between the bottom line, which is funding all three positions at 100 percent, and matching the City of Santa Fe in order to pay the wholesale rate, we have, you can see there a rate increase to achieve and the cost per thousand gallons of \$5.68 and the additional revenue required.

I will say though that if you look at the very bottom you will see the City proposal, and we just got that out of the newspaper so we don't have any inside information. And I will add

that I just read in the newspaper that the City was proposing – one of their proposals was to raise the rates during summer months to promote lower usage during the high usage months. We did not try to match that. We just matched their regular monthly rates that they put out. And you can see, they are proposing a significantly higher base rate than we did, because we assumed no increase. So the bottom line on that is I just wanted to let you know, if we match the City both for base rate and per thousand gallon rate, we would have enough funding to do everything that I talked about. That would cover all of our bases.

I think it would even have enough additional revenue to continue subsidizing part of the wastewater, as long as we matched the City.

So that's a summary of what we're looking for, and again, I don't have a specific proposal on how to go about this. We have some options, because it's been done different ways in the past. I would like some direction from the Commission on that also. And I stand for questions.

COMMISSIONER MONTOYA: Commissioner Vigil.

COMMISSIONER VIGIL: Thank you, Mr. Chairman. Steve, thanks for bringing this forth, especially being so new to your position. This was one issue that the Commission has addressed quite early so I appreciate it. I have three questions. Let me start with the broadest one. What are the hearing proceedings for rate increases?

DR. WUST: Thank you for the compliment, and because I am so new, I'll ask Millie, because she was here during the rate increase.

MILLIE VALDIVIA (Utilities Finances): Good afternoon, Commissioners. In the past, what our previous director did was he presented to the Board a resolution to increase our rates. Apparently, there was not anything set as far as policies and procedures to implement any rate structure.

COMMISSIONER VIGIL: And at this point in time, is there any design as to what kind of hearing you have? I guess I'm making an assumption here that this is going to involve public hearings.

MS. VALDIVIA: We had a public hearing and nobody attended. Yes, we're looking at conducting a public hearing so that individuals can come that want to maybe protest what we're requesting.

COMMISSIONER VIGIL: Okay. Thank you, Mr. Chairman. And I think that it's a critical piece of this, Millie and Steve, to let the public know and justify our position in these rate increases so that they're not caught off-guard by their billing. I don't know what your thoughts are on that, Steve.

DR. WUST: Mr. Chairman, Commissioner Vigil, one of my thoughts would be we could, pending the direction today from the Board, we could actually put together an exact package, without the options and then come before you at next month's meeting, because we'd like to do this in coincidence with the fiscal year. That would be most appropriate. And then that could be the public hearing part, or if you want to do it at say the land use meeting so you can do it in the evenings, that would be a choice. We could have it for that. But do an exact thing and say we'd like to raise the rates to this amount. It would be this much revenue and just

have one number for people to discuss. And that would also cover our public hearing part.

COMMISSIONER VIGIL: Okay. Next question, Mr. Chairman, Steve, how many customers are we bringing in, say, on a monthly basis?

DR. WUST: Mr. Chairman, Commissioner Vigil, that's on your sheet there. We have at the bottom of that rate analysis for water, it says current customers, I hope that's on the one you have. Residential, 1184, commercial 26. 1210. Are you asking new? Ten to eleven a month new customers.

COMMISSIONER VIGIL: How are the billings coming along? Are we having any difficulty with that? Is that an area you're trying to address with regard to your proposed structure?

DR. WUST: We do have some issues with some of the billings. The biggest issue we have, actually is County housing, and it's primarily because there are a large number of renters there and there's no way to really try to track those down if they leave. I know County housing has some of the same issues with just the rents, so our Valle Vista area is one of the areas that we do have some billing problems. The other area that we have billing issues, primarily because we could do better in terms of trying to set all these policies down so that everybody knows what they are, and I'm working on those with staff now.

For example, if someone has a leak, they could go real high for several months. What happens sometimes is people don't pay the whole bill and so it just keeps going bigger and bigger and bigger and then we run into a real issue where someone's got a huge bill and they obviously can't afford that, and they want forgiveness. Generally, the policy is if someone discovers a leak and works and brings in the documentation that they've got it repaired we'll forgive the surcharge part, but it can often go on for several months and folks will come in and pay \$20 out of the bill. It's like the credit card; it's still building up a big backlog. So trying to deal with trying to get people on payment plans and things like that is a thing we work with customers to do and we try to get it resolved but it's not always a standardized way. But I make it sound like a bigger problem than it is. It's not a huge problem and the majority of our customers, there's no issue at all; we get a lot of payments. Millie may have some numbers about our percentages of non-payments but it's not a large amount, and it's sort of by area and the type of customer, really. The commercial businesses are not a big issue.

COMMISSIONER VIGIL: Thank you, Steve. Thank you, Mr. Chairman.

COMMISSIONER MONTOYA: Okay, Commissioner Campos, then
Commissioner Sullivan.

COMMISSIONER CAMPOS: Dr. Wust, a couple of questions. About rate structures, do you include a sinking fund to replace lines or part of the infrastructure system in your rates?

DR. WUST: I'll let Millie answer that.

MS. VALDIVIA: Mr. Chairman, Commissioner Campos, yes, we do have a capital reserves fund. Currently we have probably about \$900,000, close to a million dollars in capital reserves. And that includes a sinking fund of 25 percent. That's less the sinking fund of 25 percent.

COMMISSIONER CAMPOS: Okay, I didn't understand it. So part of your rates do include a capital?

MS. VALDIVIA: We have what we call a capital reserves fund, and that is money that we have received through water service agreements with customers, so throughout the years we have been accumulating that money and we're close to a million dollars right now.

COMMISSIONER CAMPOS: Okay. So you don't think you need a sinking fund built into the rate structure.

MS. VALDIVIA: No. And of that capital reserve fund, that is for waterline extensions, whenever we need to do to improve our lines, 25 percent of that is saved for a sinking fund.

COMMISSIONER CAMPOS: What about water rights? Do you reserve or do you charge for the purchase of future water rights?

MS. VALDIVIA: We do implement water rights agreements with customers and Doug is usually the one that deals with those.

COMMISSIONER CAMPOS: But in your rate structure?

MS. VALDIVIA: No.

COMMISSIONER CAMPOS: You don't. Is that something that's worth talking about or considering? Because it seems that we're going to have to buy more water rights in the future and where does the money come from? That's just a question.

DR. WUST: Mr. Chairman, Commissioner Campos, currently the water rights portfolio was expected to be funded through GRT. We were also given indication from Finance that the GO bonds actually could either be used for that or refund the GRT in the future for water rights. So we had not been looking at putting it as part of our rates, but that's certainly something we could consider in terms of future water rights acquisitions, because we've got a bit of ways to go before the Buckman project. We might also - some of the water rights we'll be getting - a possibility if we do partnerships or ownership agreements with other water systems and if water rights came with that, then that would be funded however we're going to be paying probably GRT or GO bond money as well. So we haven't built it into the rates but we certainly could look at that.

COMMISSIONER CAMPOS: We're also thinking of maybe doing wells. There's a study that is intended to find ideal locations for County wells. Where is that going to be if we decide to build wells and lines, where does that money come from? Does it come from that capital reserve fund or are we looking at ways to -

DR. WUST: That money has already been set aside. A portion of it was used for the computer modeling program of \$350,000. And there's another portion set aside for at least one well. The Public Works well is one of the ones that would be part of the County system and that's going forward pretty quickly, and that money is already set aside. So that's not built into this either. But that would be something we could also look at and make sure that the capital reserve set-aside would be sufficient to have our reserve and be able to fund these type of capital projects in the future. So I think the way we would look at that is look at the percentage we're setting aside and make sure part of it's designated for usage and part of it

designated for the reserve like it needs to be.

COMMISSIONER CAMPOS: Thank you.

COMMISSIONER MONTOYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: The question I had, Mr. Chairman, on your water chart, spreadsheet, I'm not quite understanding. It says to match the City's increase of \$2.92 to \$3.50 per thousand gallons, that would take 57 cents to do that. And then the cost per thousand gallons would be \$4.66. And then down below you say the City's proposal is a base rate of \$16.14 - which I assume is up from the \$12.42 now, and then you say rate of \$5.32. Where - I thought the City's increase was going from \$2.92 to \$3.50.

DR. WUST: Mr. Chairman, Commissioner Sullivan, first of all, I'm not sure what the City's base rate is at the moment. Oh, it is the same as ours, \$12.92. What we're saying when we say match the City of Santa Fe increase, that's the wholesale rate they charge us. That's not to match their retail rate, so just to be able to get a retail rate that we charge our customers, that will be able to compensate what we have to pay the City their wholesale rate. That's the part going from \$2.92 to \$3.50. We need to raise our cost per thousand to \$4.66. That's just including that increase on the wholesale rate.

When I mentioned later that if we matched their rate, we would have enough additional revenues to be able to fund all the positions and all the other stuff we were doing, that's what I meant when I said if we matched their retail rate or their customer rate, then we would have enough additional revenues. But that first line is just - actually matching is not a good word. It means being able to pay the new City wholesale rate that's going from \$2.92 to \$3.50.

COMMISSIONER SULLIVAN: Okay. So the City's retail rate is the same as ours, \$4.09? Okay. So the City's proposing then to go from \$4.09 retail rate to \$5.32?

DR. WUST: \$5.32, and then just recently they looked at \$7-something during the summer months for an additional rate. \$5.32 is their regular rate.

COMMISSIONER SULLIVAN: Sounds like more than a 30 percent increase just on the normal rates.

DR. WUST: Yes.

COMMISSIONER SULLIVAN: And when did they last increase their rates?

DR. WUST: I'm not sure I know when the City last increased their rates.

COMMISSIONER SULLIVAN: When did we?

DR. WUST: We did ours in 03.

COMMISSIONER SULLIVAN: In 03?

DR. WUST: 03.

COMMISSIONER SULLIVAN: Thirty percent seems a lot to increase the rates in two years if we're matching the City.

DR. WUST: Mr. Chairman, Commissioner Sullivan, one thing I'll add to that is one of our plans is starting next fiscal year when we get our fresh budget, we're going to do a contract to do a rate study to try to look at how we can do things incrementally and plan ahead so we don't have big jumps. I don't know what the City's using to justify its rate increase. Ours is a jump because primarily, with the expansion of the Utilities Department it

requires a jump in positions fairly quickly. That's why we're getting this kind of leap. I'm not sure what the City used. I would like to run a contract at doing things incrementally so people aren't surprised with larger increases every couple of years.

COMMISSIONER SULLIVAN: But your chart, where you say rate increase to achieve – the cost of thousand gallons, \$5.15 and it goes down to \$5.68. That is assuming that you keep the base rate at \$12.42.

DR. WUST: That is correct.

COMMISSIONER SULLIVAN: So it seems like it's good not to go up \$4.00 on the base rate because that has the biggest impact on the low income residents because no matter what you use you're going to pay the base rate. But it seems like – that seems a little excessive to go up \$4 on the base rate, which would be almost 25 percent. Maybe you could combine going up with the base rate with a dollar or something like that, or a buck and a half, and then your increases, if you matched the 57 cents on your per-thousand gallon rate, then that would take you to the \$4.66 point, you'd fall somewhere in the middle there, I think.

DR. WUST: Mr. Chairman, Commissioner Sullivan, that's correct and that's exactly why we put our bottom line in there. Let's say \$2 because I'm not as good at math as you are, we would go up about \$30,000 in additional revenue, which means we could, if we wanted to reach, say, the next to the last line, which is development review specialist at 50 percent because we were looking at general fund fund half of that because it does work with land use, and then the clerk II and maintenance specialist at 100 percent, we could bring our rates back down to about the 126 range so it would be about \$5.18, \$5.19. That's why we wanted to give all those numbers so we could try to do that balance.

COMMISSIONER SULLIVAN: Well, that was the only guidance that I could offer. So these are going to be partially funded by Land Use, some of these positions?

DR. WUST: Not some, Commissioner Sullivan. It was considered that in the budget review, since the permit review specialist is in essence doing general fund type stuff that it may get funded. However, based on what I heard this morning, general fund monies are not being readily available so we were mainly looking at that last line and just saying what would it take to fund it all ourselves. Because of some of the issues with the general fund right at the moment. This also, by the way, I'll remind you that this is also assuming that we're not subsidizing the wastewater end anymore, which we do now.

COMMISSIONER SULLIVAN: Thank you.

COMMISSIONER CAMPOS: Mr. Chairman.

COMMISSIONER MONTOYA: Commissioner Campos.

COMMISSIONER CAMPOS: I have a question for Mr. Gonzalez, our County Manager. This utility company has been called an enterprise fund but from what I hear today it's not a complete enterprise fund. There's a lot of money coming in from GRT, etc. Is there a plan or a goal of making this a true enterprise or a completely independent fund at some point in the future?

MR. GONZALEZ: Mr. Chairman, Commissioner Campos, you've asked a very complex question. It begs the question of what is an enterprise fund. We've had some

healthy debates internally going through the budget process about that. I suppose theoretically you could say that anything is an enterprise fund that is designed to become self-sustaining in terms of the revenues that it generates. However, as we know, we have cross-over, particularly at the outset of immature or maturing - let me put it that way, maturing departments that still have not reached their stride in terms of being able to do that.

Another example of one which sort of begs the question is the Corrections Department which we call an enterprise fund, but at this point, looking at the adult facility is unlikely in the near future to become a true enterprise fund because of the way that it's structured. The ultimate plan, however, to try and cut to the chase, would be to make the Utility Department self-sustaining in terms of operating from the revenues that it generated. That would be the ideal. It would be the easiest way to deal with a number of issues that keep raising their head about how do we finance capital expansion and infrastructure and so on.

So if you're asking whether that would be from the staff standpoint an objective, yes. We would like to create an enterprise operation around the Water Resources Department.

COMMISSIONER CAMPOS: And what kind of a time line are you looking at?

MR. GONZALEZ: Time frame, I think is going to be a little longer rather than shorter because of all that we have in flux at the present point. And the uncertainties have to do with what's going on with the Aamodt settlement, what steps we take with respect to Eldorado, what may occur with respect to the Chimayo Valley operations, and also bringing the Buckman Direct Diversion on line. I would at this point sort of tentatively put an envelope around the time frame for bringing the BDD on line because at that point we'll have much larger operations which we hope would become self-sustaining at that point. But that's sort of a tentative time line from the staff's standpoint at this point.

COMMISSIONER CAMPOS: Thank you, Mr. Chairman.

COMMISSIONER MONTOYA: Okay. Commissioner Vigil.

COMMISSIONER VIGIL: Just for informational purposes, how many acre-feet do we purchase from the City under a wholesale agreement or some kind of agreement?

DR. WUST: Mr. Chairman, Commissioner Vigil, what we use right now I believe is 350, right around there. Because of our agreements, however, we have up to 875 until Buckman comes on line. I will add that most of the 500, there's the 500 from the City and then the 375 that's the San Juan/ Chama holdover until we get to Buckman, most of the 500 is committed in agreements for projects that haven't been built yet. The 375 is what we're currently working on. I'm working on, in conjunction with the Manager's office and attorneys, a policy on how to allot those things. So that's kind of where we stand right now, but we're only using about 340 something at the moment. But most of that 500 is committed.

COMMISSIONER VIGIL: Thank you, Mr. Chairman.

COMMISSIONER MONTOYA: Okay. Any other discussion? Steve, do you feel you have enough information to move forward?

DR. WUST: Mr. Chairman, I just had one question and that would be we could come to you, based on Commissioner Campos' question, we're actually self-sustaining right now in terms of our operations, but we're not self-sustaining in terms of money to put into lots

of wells or what the GO bond is funding, things like that. So what we could do, and if the Commission agrees we'll move ahead on this, is to come to you with a proposal to raise the rates sufficiently, and we'll do a combination of base rate and per-thousand gallon rate balance to sustain our operations with the additional positions and to fund a new wholesale price in the county. And we will have as part of that presentation what our rates would need to be if we wanted to be putting aside sufficient amount of money to be funding these big capital projects. I have a feeling that's going to be a big number, but we'll put that in front of you. But if the Commission agrees, we'll come to you with - the official proposal would be the rates to sustain the additional positions and the City's increase. We'll do that as part of the presentation, some numbers on putting aside some of this capital.

COMMISSIONER MONTOYA: Commissioner Campos.

COMMISSIONER CAMPOS: Dr. Wust, what direction do you need from us? Are you saying that if we want to have the three positions we should recommend going forward with the \$1.59 increase and then if we want to go with the three positions on the wastewater, we go with the \$11.81 number? Is that the kind of recommendation you need today?

DR. WUST: Mr. Chairman, Commissioner Campos, we were looking for direction that the Commission would think it's a good idea to try to raise our rates to be able to compensate for the organizational structure that I've tried to develop, or you would say, no, we think that's a little excessive. We'd rather try to keep rates as low as possible for a while and just make do with what we have. That's sort of the direction I was looking at. For exact numbers, we weren't looking for an agreement on an exact number. We'd rather come to you and have a public hearing on that.

COMMISSIONER CAMPOS: For discussion with the members of the Commission, it seems that we do need these three positions and I'd just like to have a little discussion and feedback from other members of the Commission. We are in an expansion mode. A lot is going to be happening in the next two, three, four years in the water utility, water resources.

COMMISSIONER MONTOYA: Thoughts? Commissioner Vigil.

COMMISSIONER VIGIL: Mr. Chairman, I'm actually in agreement with the proposal as it was brought to us by Steve Wust. I'm even in agreement with the Water Resource Department change. I think one of the things that has been lacking with Santa Fe County is a sufficient amount of FTEs to handle the workload that's coming up for the needs that we have dealing with water and I think this is just the first of many to come. Once the Buckman Diversion Board gets under way and we identify what kind of resources we're needing to make that happen, we may have to even revisit this. So my sense is we're really needing this and I'd like to see you go forth with it. I certainly do want the public hearing piece of it to be a strong component of it and some kind of informational dissemination to rate payers that this is going to actually occur, because as a ratepayer there is nothing that is more difficult to deal with than the fact that, Oh, my rates have increased without any previous knowledge or input or understanding why the need is there.

COMMISSIONER MONTOYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Steve, on these rates, are these averages or do you have tiered rates? I'm looking at the second to last column.

DR. WUST: Mr. Chairman, Commissioner Sullivan, we do have tiered rates on the base charge and it's got to do with meter size. Then after that, it's the first two thousand gallons and then it's per thousand gallon above that. Right now, with surcharges it jumps with usage. But the big rate differential is on meter size for the base rate. There's a whole list of numbers here.

COMMISSIONER SULLIVAN: Typically, most homes have a half-inch meter, right?

DR. WUST: Commissioner Sullivan, that's correct.

COMMISSIONER SULLIVAN: That's 99 percent of the rates. What I'm thinking is that rather than get into the surcharges, I know you haven't included the surcharge here, that seems to me to be extremely punitive in the summer. I think people should save water year-round and just get used to saving it in the summer and the winter. It seems to me rather than doing that, to have a tiered rate much different than two thousand, just the same way the electric company does, when you get over a certain number of kilowatt-hours then you have a higher rate. Assuming a family might use, what, 5,000 gallons a month, some number along that line.

DR. WUST: Somewhere between 5,000 and 10,000.

COMMISSIONER SULLIVAN: It varies. Pick a number, 7,500 or something like that which would be an average usage for an average family, and then set that rate at one number, and then above that, increase it by 20 percent or 25 percent per thousand gallons above that. So again, if you look at your electric bill, that's how PNM does it too. Their base is very low. You move up to that higher charge pretty quickly. I'm saying to structure it so there's an incentive for a family to stay within that water budget, even in the summer. But if in the summer they can't, because they want to water lawns and so forth, then they know it's coming. They're used to it. They know that all year long, once you get over 7,500 a month, you're going to be not at \$4.60 a gallon, you're going to be at \$5.40 a gallon. Or whatever works, whatever the number works out. I think that's a better encouragement for conservation.

DR. WUST: Mr. Chairman, Commissioner Sullivan, if the Commission would like us to do those kind of numbers we certainly could. In my house we use 2,000 gallons a month so I'm all for additional surcharges at higher levels. While we're also on that note, our highest water users are again at Valle Vista and County housing, primarily because they have larger families and because that's some of the older infrastructure. I've already talked with Robert Anaya and we're going to work on a program for County housing to improve the infrastructure there. I'm not sure where that gets paid from. We're going to have to try to find that in our budget, but also to work on water conservation education in those areas to teach people about uses of water and wastewater. There are also programs we're going to look at for example to provide faucet aerators which significantly reduce water use, better showerheads. You can often get things like that for free or very low cost and we could provide those to those areas that are using higher water and to do an educational program. So we're going to look at

that, and if the Commission would like, we could also do it as a tiered structure and find out what the averages are and then do it based on that. We might also do it – well, we can't do it differentially between subdivisions, so whatever the number is before we jump will have to apply to everyone. That's one thing.

COMMISSIONER SULLIVAN: Well, the County housing, bear in mind that the feds have a subsidy program for utility costs depending on your income and depending on your family size. Those utility charges are subsidized. The Housing Authority pays a portion of them. Am I not correct?

DR. WUST: Commissioner Sullivan, that's correct. That's one thing I'm going to work with Robert on to make sure that's being fully utilized and everybody knows about it.

COMMISSIONER SULLIVAN: So that may also contribute to over-use of water as well. When it's free it gets overused or when it's close to free. But still, aside from the County housing development, which is kind of a special case that needs special attention, and 7,500 may not be the right cut-off point. I'm trying to pick a point, particularly if we're saying what's .2 acre-feet of year in gallons divided by 12? What does that come out to? An acre-foot is –

COMMISSIONER CAMPOS: What's the number, Jack?

COMMISSIONER SULLIVAN: .2 acre-feet. The acre-foot is 325,000 gallons.

DR. WUST: 325,851. I know that number.

COMMISSIONER CAMPOS: 65,200.

COMMISSIONER SULLIVAN: That's .2? Then divide that by 12.

COMMISSIONER CAMPOS: About 5,433.

COMMISSIONER SULLIVAN: Okay. So it's pretty close to my initial 5,000. So if you were down to around .2 you would use on the average, 5,000 a month. You may use less in the winter, you may use more in the summer, but you know it's coming. And you can try to conserve and maybe 6,000 is a good break point too. I just think that that gives us an overall incentive-based compensation, utilization, and then those – it's in effect a surcharge, but it's one that people have control over. The problem with the summer surcharge at the City is people don't have control over it. The summer comes. They don't have any control of that, and here comes the surcharge, whether they're conserving or not. So they don't have any incentive to conserve. They just have incentive to be taxed higher.

So in this case, if we have some incentive to stay below 6,000 or whatever the number is then that's an individual family decision.

DR. WUST: Commissioner Sullivan, we'll certainly include a potential tiered structure. It would actually make life easier for us all that we wouldn't have to be trying to justify addition or removal of surcharges depending on what the weather is doing.

COMMISSIONER MONTOYA: Commissioner Sullivan, what about the addition of the three FTEs?

COMMISSIONER SULLIVAN: I agree that we need some. I'm a little bit nervous about the reception one because I just think there's so many other ways to pay. I think the reception person could be part time. If you want to pay in person you pay from noon to five

or whatever the number is, and you need to get credit card payments, you need to get online payments. Gee, everybody does that. So I'm a little less enthusiastic about the reception one but it's certainly not a deal-killer. If you think you need someone sitting there eight hours a day, how many people come in at 8:00 in the morning. 8:30 is when you open anyway, so they've already gone to work.

DR. WUST: Actually, Mr. Chairman, Commissioner Sullivan, Goldie's there at 7:30. However, it wouldn't be just that. It would be, for example I mentioned our hydrology filing system. That was all done by Addie and she kept it up because as she'd get a new file she'd made a folder, that kind of thing. We only have two people in the administrative end of things right now and we do our own posting and auditing and the daily billing. It's just sort of someone there to answer the phone, schedule meetings or whatever space we have. That kind of thing.

COMMISSIONER SULLIVAN: Again, as I say, Mr. Chairman, it's not a deal-killer. If we can justify within some reasonable rate structures it doesn't seem out of line.

COMMISSIONER MONTOYA: Okay. And I'm comfortable. Commissioner Campos.

COMMISSIONER CAMPOS: I'm comfortable with the positions also.

DR. WUST: Mr. Chairman, could I ask if you're also comfortable with looking at the wastewater rates also?

COMMISSIONER CAMPOS: Yes. I think we have to at least break even.

COMMISSIONER MONTOYA: Thank you, Steve.

XIII. G. Matters from the County Manager

1. Consideration of Resolution 2005-77. A Resolution Authorizing Staff to Take Steps to Transfer Title of the Regional Landfill to the Solid Waste Management Authority Pursuant to Section 5 of the Joint Powers Agreement [Exhibit 2]

MR. GONZALEZ: Thank you, Mr. Chairman. I'll go ahead and turn this over to the County Attorney who assisted me with this.

MR. ROSS: Mr. Chairman, I apologize. There was a little bit of confusion between myself and Mark Basham about who was going to distribute the resolution and it wasn't in your packets. [audio difficulties] in the property and have ownership in it. We've never done that from the County side and this resolution authorizes the County staff to take the necessary steps to ensure that that transfer takes place. Let me tell you that the one thing you don't want to have in your property portfolio is a landfill, because we're not insured against those kinds of operations. So it seems like a sensible thing to get this property moved over to SWMA who is insured against pollution if you will, contamination, things like that.

COMMISSIONER MONTOYA: Okay. Steve, this is something the City has already done?

MR. ROSS: My understanding is that the property is held in the County's name.

COMMISSIONER CAMPOS: It belongs to the County.

COMMISSIONER MONTOYA: Oh, it belongs to the County.

MR. ROSS: Yes. I think it came from the Bureau of Land Management in terms of a patent, and that needs to be transferred to the Solid Waste Management Agency.

COMMISSIONER MONTOYA: Any questions? Can we have a motion?

COMMISSIONER CAMPOS: Mr. Chairman, I move that we adopt a resolution authorizing the Santa Fe County staff to transfer the property.

COMMISSIONER VIGIL: Second.

COMMISSIONER MONTOYA: Second by Commissioner Vigil. Any discussion?

The motion to approve Resolution 2005-77 passed by unanimous [4-0] voice vote.

XIII. G. 2. Possible action on constituent services representative

COMMISSIONER VIGIL: Mr. Chairman, I'd like to recommend to the Commission that we consider this action item at a future date. I think there's some additional information that our HR would like to give us with regard to the candidates. I also think it might not be a bad idea to have the full Commission here when we act on it.

COMMISSIONER MONTOYA: Was that a motion to table?

COMMISSIONER VIGIL: I'd like to table this action item until our next meeting. And I don't think it matters, does it, Steve, whether we have it at an administrative or a land use meeting with regard to this particular item.

MR. ROSS: Mr. Chairman, Commissioner Vigil, that's entirely up to you.

COMMISSIONER VIGIL: Then I would table this action item until our next regularly scheduled BCC meeting.

COMMISSIONER MONTOYA: Motion to table by Commissioner Vigil.

COMMISSIONER SULLIVAN: Second.

COMMISSIONER MONTOYA: Second by Commissioner Sullivan.

The motion to table consideration of the constituent services representative passed by unanimous [4-0] voice vote.

XIII. G. 3. Update on Various Issues

MR. GONZALEZ: Thank you, Mr. Chairman, members of the Commission. First of all, I'd like to introduce to the community, although you all are already aware of it.

Steve Wust, of course is our new – and I'll start calling it that if I'm not being too presumptive, our new director of our Water Resources Department, and Joseph Gutierrez has been selected as the new director for the Project and Facilities Management Department. As you can see, he's already hard at work because he's not here. He's monitoring us from a distance but if we need him he'll rush to the rescue.

COMMISSIONER SULLIVAN: Test the system, Gerald.

MR. GONZALEZ: That would be interesting, wouldn't it. In addition, I wanted to announce that the Los Dos Romeros Bridge, the naming of which you as the Commissioners approved, that dedication will be next Monday and I don't have the time here in front of me.

COMMISSIONER MONTOYA: Three o'clock.

MR. GONZALEZ: Three o'clock. So all of you are invited to come speak if you wish and to attend the dedication. Then we, as some of you are probably aware, we're beginning to deal with flooding issues because of the quick rise in the temperatures. I don't know if you have any questions but Robert Martinez is here in case you do. I just wanted to inform our citizens out there that we're trying to respond as quickly as we can to flooding issues when they come up. We know that there are some instances where some acequia systems have been severely distressed and we're trying to give them a hand as we can.

And then the last item, I'm going to ask – next to last item I guess. I'm going to ask Hank Blackwell to just come speak a little bit to the fire hazard issue which has been sort of evolving because of the wet season that we've had.

HANK BLACKWELL (Fire Marshal): Mr. Chairman, members of the Commission, County Manager, as you've noticed on the news we have several fires right now up the Jemez District that are working. We have actually had quite a few small fires start in the county over the last four or five days with the heat and one actually by Camp Rand yesterday that we responded to and got there quickly enough. But in a nutshell, I think the thing that we want to tell you all and share with your constituents is the fact that the wonderful wet winter we had was a blessing indeed. But there's a double-edged sword. Number one, one good winter doesn't undo seven years of drought. So the fuel moisture contents are still down below normal levels. Number one.

Number two, with this moisture we've had, a lot of our fine fuels, which means our grasses – as we know, we see all the green plains which is nice to see again, but if you'll notice already, because of the heat this week, a lot of those grasses are starting to brown out. They're drying out. So what that means is that we're going to have heavier fine fuels, and that's where fire starts and where it's carried most readily. So that double-edged sword is the fact that we have a much – even though we've had a lot of moisture, and it's been wonderful moisture and helped our watersheds and our lakes, the one thing positive it's done for fire season is it's made it much shorter

We're going to come to you at your next Commission meeting in June to request fire restrictions. In the eight years I've been here this is the first time that we've been able to do that in June. It's normally been in February or March. So we have a shorter fire season. That's the

blessing. But because of these fine fuels, now we're going to start seeing quite a few fire starts and fire is going to carry more readily, especially if we continue with little moisture and hot temperatures.

Hopefully, again, the season will be much shorter, but we need to make sure that citizens understand that even though we see snow still in the mountains, that in our lower elevations we're going to see more active fire probably than we've seen in the last few years because we have more grass that's drying out. So just a heads-up for all of the constituents that there is fire danger out there, especially at the lower elevations and we want them to be sensitive to that. Again, we'll come at your next Commission meeting and request restrictions be put in place. But again, hopefully for just a few months instead of for many.

So that's generally what we wanted to leave everybody with. And for that, I'll stand for any questions if you have any.

COMMISSIONER MONTOYA: Thank you, Hank.

MR. GONZALEZ: Mr. Chairman, while Hank's still up there, just two quick things. I wanted to remind our viewers that Hank is responsible for the county and he received a national award for his work with the wildlands project, a pioneering project for dealing ahead of time with all of these fire issues and again, we thank him for his hard work and his dedication because he's brought us to national attention.

And then secondly, while he's up there, I just wanted to let the Commissioners know very quickly that for some time, the City has been billing us for checking their fire hydrants on our end of the system. And currently, the most recent bill I saw was something to the tune of about \$116,000. There's no authority that we can find for them to do that. We've had some discussions but just in case you heard something, I wanted to let you know that that had been going on and we will be talking to the City Manager about trying to resolve that issue.

COMMISSIONER MONTOYA: Thank you. Thank you, Hank.

COMMISSIONER VIGIL: Congratulations.

COMMISSIONER MONTOYA: Congratulations.

MR. BLACKWELL: Thank you very kindly. Thanks for the kind words,
Gerald.

COMMISSIONER MONTOYA: Anything else, Gerald?

MR. GONZALEZ: Just the last thing. We've been talking to the City also about dealing with the whole cost of septic pumping that occurred when the Vista Aurora grinder pumps went down. Steve Wust has been working with that and in case you get any feedback, just wanted you to know that that's ongoing. And that's all I had, Mr. Chairman, members of the Commission, unless you have anything for me.

XIII. H. Matters from the County Attorney

- 1. Executive session**
 - a. Discussion of pending or threatened litigation**
 - b. Limited personnel issues**
 - c. Discussion of possible purchase, acquisition or disposal of real property or water rights**

Commissioner Vigil moved to go into executive session pursuant to NMSA Section 10-15-1-H (7, 2, and 8) to discuss the matters delineated above. Commissioner Sullivan seconded the motion which passed upon unanimous roll call vote with Commissioners Campos, Montoya, Sullivan, and Vigil all voting in the affirmative.

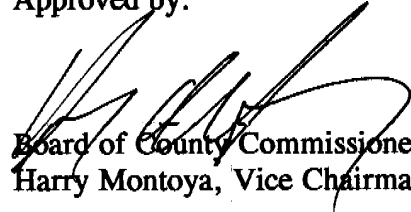
[The Commission met in executive session from 3:37 to 5:15.]

Commissioner Vigil moved to come out of executive session having discussed only the matters outlined in the agenda, and Commissioner Campos seconded. The motion passed by unanimous [3-0] voice vote. [Commissioner Montoya was not present for this action.]

XIV. ADJOURNMENT

Commissioner Sullivan declared this meeting adjourned at approximately 5:15 p.m.


Approved by:


Board of County Commissioners
Harry Montoya, Vice Chairman

Respectfully submitted:


Karen Farrell, Commission Reporter

ATTEST TO:


VALERIE ESPINOZA
SANTA FE COUNTY CLERK



SFC CLERK RECORDED 07/20/2005



Santa Fe County

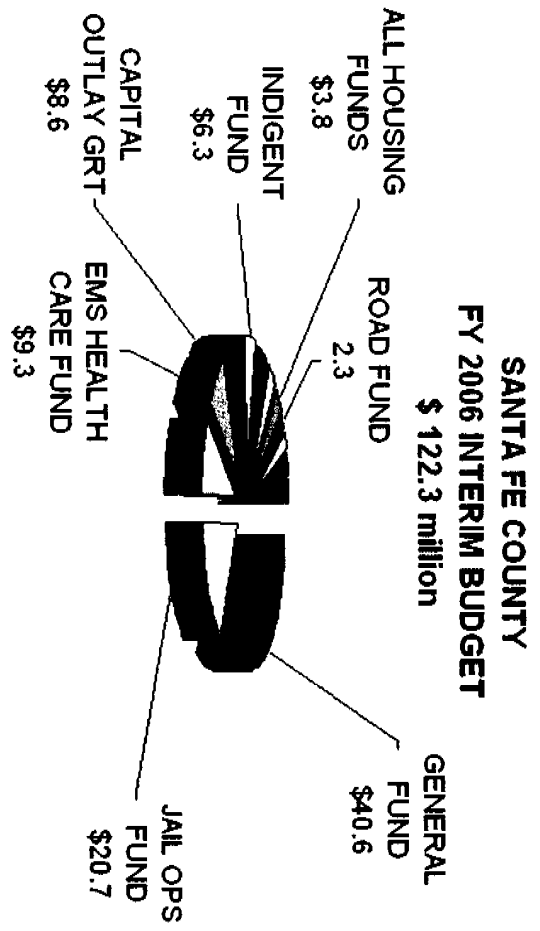
Fiscal Year 2006 Interim Budget

May 24, 2005

Santa Fe County

Interim Budget Summary

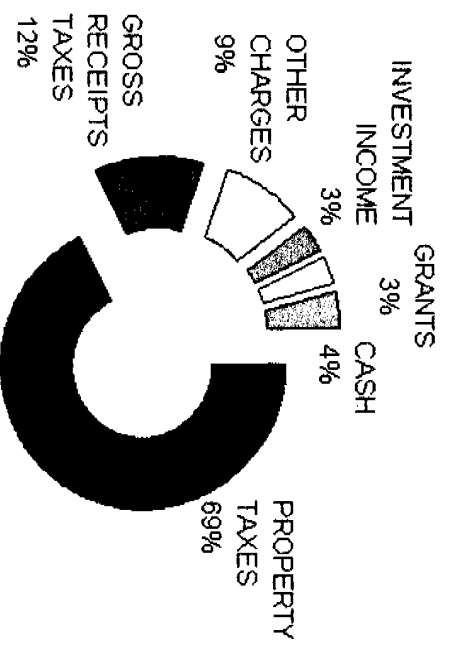
GENERAL FUND	\$ 40,630
JAIL OPERATIONS FUND	\$ 20,694
GOB BOND FUNDS	\$ 11,835
EMS HEALTH CARE FUND	\$ 9,318
CAPITAL OUTLAY GRT	\$ 8,600
INDIGENT FUND	\$ 6,300
GRT PASS-THROUGH FUNDS	\$ 5,060
DEBT FUNDS	\$ 4,797
ALL HOUSING FUNDS	\$ 3,846
ROAD FUND	\$ 2,365
FIRE TAX FUND	\$ 2,310
ALCOHOL & DETOX FUNDS	\$ 1,880
WATER ENTRPRISE FUND	\$ 1,345
ALL OTHER FUNDS	\$ 3,290
TOTAL INTERIM BUDGET	\$ 122,270



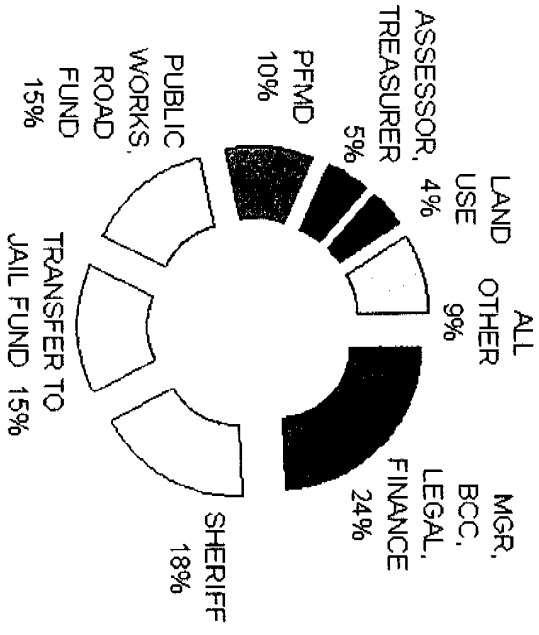
Santa Fe County General Fund

SOURCES		USES	
PROPERTY TAXES	\$ 27,555	MGR, BCC, LEGAL, FINANCE	\$ 9,786
GROSS RECEIPTS TAXES	\$ 5,060	SHERIFF	\$ 7,323
ALL OTHER REVENUES	\$ 3,760	TRANSFER TO JAIL FUND	\$ 6,058
INVESTMENT INCOME	\$ 1,350	PUBLIC WORKS, ROAD FUND	\$ 6,000
GRANTS	\$ 1,255	PFMD	\$ 4,069
CASH	\$ 1,650	ASSESSOR, TREASURER	\$ 1,942
		LAND USE	\$ 1,759
		ALL OTHER	\$ 3,693
	\$ 40,630		\$ 40,630

GENERAL FUND SOURCES



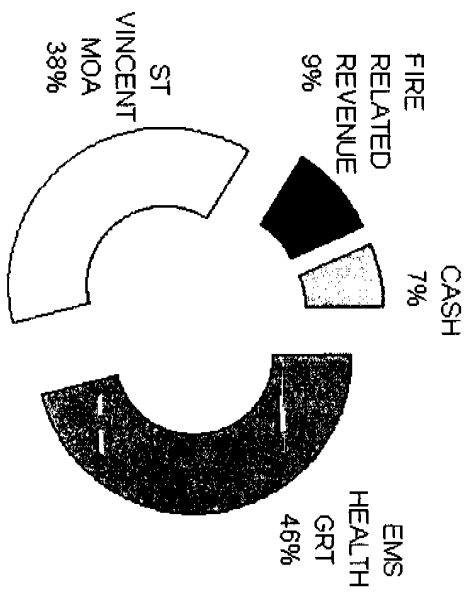
GENERAL FUND USES



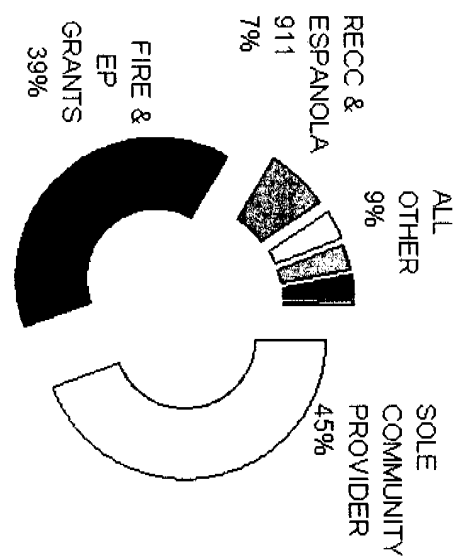
Santa Fe County EMS Health Care Fund

SOURCES		USES	
EMS HEALTH GRT	\$ 4,300	SOLE COMMUNITY PROV	\$ 4,129
ST VINCENTS MOA	\$ 3,529	FIRE & EP GRANTS	\$ 3,646
FIRE REVENUE	\$ 880	RECC & ESPANOLA 911	\$ 682
CASH	\$ 610	SENIOR SERVICES	\$ 310
		HEALTH ADMIN	\$ 282
		MCH - I&C	\$ 140
		PARA-TRANSIT	\$ 90
		PFMD - HEALTH BLDG	\$ 40
			\$ 9,319
	\$ 9,319		

EMS HEALTHCARE FUND SOURCES



EMS HEALTHCARE FUND USES

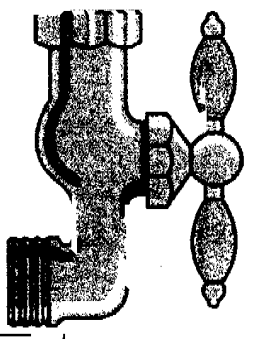


Santa Fe County

SCP Impact

EMS HEALTH CARE FUND

BUDGET:
 EMS HEALTH GRT \$4,300
 SOLE COMMUNITY PROVIDER (\$4,129)



SCP WITH FEDERAL MATCH PROVIDES ST. VINCENTS HOSPITAL \$20,000

ALSO THROUGH MOA

OTHER REVENUE ST VINCENTS MOA: \$ 3,529
 FIRE RELATED REVENUE 880
 CASH 610

FUND 241
 DETOX \$585
 FUND 518
 JAIL MEDICAL \$560

TOTAL: \$5,019

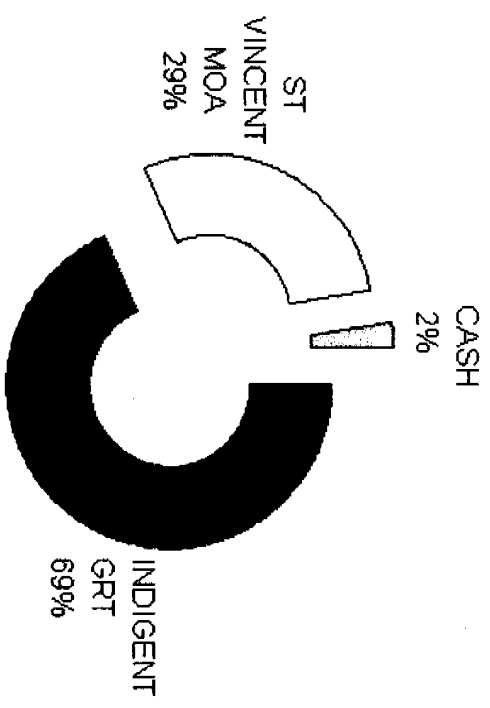
EXPENSE:
 FIRE AND EP GRANTS (\$3,646)
 RECC & 911 (682)
 SENIOR SERVICES (310)
 ADMIN & OTHER PROGRAMS (552)

Santa Fe County

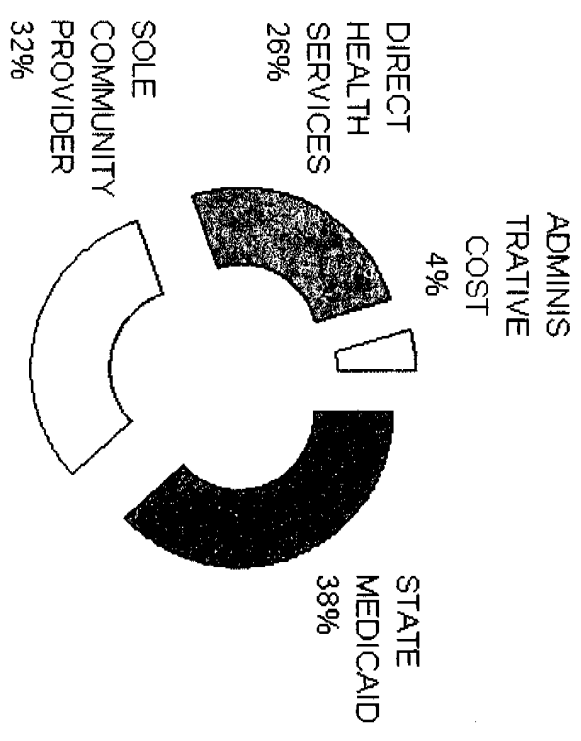
Indigent Fund

SOURCES		USES	
INDIGENT GRT	\$ 4,300	STATE MEDICAID	\$ 2,390
ST VINCENTS MOA	\$ 1,847	SOLE COMMUNITY PROV	\$ 2,000
CASH	\$ 153	DIRECT HEALTH SERVICES	\$ 1,637
		ADMINISTRATIVE COST	\$ 273
	\$ 6,300		\$ 6,300

INDIGENT FUND SOURCES



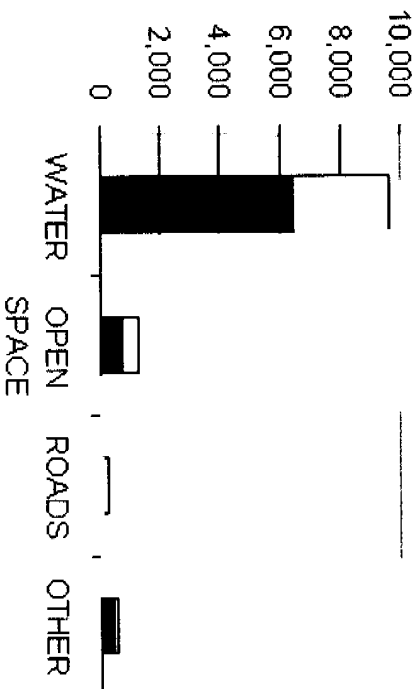
INDIGENT FUND USES



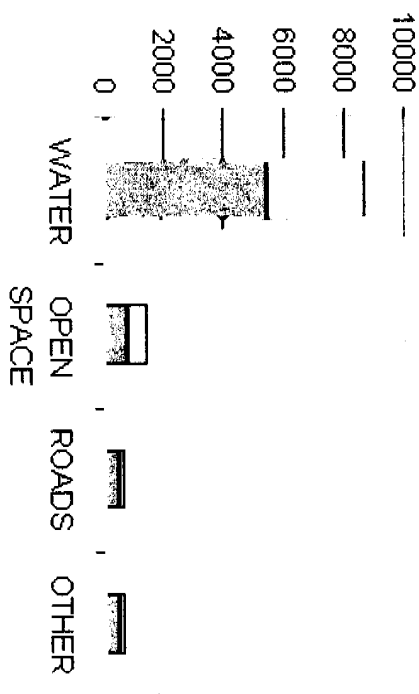
Santa Fe County Capital Outlay Fund

COUNTY	CASH	06 REV	REGIONAL	CASH	06 REV
WATER	6,404	3,225	WATER	5,430	3,225
OPEN SPACE	644	645	OPEN SPACE	736	645
ROADS	25	215	ROADS	409	215
OTHER	334	215	OTHER	409	215

COUNTY PROJECT RESOURCES



REGIONAL PROJECT RESOURCES

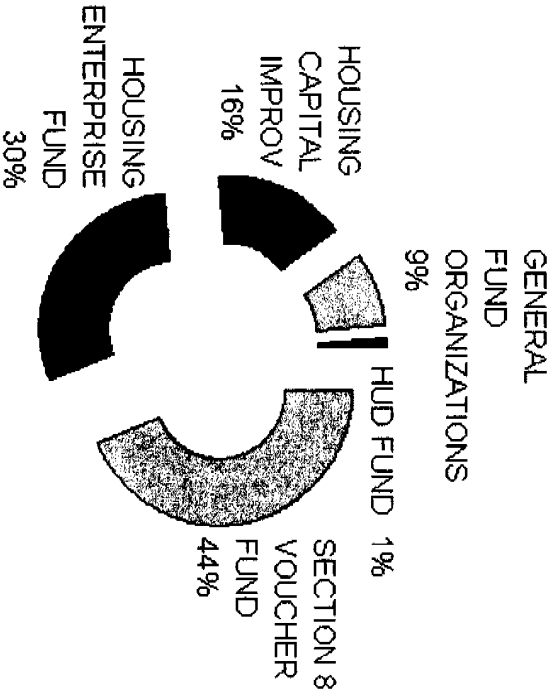


Santa Fe County

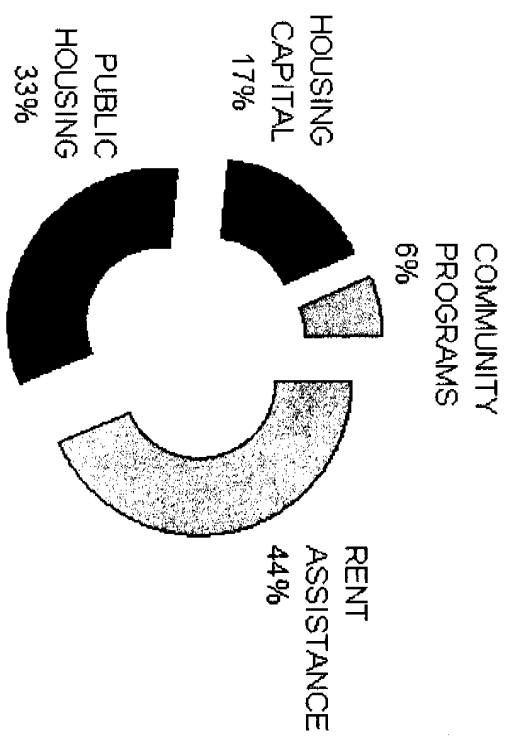
Housing Funds

SOURCES		USES	
SECTION 8 VOUCHER FUND	\$ 1,847	RENT ASSISTANCE	\$ 1,847
PUBLIC HOUSING ENTERPR.	\$ 1,279	PUBLIC HOUSING	\$ 1,387
HOUSING CAPITAL IMPROV	\$ 674	HOUSING CAPITAL	\$ 719
GENERAL FUND ORGS	\$ 378	COMMUNITY PROGRAMS	\$ 270
HUD FUND	\$ 45		
	\$ 4,223		\$ 4,223

HOUSING FUNDS SOURCES



HOUSING FUNDS USES

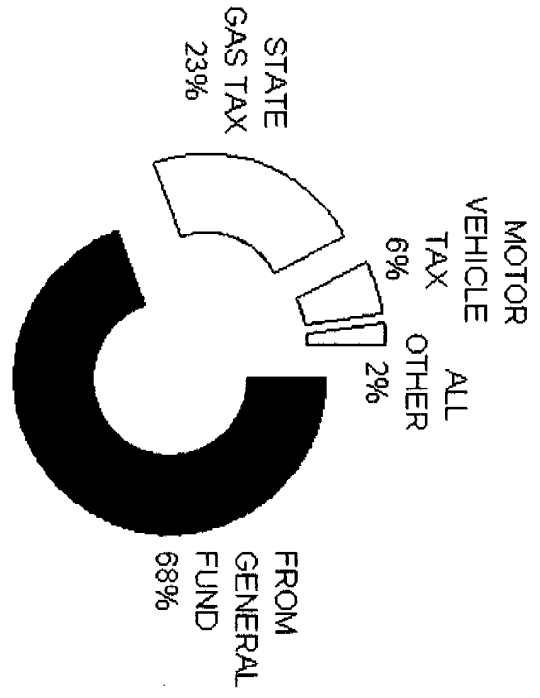


Santa Fe County

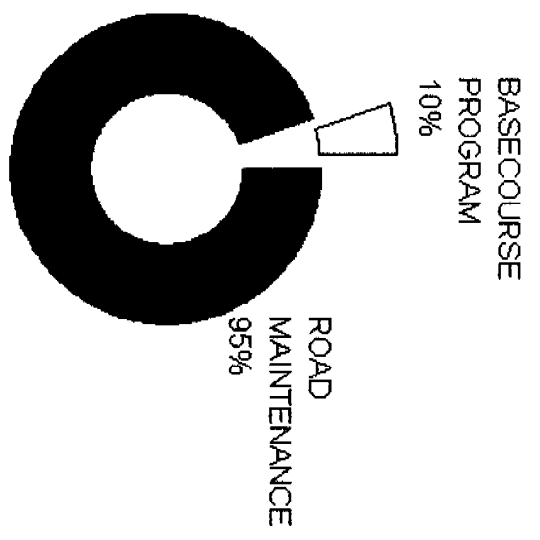
Road Fund

SOURCES		USES	
FROM GENERAL FUND	\$ 1,658	ROAD MAINTENANCE	\$ 2,260
STATE GAS TAX	\$ 540	BASECOURSE PROGRAM	\$ 125
MOTOR VEHICLE TAX	\$ 135		
ALL OTHER	\$ 52		
	\$ 2,385		\$ 2,385

ROAD FUND SOURCES



ROAD FUND USES



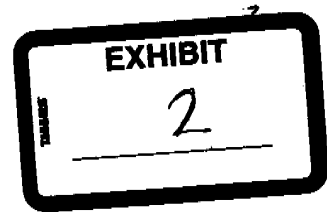
BCC Resolution

**INTERIM
BUDGET
RESOLUTION**

**DFA BUDGET
DOCUMENT**

**INTERIM
BUDGET DUE TO
STATE DFA BY
JUNE 1, 2005**

Item VIII (G)(1)



SANTA FE COUNTY

Resolution No. 2005-___

A RESOLUTION AUTHORIZING SANTA FE COUNTY STAFF TO TRANSFER TITLE TO THE CITY/COUNTY LANDFILL PROPERTY TO THE SANTA FE SOLID WASTE MANAGEMENT AGENCY PURSUANT TO SECTION 5 OF THE 1996 AMENDED JOINT POWERS AGREEMENT

WHEREAS, the City of Santa Fe ("City") and County of Santa Fe ("County") entered into a Joint Powers Agreement in 1995) and an Amended Joint Powers Agreement in 1996 ("JPA") for the purpose of creating a regional solid waste disposal facility; and,

WHEREAS pursuant to the JPA an independent entity known as the Santa Fe Solid Waste Management Agency ("SFSWMA") was created to operate the regional solid waste disposal facility; and,

WHEREAS pursuant to the JPA the City and the County divided the tasks necessary to acquire the real property for the facility and to obtain the appropriate permits, and,

WHEREAS the City was responsible for obtaining the necessary landfill permits and the County was responsible for acquiring the real property for the facility site; and,

WHEREAS the City obtained a landfill permit from the New Mexico Environment Department ("NMED") and the County obtained the real property for the landfill facility site from private land owners and by patent from the United States Bureau of Land Management ("BLM"); and,

WHEREAS pursuant to Section 5 of the JPA, the City, County and SFSWMA are required to take all actions necessary to transfer title to all real and personal property

acquired with respect to the landfill, including the NMED permit and facility property to SFSWMA; and,

WHEREAS the NMED permit is held in SFSWMA's name; and,

WHEREAS to date the title to the real property for the landfill site, including the BLM patent, remains in the County's name.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY that County staff is instructed to transfer title of the real property for the landfill facility site, including the BLM patent, to SFSWMA pursuant to Section 5 of the JPA, and the County Manager shall be delegated authority to execute all necessary documents to accomplish the foregoing.

PASSED, APPROVED and ADOPTED THIS DAY OF MAY 2005.

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

Michael D. Anaya, Chairman

Attest:

Valerie Espinoza, County Clerk

Approved as to form:

Stephen C. Ross, County Attorney

SFC CLERK RECORDED 07/20/2005