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BOARD OF COUNTY COMMISSIONERS

SANTA FE, NEW MEXICO

REGULAR MEETING

JUNE 29, 1999

Paul Duran, Chairman
Richard Anaya, Commissioner
Joe Griñé, Commissioner
Marcos Trujillo, Commissioner
Javier Gonzales, Commissioner [excused]

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SANTA FE COUNTY
REGULAR MEETING
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June 29, 1999

This regular meeting of the Santa Fe Board of County Commissioners was called to order at 1:45 p.m. by Chairman Paul Duran in the Santa Fe County Commission Chambers.

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

Members Present

Commissioner Paul Duran, Chairman
Commissioner Joe Griñé
Commissioner Richard Anaya
Commissioner Marcos Trujillo

Members Absent

Commissioner Javier Gonzales

IV. APPROVAL OF THE AGENDA

DAVID WOLF (County Manager): Mr. Chairman, with regard to the attendance, Commissioner Gonzales asked to be excused because he's on his way to Washington, D.C. to testify in preemption issues where the federal government preempts local government in a number of areas and that's one of the things he'll be testifying on.

COMMISSIONER ANAYA: Testifying, on what Dave? Preemption on what?

MR. WOLF: On whether or not, preemption issues where federal government preempts local government. An example is where federal government wanted to preempt the County's jurisdiction in regard to the San Pedro mine. That's the kind of stuff they're going to be discussing, he said, and asked that I state for the record that that's where he would be and asked to be excused.

COMMISSIONER ANAYA: Or the ski basin expansion, there's another example.

MR. WOLF: Same kind of issue, yes.

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COMMISSIONER ANAYA: Okay. Sounds good.

CHAIRMAN DURAN: Approval of the agenda. David, are there any changes?

MR. WOLF: Yes, Mr. Chairman, there are a number of changes. First of all, under item VI. H. We request that that be tabled. It's on the Consent Calendar. Under IX.C, the only item, item 1, request that that's deleted. And IX. D. 1. And on the next page, delete G. 4 and table item I. 3. And on the next page, two more items under Executive Session. Delete item b.

CHAIRMAN DURAN: Delete I.3?

MR. WOLF: I. 3, yes.

CHAIRMAN DURAN: We're not ready to discuss that?

MR. WOLF: No, Mr. Chairman. We just received the agreement back from Cornell on that late yesterday and we're not ready to go forward with that yet. That's the inmate work program. We're ready to present the alternatives to incarceration. That's on here.

Under Executive session, two items: delete item b and item e, the last one. The second and the last item. And there's one amendment that was posted and that's item IX. K. 1 is added to read "Appointments to the Extraterritorial Zoning Authority.

CHAIRMAN DURAN: Do we know yet who's been appointed by the City?

MR. WOLF: I believe it's the County's member, Mr. Chairman.

COMMISSIONER TRUJILLO: The appointment from the City, Carol Robertson Lopez.

COMMISSIONER ANAYA: I heard Patti Bushee.

CHAIRMAN DURAN: I talked to Patti yesterday and she wasn't going to do it.

COMMISSIONER ANAYA: On the deletion on the fireworks ban, is that preempted by state statute? Or what's the reason we're not hearing that one?

DENICE BROWN (County Attorney): Mr. Chairman, Commissioner Anaya, the recommendation of the Fire Department is going to be to have the ban lifted in any event and it expires of its own accord after 30 days. So I believe it expires today, or yesterday. I believe it expired on the 28th. And there was not going to be a recommendation to renew that ban given the rain we've had.

COMMISSIONER ANAYA: So if we were to take action today, and Dale, I think this is -- so by not taking any action today that means that fireworks will be allowed in the county.

MS. BROWN: That's correct.

COMMISSIONER ANAYA: I just think it's good that the public be informed on that?

CHAIRMAN DURAN: Any other changes to the agenda?

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

V. APPROVAL OF MINUTES:

Joint City/County Special Meeting June 7, 1999

CHAIRMAN DURAN: Are there any changes to those minutes? If not, what's the pleasure of the Board?

Commissioner Trujillo moved to approve the June 7 meeting minutes as submitted. Commissioner Griñé seconded and the motion passed by unanimous voice vote.

June 8, 1999

Commissioner Griñé moved to approve the minutes as presented and Commissioner Trujillo seconded. The motion passed by unanimous voice vote.

VI. CONSENT CALENDAR

- A. Resolution No. 1999-73. A resolution requesting a budget transfer from the Housing 1996 CIAP program fund to the Public Housing Administrative fund to reimburse for the salary and employee benefits of the CIAP Coordinator incurred during fiscal year 1999**
- B. Resolution No. 1999-74. A resolution requesting a budget transfer from the Land Use Department/General Fund to the General Services Department/General Fund to create budget for the salary and benefits of the General Services Director for fiscal year 1999**
- C. Resolution No. 1999-75. A resolution requesting a budget increase to the developers' fees funds and Sheriff Facility Bond fund to budget for the debt service payments and the debt service commitments and other fees payments**
- D. Resolution No. 1999-76. A resolution requesting a budget increase to the general obligation bond debt service fund to budget for debt service commitments and other fees payments**
- E. Request authorization to accept and award a contract to the lowest responsive bidder, IFB # 99-23 RB1, for recording and stenography services**

- F. Request authorization to accept and award a contract to the lowest responsive bidder, IFB #99-46, for microfilming services
- G. Request authorization to accept and award a contract to the lowest responsive bidder, IFB #99-50, for various plumbing, electrical and doors for the 5H housing upgrades
- I. Request authorization to enter into a memorandum of understanding with the administrative office of the courts for housing the DWI screening program at the Magistrate Court
- J. Request authorization to accept and award a contract to the highest qualified respondent, RFP #99-52, for a DWI prevention specialist for fiscal year 2000
- K. Request authorization to accept and award a contract to the highest qualified respondent, RFP # 53, for a DWI compliance monitor at Municipal Court for fiscal year 2000
- L. Request authorization to accept and award a contract to the highest qualified respondent, RFP #99-58, for a DWI data clerk at Municipal Court for fiscal year 2000
- M. Request authorization to accept and award a contract to the highest qualified respondent, RFP # 99-63, for a DWI drug and alcohol screener at Magistrate Court for fiscal year 2000
- N. Request authorization to enter into amendment number two to the contract (#98-00198) with Ralph Lopez for the Region III coordinator for fiscal year 2000
- O. Request authorization to surplus fire apparatus and equipment
- P. Request authorization to enter into change orders to the construction contracts with the following:
 - Aztec Grading for County Roads 6 and 9 paving projects
 - A.S. Horner for County Road 91A bridge construction project

MR. WOLF: That's the Consent Calendar, Mr. Chairman.

CHAIRMAN DURAN: Are there any items on the Consent Calendar that the Commission would like to isolate?

COMMISSIONER TRUJILLO: I have a question on item F, the microfilming. Is that the beginning of utilizing the grant that we got?

CHAIRMAN DURAN: Okay, the Consent Calendar stands as presented. What's the pleasure of the Board?

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

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VII. ADMINISTRATIVE ITEMS

A. Committee expirations, resignations, vacancies

1. Santa Fe County Maternal and Child Health Planning Council

MR. WOLF: Mr. Chairman, Cheri Briscoe and Linda Siegle have resigned their appointments to the Santa Fe County Maternal and Child Health Planning Council and the Council recommends that their resignations be accepted.

Commissioner Griñé moved to accept the resignations. Commissioner Anaya seconded and the motion passed by unanimous voice vote.

VII. B. Committee appointments

1. Santa Fe County Road Advisory Committee

ROBERT MARTINEZ (Deputy Public Works Director): Mr. Chairman, Commissioners, the Road Advisory Committee Area 6 is up for reappointment. This is in Commissioner Anaya's district. Ed Baca has been serving the last three years and has expressed a willingness to go ahead and be reappointed for another three years. This area includes the Seton Village and the Arroyo Hondo areas.

Commissioner Anaya moved to reappoint Ed Baca to the Road Advisory Committee and Commissioner Griñé seconded. The motion passed by unanimous voice vote.

VII. B. 2. Estancia Basin Water Planning Committee

JACK FROST (County Hydrologist): Good afternoon, Commissioners. The appointment of the Estancia Basin Water Planning Committee have expired. The members include Ms. Rita Horton, who represents the municipal water providers, Mr. Sam King, representing agriculture, and Mr. Bud Hagerman who has been representing County government in his current capacity as a member of the County Water Company. To ensure continuing representation in this important water group, I recommend you either reappoint the existing members to terms that have expired or appoint new members to this committee.

Commissioner Griñé moved to reappoint Ms. Horton and Mr. King and to replace Mr. Hagerman with Jack Frost. Commissioner Trujillo seconded and the motion passed by unanimous voice vote.

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VIII. PRESENTATIONS AND AWARDS

A. Public Housing scholarship awards (funded by the 1997 Public Housing Drug Elimination grant)

ROBERT ANAYA (Public Housing Director): Mr. Chairman, Commissioners, it is a great pleasure to come before you today to present some scholarships and some certificates from the Commission to some of our public housing residents and I'd like Dodi Salazar from our staff to come forward and help us with that. In addition, the Santa Fe Boys and Girls Club will actually be presenting the checks, but I'm going to let Dodi take it over from here.

DODI SALAZAR (Family Self-sufficiency Coordinator): Thank you, Robert. I just want to give you a little bit of history about the Public Housing Drug Elimination program. The Housing Services Division administers the Public Housing Drug Elimination Grant funded by HUD in 1993, 1994, 1995, 1997, 1998 and has submitted a proposal for 1999.

As most of you know, the 1993, 1994 and 1995 Drug Elimination grants enabled the Housing Authority to implement the on-site Boys and Girls Club in the three housing neighborhoods. One of the allowable expenses in the 1997 Drug Elimination Grant was scholarships for public housing residents. The funds can be used for registration, books, child care, transportation. Basically the scholarship money could be used for anything that would enable a public housing resident to pursue their education.

HFC received funding in 1997 and is able to award seven scholarships to public housing residents. The Housing Authority informed every resident in the three housing neighborhoods of the availability of the scholarships. At this time, I would like to introduce Al Padilla, who is the Executive Director of the Santa Fe Boys and Girls Clubs to talk about the many services offered at the on-site clubs.

AL PADILLA: Mr. Chairman and Commissioners, thank you for having me here today. I'd like to express the gratitude for the relationship of the Boys and Girls Clubs in the County of Santa Fe and the Santa Fe County Housing Authority. For the past five years, the Boys and Girls Clubs have operated with the support of both those entities. The Boys and Girls Club program for the constituents of the County of Santa Fe, providing services, after school, outside school hours, the children, boys and girls ages 6 through 17 who live in low-income housing throughout the county, educational and recreational, prevention and leadership program to ensure them opportunities they would not otherwise have.

Also, the Boys and Girls Club has kind of stepped outside of the box of traditionally providing Boys and Girls Club programming to its constituents. It has got into the field of providing services to families also. Some of those services are family living schools, activities and services, scholarships for adults or young adults who are looking to further their education and move on and benefit their lives in general.

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At this time we would like to recognize those recipients who have been awarded the \$500 dollar scholarships. County Commissioners, I believe that you have some certificates and we'd like for you to step on down and help us hand these out to these wonderful recipients who will be receiving these checks and certificates for these folks. First I'd like to introduce to you Patricia Mahkee. Patricia is a single mother of one child named Santana and has lived in Santa Fe for seven years. Her short term goal is to pursue a bachelor's degree in business administration. Her long term goal is to pursue a masters degree in either business or musicology. She currently has a degree in musicology and fine arts. She currently is attending the Santa Fe Community College taking computer classes for professionals and wants to attend the University of New Mexico or Highlands University. Let's have a hand for her.

The next recipient is Angela Chavez. Angela is a single mother of three children and is currently employed with [inaudible] Her goal is to get a degree in special education and to help kids with special needs. She plans to continue working while attending the college at the community. Her child is with her today. Let's give Angela Chavez a big hand.

The next recipient is Elizabeth Abeyta. Elizabeth is a single mother of one and is currently attending Santa Fe Community College and is pursuing a degree in graphic arts and has maintained a 4.0 GPA for the last four semesters. She's also an artist in addition, and a writer of short stories for children. Her long term goal is to write and produce scripts, musical scores and graphic performances. Her child's name is Kate. Let's give Elizabeth Abeyta a big hand.

The next recipient is Daisy Apodaca. Daisy is a single mother of two children and is pursuing a nursing degree at Northern New Mexico Community College. Daisy is planning to use her scholarship award for tuition and books. Her short term goal is to successfully complete her basics. Her long term is to complete the nursing requirements, obtain her nursing degree and be a mother her children will be proud. Let's give Daisy Apodaca a big hand. There are three other recipients that are not here today.

The next recipient is Peggy Ann Six. Peggy Ann is a single mother of two boys and is pursuing a degree in environmental science and plans to continue her education until she receives a masters degree in environmental health, is involved in the Rio Arriba Health Environment project. Her long term goal is to work in an environmental discipline to solve the problems of overpopulation, resource conservation and pollution. Peggy Ann is attending Northern New Mexico Community College. Wherever Peggy is today, let's give her a big hand.

The next recipient is Melissa Gonzales. Melissa has recently married and has a four-year old son. Her short term goal is to continue her education and obtain a degree in criminal justice and become a police officer. Her long term goal is to become self-sufficient, obtain employment as an undercover police officer, have her son attend a private school and be a major part of her church. Melissa is attending the Santa Fe Community College. Melissa Gonzalez, let's give her a big hand.

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Last but not least is Judith Pena. Judith is a single mother of five children and is interested in pursuing a certificate in medical billing and claims from the at-home professional institute. Her goal is to start her own business in medical claims and insurance billing for commercial and medical industries and is very active in neighborhood housing and is a former resident council member. Her long term goals include self-sufficiency, home ownership and to help her kids get through college. Let's give Judith Pena a big hand also.

Chairman and County Commissioners, you folks should feel really good today. Today you have made an impression not just on me but on these folks that are clients and constituents of the County of Santa Fe. I think the County of Santa Fe is headed in the right direction. We are here to take care of our people and when our leaders take that first step in pointing us in that direction, the stars are the limit. I appreciate that and have a good day. Could we have the County Commission come down one more time to take a picture with all the recipients?

CHAIRMAN DURAN: And Al, I'd just like to thank you and your leadership, your staff for having this program be a success.

MR. PADILLA: Thank you.

VIII. B. Ratify a proclamation celebrating the 50th anniversary of the Rodeo de Santa Fe

COMMISSIONER GRINÉ: This is the anniversary of the Rodeo de Santa Fe. Whereas the first gathering for the Rodeo de Santa Fe was held at Ragle Airport Field on the corner of what is today Galisteo Street and Rodeo Road in 1949 with approximately 400 spectators and a handful of member-participants; and

Whereas the historical event has consistently promoted community participation and provided entertainment for our residents and traditionally displayed its mascot, "El Toro Diablo" since its creation in 1952 by Will Shuster; and

Whereas the events of the Rodeo de Santa Fe historically tested the skills of roping and riding that the American cowboy employed in ranching and herding longhorn throughout New Mexico and the southwest; and

Whereas this tradition is well documented in the chronicles and the archives of the history of Santa Fe County; and

Whereas membership started with only a handful of interested community residents, there are today over 140 members and at least five of which are original members: Freddie Baca, Julian Wagganer, John McCauley, Gene Petchesky and Jim Butler; and

Whereas the Rodeo de Santa Fe started as a community rodeo and has grown to be nationally sanctioned and renowned with over 4,000 spectators and five performances in a four-day period; and

Whereas the events invite and promote participation in the authentic steer wrestling,

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bull riding, calf roping, saddle bronc and horseback riding and women's barrel racing featuring some of the best competitors from the Professional Rodeo Cowboy's Association and the Women's Professional Rodeo Association; and

Whereas these skills continue to be tested in the Rodeo de Santa Fe; and

Whereas Santa Fe County is proud to honor the 50th anniversary of such a unique American tradition; now and therefore, we the Board of County Commission do hereby proclaim the 50th anniversary of Rodeo de Santa Fe is to be recognized for celebration and the membership of the rodeo associations are to be commended and praised for carrying on traditions and promoting events that provide for the betterment of the community and encourage healthy entertainment for Santa Fe County residents. Dated on the 25th day of June, 1999 at the Santa Fe County Courthouse in Santa Fe, New Mexico. This was read on Friday night before the Rodeo Profession party.

CHAIRMAN DURAN: Thank you, Commissioner.

IX. STAFF AND ELECTED OFFICIAL ITEMS

A. Quarterly report

1. County Clerk

REBECCA BUSTAMANTE (County Clerk): Mr. Chairman, members of the Commission, my report is actually very short but I would like to thank -- before you you have a copy of the articles that appear in the grant and also you have the Santa Fe County ordinances. But before I go into the Santa Fe County ordinances, I would just like for you to help me recognize Dr. Nancy Hanks from the Cultural Affairs Office who is the individual who has been using our documents and who is the person responsible for letting us know about the grant and certainly did everything on the grant and we're really indebted to her and she'll work with us in overseeing the project to make sure that everything is done in accordance with the archival requirements. So I want you to recognize her and thank her also. Thank you, Dr. Hanks.

The other thing that I wanted to just bring to your attention is that we get a lot of people who come in and they want to find an ordinance and they just know it was passed in some year. So what we've done is we've gone through all of the ordinances from 1975 through 1999 and we've categorized them by category. As you will see, we numbered them every year, which in the first case is 1977-2 and the title, and then we gave it a category of animal control, and then we gave a brief description of it. Then we move on to a different page. So that way people can find them a lot easier. What I'm going to be doing is I'm going to be giving this to legal and to all the departments and hopefully they'll review them, because some of these ordinances, I think, are still in existence and they're not being followed and they need to be repealed or they need to be relooked at. So we're very excited that we were able to do this.

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Now people in the community, they just know it was a water ordinance of they thought it was an animal ordinance or it was an election ordinance, they'll be able to pick them up by category. I would like very much for you to review them and look at if you see that any particular ordinance needs to be in a different category or if there's any other information that you need in the ordinances, please let us know. I stand for questions.

COMMISSIONER TRUJILLO: I just want to commend you for the effort that you put into this document. It's going to be really good for anybody, and for us if you want to look for an ordinance and understand what it's all about it's easy to locate. Thank you very much.

MS. BUSTAMANTE: We've reviewed the ordinances now, at least from 1975 to 1999. We're going to go back further. But we can pull them now if you just have the date of the ordinance, we can pull it by the date. If you just have some idea about the ordinance, you can pull it by that. Or if you just have the page we can pull it. It will save a tremendous amount of work for the people who come in and just don't have any idea and having to go through many, many books of ordinances.

We hope to do it for all the ordinances and we've only been able to do it right now for these. I've just made you a copy and I'm giving them to all of the departments and hopefully I'll be sending out a memo and asking them to look at them and if they feel like there was one on water that really needed to be in utilities, or if there was one that needed to be somewhere else, if they would let us know and then we can go ahead and get that corrected. Thank you. Any other questions.

CHAIRMAN DURAN: I just have one. Can we get this on the Internet?

MS. BUSTAMANTE: I can check into it.

CHAIRMAN DURAN: Andrew, would it be easy to have these ordinances, be able to access the ordinances by the Internet? Not the actual ordinance, but the reference?

ANDREW CHAVEZ (Health and Human Services Director): Mr. Chairman, I'm sure that we can work something out.

MS. BUSTAMANTE: Mr. Chairman, members of the Commission, you're the first people who've seen this document because we just finished it. What I'm going to do, is like I said, send it to all the departments first and legal and see if they can look through it and make sure we have them in the right category, and once we get their comments back then I'll be happy to get it on the Internet.

CHAIRMAN DURAN: That would be great.

MS. BUSTAMANTE: Thank you very much.

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IX. B. FINANCE DEPARTMENT

1. Request authorization to publish the title and general summary of an ordinance amending Ordinance 1991-15 "Lodgers' Occupancy Tax Ordinance"

KATHERINE MILLER (Purchasing Department): Mr. Chairman, Commissioners, in 1996 there was a revision to the State Lodgers' Tax Statute which affected the area's Lodgers' Tax Ordinance in several ways. In part the amended statute requires us to amend our ordinance to comply with the state to change that provision. It also allows the County at its discretion to amend and/or extend some other provisions of the ordinance. The existing ordinance was written in 1991. Some of the areas that we're looking at changing that are in the draft that's in that packet are some enforcement options. The fine has been changed by statute to a maximum of \$500 versus \$300.

The statute also requires a method of payment must be stated in your ordinance. The statute states that procedures for making refunds and resolving disputes, our current ordinance doesn't provide for that. Also procedures for preservation of records be put into the ordinance. Some of the items that are optional for us to do are the amount of tax that we charge by statute, states that it cannot exceed five percent of the gross taxable rate. Our ordinance is currently at 3%. Ben Serber is going to explain the Lodgers' Tax Advisory Board's recommendation of increasing our current rate to 4%, which we'd like to incorporate into the changes.

The statute requires that there be random audits. Our current ordinance does not have that. It says that they're at the discretion of the County Clerk. Also there's some wording changes for exemptions and it's allowed in the state statute and our ordinance has improper wording on that. Then also for contracting for services, the state statute outlines how to do that and our current ordinance does not. I could have Ben Serber speak to why they are recommending the tax rate be changed from 3%.

BEN SERBER: Mr. Chairman and Commissioners, my name is Ben Serber and I'm the chairman of the Lodgers' Tax Advisory Board which respectfully recommends and requests the Lodger's Tax be increased from 3% to 4% and that the one percent be earmarked for advertising specifically. As you are no doubt aware, the City is at 4% and next week we'll be going to 5% so we're still one percent behind. I'd like to mention the members of my board for one specific reason.

Mike Cerletti is the owner-operator of Rancho Encantado and the former Secretary of Tourism with the state of New Mexico. Robert O'Hearn is the general manager of Bishop's Lodge. Maureen O'Dowd is the marketing director for the Santa Fe Ski Basin and Florence Jaramillo is the owner and operator of Rancho de Chimayo. The reason I mention that is both of the lodges are busy taking care of the visitors that we bring to the county. They are not here. They wanted to be here with me, as is Florence Jaramillo up at Rancho de Chimayo taking care of customers that come in to the county.

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I'd like to make the point that the general public be aware that when we talk about raising the tax, of course it is the tourists pay the tax. It is not our citizens or residents. Just to give you an idea of what we would like to use the money for. To keep the momentum going on the programs and campaigns we already have. I won't take much of your time, but just to give you a summary of our past year. Inquiries increased 60% in a two-year period as a result of our advertising and promotion campaigns. The fiscal year of '98 Lodgers' Tax we increased 15% over the previous year, a total of almost \$34,000. And the Lodgers' Tax collection for fiscal '99 is running ahead of projections.

We'd appreciate your consideration and as I indicated, the recommendation of the board requests an increase of an extra one percent to go into advertising. Thank you.

CHAIRMAN DURAN: Thank you, Ben.

COMMISSIONER TRUJILLO: Ben, the proposed augmentation of the Lodgers' Tax, who pays for that? The users of the hotels and facilities?

MR. SERBER: Who pays for the Lodgers' Tax? When the tourist or visitor comes in and rents a room at one of our hotel properties in the county, as is the same in the city, that tax is added to the room rate. So even though the lodges on our board were reluctant to increase the price tag of the product, they realize the benefits by the added increase we would have for promotion. Attracting more visitors and tourists, that's the purpose of our program. And I hope you've seen some of our television commercials and our newspaper ads and our magazine ads.

CHAIRMAN DURAN: Are there any questions? What's the pleasure of the Board?

Commissioner Trujillo moved to approve the request to publish title and summary of an ordinance modify provisions in the Lodgers' Tax ordinance. Commissioner Grinë seconded and the motion passed by unanimous voice vote.

IX. D. GENERAL SERVICES DEPARTMENT

2. Request authorization to enter into an agreement with Pojoaque Public Schools for a summer recreation program for Santa Fe County's youth

VINCENT OJINAGA (General Services Director): Mr. Chairman, members of the Commission, at the Board of County Commissioners meeting of May 26, 1999, the Board of County Commissioners approved \$20,000 for the Pojoaque Valley Schools summer recreation program. The funding will become available July 1, 1999 to be used for the recreation program for the youth of Santa Fe County. This program will run for approximately 30 days and will serve the ages six through twelve. The General Services Department requests authorization to enter into an agreement with the Pojoaque Valley

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Schools for the summer recreation program for the youth of Santa Fe County.

CHAIRMAN DURAN: Any questions of Corky?

Commissioner Trujillo moved to approve the agreement with Pojoaque Valley Schools for a summer recreation program. Commissioner Anaya seconded and the motion passed by unanimous voice vote.

IX. E. HEALTH AND HUMAN SERVICES DEPARTMENT

- 1. Resolution No. 1999-77. A resolution approving the Santa Fe County Housing Services Public Housing Admissions and Continued Occupancy Policy (ACOP), the lease and grievance procedures of the Section 8 administrative plan in accordance with Section 24-CFRR (Code of Federal Regulations) of the US Department of Housing and Urban Development**

MR. ANAYA: Mr. Chairman, Commissioners, in July of 1996 you directed Santa Fe County General Services Department staff at that time to take over, basically, the services of the Housing Authority, obtain direct oversight. At that time, an audit was done by HUD, a HUD-ordered audit and they found and designated Santa Fe County Housing Authority in troubled status. In doing that, they also required many different objectives for the Housing Authority to be released from troubled status. That was to be done over a five-year span of time.

Now, in July of 1999, actually last Friday, we had an intermediate audit by HUD. They reviewed all the programs. What you have before you, the resolution approving the occupancy and admissions policy for the Section 8 program. It will be the final point or factor that we needed to complete in order to complete the memorandum of agreement. On Friday, we were officially removed from the troubled housing designation. A lot of people worked long and hard to get that done. The staff of the Housing Services Division, number one, but there were many other players including the County Attorney, the County Manager's Office, the County Finance Department, and basically, the Personnel Department, we received support from the entire County government and they need to be commended for it, because there's a lot of long hours.

Robert Apodaca was involved in it a lot. Corky Ojinaga helped us out a lot, and it's just been a lot of work by the Housing staff and all the players in County government. Number one, I want to thank the Commission. I've done it before, I'll do it again. I appreciate the fact that the Commission and the County Manager, who we'll hate to see leave, because he helped us a lot and we appreciate what he did for us at Housing Services. And we appreciate what you did in making the commitment to the Housing Authority and affordable housing and there's a lot of things on the horizon for affordable housing and I

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appreciate the help from you and from the entire County staff.

Commissioner Anaya moved to approve Resolution 1999-77 and Commissioner Griné seconded. The motion passed by unanimous voice vote.

- IX. E. 2. Request authorization to enter into a joint powers agreement among Santa Fe County, Rio Arriba County, City of Española, Jicarilla Apache Tribe, Village of Chama and San Juan Pueblo to provide emergency communications 911 services to the region which includes Rio Arriba County and a portion of Santa Fe County**

MR. CHAVEZ: Mr. Chairman, Commissioners, back in 1997, January, the County went along with the other entities that the Chairman mentioned, got together and formed this joint powers agreement. The San Juan Pueblo is now wanting to become part of this agreement. The County of Santa Fe wants to move the 911 services to a central location here in the city, but in the meantime we need to continue to work with Rio Arriba County, Española City and so forth, to continue to provide 911 services to the northern side of Santa Fe County.

This agreement does two things, in addition to what it had been doing before. One thing that it does is that it brings in San Juan Pueblo and it provides us a method of reducing the amount of contribution that we have to this 911 board to 4%. When we're able to complete our rural addressing up in the northern part of Santa Fe County, thus being able to move those phone numbers to the 911 center that the City of Santa Fe has here at the city. Thereby, we will be able to provide 911 services when that takes place from one location to the entire county, not counting the parts of the county that are parts of the city of Española. Those are the two things.

Marty Sanchez is our 911 director. She is here to talk further on this joint powers agreement, but we request your approval of the joint powers agreement.

MARTY SANCHEZ: Good afternoon, Mr. Chairman and Commissioners. Mr. Chavez, thank you for allowing me to be here. I just want to agree with what Mr. Chavez said. We'd just like your approval on the joint powers agreement. There have been a few changes from last year. We've added San Juan Pueblo, which is good for us, and secondly, the County and the City are no longer required to appoint a chief or the sheriff to the board. They can appoint whoever they want.

We've also added a clause that if you don't pay your percentage, then you're not allowed to vote at the meetings. I've already appeared before the City of Española and they've approved the joint powers agreement. I've appeared before the Village of Chama and they approved, and San Juan Pueblo has approved it. And I'm here today for your

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approval. Tomorrow I go before the Rio Arriba County for their approval. I have a tentative approval from them and then next week, Jicarilla. So I just ask that you would approve our joint powers agreement.

COMMISSIONER TRUJILLO: I've got a question. The cooperation between all the governmental entities, presently on the committee or council or whatever you want to call it, that will continue, right?

MS. SANCHEZ: Yes, sir.

COMMISSIONER TRUJILLO: Because in that area there's a need to overlap with other jurisdictions, Rio Arriba, northern Santa Fe County, the City of Española, in order to provide the best services to the community, I think there needs to be a pretty positive cooperation.

MS. SANCHEZ: Yes sir. I agree.

MR. CHAVEZ: Mr. Chairman, even after we've reduced our contribution from 12% to 4%, the County of Santa Fe will still be represented within this joint powers agreement. We will continue to have that relationship that Commissioner Trujillo talked about.

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

Commissioner Griñé moved to approve the joint powers agreement and Commissioner Trujillo seconded. The motion passed by unanimous voice vote. [Commissioner Anaya was not present for this vote.]

CHAIRMAN DURAN: I have a question before we get into the Land Use Department section. I thought the Land Use Department items were not to be placed on the administrative meeting.

MR. WOLF: Mr. Chairman, that's correct as far as the public hearing items go. This is a request to publish title and general summary of an ordinance, and then the actual ordinance will be heard at a public hearing meeting.

CHAIRMAN DURAN: So when we publish the title and general summary, there's no public comment?

MR. WOLF: No, the public comment comes as part of the hearing on the ordinance.

CHAIRMAN DURAN: Okay. Thank you.

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IX. F. LAND USE DEPARTMENT

- 1. Request authorization to publish title and general summary of an ordinance amending Article III, Section 2, Residential Use, Article III, 4.4.4 F 13b, Screening and buffering for residential uses, and Article X, Definitions of the Santa Fe County Land Development Code, County Ordinance 1996-10, to create maximum height standards for walls and opaque fences for residential uses**

JUDY MCGOWAN (Senior Planner): Chairman Duran, Commissioners, that is correct. All that we're requesting at this meeting is authorization from the Board to proceed to draft amendments and to advertise for a public hearing and we will advertise in the newspapers in the central part of the county and the north and the south.

This concern has been raised by neighbor complaints, primarily, about the height of some walls and fences that are going up and the County currently has no standards for residential uses, for the height of walls and fences. There are building code standards. The construction industry commission enforces structural standards, but height standards I don't believe. Currently, the County Code doesn't require a development permit for walls or fences. As a matter of policy, the Land Use Department has been reviewing walls and fences that cross drainageways to assure that they don't create a blockage and cause a flooding situation. But in fact the Code does not have a permit requirement right now.

The issue with higher walls and fences is first of all, Sam has gone out and done a real brief survey in the north and it does appear to a certain extent that newer walls, and to a certain extent fences are higher than the older ones that are in place. The most common fence in the community is still post and barbed wire. It creates a sense of openness. The higher walls kind of close things in and create issues of cutting off views and sunlight when the houses are very close together.

CHAIRMAN DURAN: What have you found the new walls to be, height-wise?

MS. MCGOWAN: I've found a number of newer walls, both adobe and -- usually adobe or some kind of masonry walls that are seven to eight feet tall and at least one that approaches the portal over the driveway that's massive. It's more than 11 feet tall on the side.

CHAIRMAN DURAN: And what was the typical height of walls in the past?

MS. MCGOWAN: I would say -- now coyote fences do tend to be between six and seven feet tall, old ones and new ones. Whether that's because that's the size the material comes in, I don't know. But as far as masonry walls, the older ones tend to be four feet to six feet in height. Some may be a few inches over six feet. It's actually quite interesting to go out there and really look at them, because there's a difference between communities in the style of wall. Chimayo, for instance, uses a lot of stone with mortar and those walls tend to be quite low, four feet or under. So there are not a lot of very tall walls

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in Chimayo.

CHAIRMAN DURAN: Did staff make a decision on the height of the walls?

MS. MCGOWAN: I think what we're going to propose, there's been a draft circulating among Land Use staff and Legal staff at the City and County and I think what we're going to propose is a six-foot height limit for walls that are on the property line and up to eight feet if you set it back 25 feet from the property line so that would take care of visibility issues and blocking of light and air on the adjacent properties.

CHAIRMAN DURAN: I just have a question, Judy. So there isn't a draft of this ordinance at this time?

MS. MCGOWAN: I've been working on a draft. County Land Use has reviewed the draft and given some feedback. Legal staff at either the City or the County has not given their feedback yet. So the draft hasn't been --

CHAIRMAN DURAN: I was just wondering, is there any reason why, when we request authorization to publish title and general summary that's done with a draft so we can have some discussion.

MS. MCGOWAN: It could happen either way, I believe. The statute requires that the Board authorize publication of title and general summary of all ordinances for Land Use and I assume that is so that you are not being bombarded with amendments from here and there, that you had a choice ahead of time whether to authorize this.

COMMISSIONER TRUJILLO: We will have a copy of the draft of the ordinance before, right?

MS. MCGOWAN: That's correct. A draft must be available before the notice is public so that anybody calls the very next day can get a copy.

CHAIRMAN DURAN: I think it's important that we have it here. I don't see a reason why you can't do that. The reason for that is when we go into our first public hearing -- and the public hasn't gotten a chance to look at it and review it so we end up having a public hearing without giving the public the opportunity to review it. [inaudible]

COMMISSIONER TRUJILLO: The land use issues get two hearings anyway.

MS. MCGOWAN: Yes. And I was going to propose, you could give me specific direction on when the public hearing might be held and how soon the draft needs to be out before the public hearings are held. Just to point out, we are proposing height limits and clarifications of definitions and also clarifications of who would have to get a development permit for walls and fences. We're also proposing to adopt similar language for the Extraterritorial Zoning Ordinance so that it's easier to enforce.

CHAIRMAN DURAN: Are there any more questions of Judy? If not, what is the pleasure of the Board?

Commissioner Anaya moved to approve the request for authorization to publish title and general summary of an ordinance concerning walls and fences. Commissioner Griñé seconded and the motion passed by unanimous voice vote.

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MS. MCGOWAN: Do you wish to give me direction on which meetings you want the public hearings? Technically, it could appear at the July 13 meeting for a first hearing and that would probably get noticed not until July 7. That would be only a week.

COMMISSIONER ANAYA: That's fine.

MS. MCGOWAN: Thank you.

IX. G. PUBLIC WORKS DEPARTMENT

1. **Request authorization to enter into amendment number one to the project cooperation agreement with the Corps of Engineers for the San Isidro Crossing**

LARRY VELASQUEZ (Public Works Director): Mr. Chairman, Commissioners, this may be starting to sound a bit familiar. In 1995, the Commission approved an agreement. It was called a project cooperation agreement with the Corps of Engineers. At that time, their participation and funding was \$500,000 which would mean that anything over \$500,000 the local agency would be responsible for. In any case, at that time also the participation was 75% federal and 25% local and at that time the County's estimated contribution was \$302,000.

Several weeks ago we asked your authorization to execute a new agreement to reflect the changes that occurred in the Corps of Engineers' participation, which has been raised to \$1 million and the adjustment of 65% federal money and 35% local money had been done. The County's max at that point was \$292,000. We didn't receive the new agreement but in discussions with them, we came up with an alternative and that alternative was to amend the original agreement. The amendment, what it would do would be to raise the federal participation from \$500,000 to a million dollars and leave the 75%-25% participation. What that does, the benefit to us is that reduces our participation down to \$218,000. We're requesting the approval of the amendment to the project cooperation agreement as dated September 12, 1995.

CHAIRMAN DURAN: Good work, Larry. Are there any questions of Larry?

Commissioner Anaya moved approval of an amendment to the project cooperation agreement and Commissioner Grifé seconded. The motion passed by unanimous voice vote.

IX. G. 2. Request authorization to install a three-way stop control at the intersection of County Road 113A with 113S

TOM DOMINGUEZ (Traffic Engineer): Mr. Chairman, Commissioners, in the October 27, 1998 regular meeting of the BCC, at the direction of the Board, we removed the stop control at Calle Visita and we were asked to look at the intersection of the County Roads there by Sagrada Corazon Church. In so doing, we looked at the two locations. This will be the first one that we looked at which is 113A and 113S. We've done studies of limited sight distance to the west and we're requesting authorization to go ahead and install a three-way stop.

Commissioner Trujillo moved to approve the request to install a three-way stop at 113A with 113S, and his motion was seconded by Commissioner Anaya. The motion passed by unanimous voice vote.

IX. G. 3. Request authorization to maintain a four-way stop control at the intersection of County Road 113A with 117

MR. DOMINGUEZ: Mr. Chairman, Commissioners, this was the second of the two intersections that we looked at. We did the study there. There was kind of a skewed intersection. Commissioner Trujillo I'm sure is real familiar with it. We looked at the traffic there. The traffic was a lot higher at this intersection than it was at the other and in regards to the direction that we were given by the Board, we went ahead and installed the stop sign already at this intersection and we were just asking that, or requesting the authorization to maintain the four-way stop control.

Commissioner Trujillo moved to approve the four-way stop control at 113A and 117. Commissioner Anaya seconded and the motion passed by unanimous voice vote.

IX. G. 5. Recognition of dedication of easement from landowners along La Barbaria Road

CHAIRMAN DURAN: Larry, are you going to do it?

MR. VELASQUEZ: Either way. I can tell you what I know about it. Jim Siebert's here also on that.

CHAIRMAN DURAN: Why don't you give us a brief summary.

MR. VELASQUEZ: Mr. Chairman, Commissioners, I believe the residents from the La Barbaria area, which is in Commissioner Anaya's district, requested, in

accordance with the road adoption policy to consider acceptance of a road or an extension of La Barbaria Road. The County currently maintains about .9 mile and this would add about .6 if I remember correctly. They have prepared a plat of easement and the problem came when we had requested before that the road be improved by placing of basecourse. And apparently the issue became one of funds.

What they would like to do is they would like the dedication of the easement to be accepted without any obligation for maintenance, and that's what they would like, as I understand it, would like the consideration to be. And I would turn that over to Jim Siebert.

JIM SIEBERT: Mr. Chairman, Commissioners, Larry is absolutely correct. What we would like to do is take -- this is actually an extension of the existing Barbaria Road from its terminus, approximately .86 miles. It would extend another .6 mile to the cut-off right before the Barbaria Ranch. The purpose is to kind of do a two-phase approach. The first phase it to get the easements because we've always been told by the County until they have the necessary easements in place, there's no way that they can maintain the road.

The issue of what the improvements to the road will be something that will have to be worked out over time. We have twelve signators on a plat that we would like to have the easement recorded because if there's a change in ownership they'll want us to go back and start the process over again. So this is a first step in the process towards eventual, perhaps County taking over.

COMMISSIONER ANAYA: Mr. Chairman, my constituency out there has had various problems out there with washouts and so forth. This has been a long time coming. Mr. Chairman, I think this is in good order and good significance for Barbaria Road, Mr. Chairman. I'd like to move approval.

COMMISSIONER GRINÉ: Second.

CHAIRMAN DURAN: It's been moved and seconded. Those in favor signify by saying "aye." [Unanimous 3-0] Opposed? The motion carries.

CHAIRMAN DURAN: Thank you, Jim. Thank you, Larry.

IX. H. PERSONNEL DEPARTMENT

1. Request authorization to amend the CWA collective bargaining agreement expiration date

ARTURO RODRIGUEZ (Personnel Director): Mr. Chairman, Commissioners, we're currently in negotiations with the Communication Workers of America, the CWA, Local 7911 regarding the new collective bargaining agreement. The current contract expires July 2, 1999 and it is not anticipated that a new contract will be negotiated prior to the expiration date. In the interests of good faith negotiations and continuation of the labor-management relationship with the CWA that the County has established, this request is for authorization to enter into amendment number one to that

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agreement in order to extend the expiration date until September 3, 1999. We feel that negotiations can be finalized in that amount of time and staff recommends the extension of the expiration date.

CHAIRMAN DURAN: I think that's great. You decide to operate under the existing agreement, right?

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

CHAIRMAN DURAN: Are you in negotiations right now?

MR. RODRIGUEZ: Mr. Chairman, that would be the problem we would have that. We're currently in the middle of negotiations and there are certain items in the current contract, such as wages and other items that need to be renegotiated. But we will, we're anticipating that the majority of the current contract will remain intact. Wages and conditions of employment change on a yearly basis as the contract expires and we put in a new negotiated agreement for wages and keep the contract.

Commissioner Griñé moved to extend the expiration date on the collective bargaining with CWA and Commissioner Anaya seconded. The motion passed by unanimous voice vote.

COMMISSIONER TRUJILLO: Arturo, what is the status of the AFSCME contract?

MR. RODRIGUEZ: The AFSCME contract that we have currently with the County? That does not expire until December 31 of this year.

COMMISSIONER TRUJILLO: But there's some legislation, the government made a decision to rescind the collective bargaining law. What impact will that have on Santa Fe County?

MR. RODRIGUEZ: Mr. Chairman, Commissioner Trujillo, yes, the Collective Bargaining Act, the state law, sunsets on July 1. But each entity or organization, governmental organization can enact ordinances locally that would authorize collective bargaining. What we would do is recognize any existing contracts for the length of the period of that contract until we address the ordinances. We do not currently have a collective bargaining ordinance. We're in the middle of those discussions now in terms of an ordinance and negotiations in general.

MR. WOLF: Mr. Chairman, as Arturo said, we have the AFSCME contract through December. We just have to extend the contract with CWA through September or August, whichever it was. We'll honor, what we propose to honor and recognize components of those two contracts while those exist. We probably could chose not to, if that was the Commission's wishes if the collective bargaining law sunsets on June 30, which it looks like it will, tomorrow. But through our discussions with some of the Commissioners individually, it appears that the Commission from a policy perspective wanted to maintain collective bargaining.

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So what we've done at a staff level is establish a proposed ordinance consistent with the existing state statute that we're going to sit down with the union just like we would a contract, come to agreement on the components of that ordinance that then we'll bring that back to the Commission for their consideration. And if that's still the direction the Commission wants to go, then that would provide for collective bargaining consistent with how collective bargaining is handled now.

IX. I. MATTERS FROM THE COUNTY MANAGER

- 1. Request authorization to enter into an agreement with United Way of Santa Fe County for a coordinator of a community schools program**

MR. WOLF: Mr. Chairman, I'll present this item. A brief overview of what this program is all about, the community school program was initiated by the combined efforts of representatives from Santa Fe County, the City of Santa Fe, Santa Fe Public Schools and United Way. The project utilizes the infrastructure of public schools and makes it accessible to the community. This project provides access to a location where activities such as tutoring, mentoring, day care, job training are promoted. In addition, the schools will make their facilities available for one-time events that are pre-approved by a site leadership council.

The United Way, through the facilitation of the services of their director, Ron Stevens and the clerical support of their staff is the one organization that has provided the services for implementing the project. Three leadership councils have been formed and meet regularly to advance this project. A coordinator has been hired and organizational meetings and events are scheduled. Promotional literature, policies and procedures are being finalized. The County approved the funding for this project when we had our budget hearings in the amount of \$18,200. The next fiscal year, the contract will be also for the next fiscal year and at this time we request your approval for this contract.

Commissioner Anaya moved to approved the agreement with United Way and Commissioner Trujillo seconded. The motion passed by unanimous voice vote.

- IX. I. 2. Request authorization to enter into amendment number one to the operating agreement with Cornell Corrections to operation the Santa Fe County Detention Facility**

BERON BRISCOE (Policy Analyst): Mr. Chairman, Commissioners, as you know, last fall, the County entered into an agreement with Cornell Corrections to operate

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the detention facility. State statute requires that that contract be approved by the State Attorney General's Office. The Attorney General has reviewed the contract and has recommended a few changes. I say recommended -- really they require that these changes be made. Although the changes are not -- don't change the substance of the agreement there are some changes.

As an example, in the original contract any contract dispute was going to be resolved by arbitration. That's not allowed so they've required us to handle those disputes in the court process. Those are the types of changes that are proposed in this amendment number one and with that, we will request that amendment number one be approved as presented.

COMMISSIONER TRUJILLO: Mr. Chairman, this contract was developed when? What is the duration?

MR. BRISCOE: It's a three-year contract.

COMMISSIONER TRUJILLO: And after that?

MR. WOLF: Mr. Chairman, Commissioner Trujillo, this is actually one of the few exceptions that's provided for in the procurement code. We don't have to formally compete the operations of a jail facility. There's an exemption. But this contract will expire three years and at that time the County will have to determine how it wants to go forward to either contract for operations or operate the jail itself, whatever the options are at that point.

Commissioner Griñé moved to approve amendment number one to the contract with Cornell Corrections, and Commissioner Trujillo seconded the motion. The motion passed by unanimous voice vote. Commissioner Anaya was not present for this vote.

IX. I. 4. Resolution No. 1999-78. A resolution adopting safe alternatives to incarceration, resulting in lower costs of operating the adult detention facility

MR. BRISCOE: Mr. Chairman, Commissioners, you have before you a resolution and also a long range plan. The intent of the plan is to develop some strategy that if implemented, would reduce the cost of operating the jail facility. I encourage you to read that and review it because again, it is a long range plan and there's several different components to it. But what we would like to talk about today is the first component of that plan, which is to implement electronic monitoring. Specifically, we would propose to implement a pilot program of electronic monitoring which would consist of ten people who are currently on work release.

Work release, as you know, the people that are participating in work release spend 50% of their time outside of the jail facility anyway. So what we do is we have selected ten people that have been screened based on their files and meet certain criteria which identifies

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them as minimal risk to go through this pilot program. The intent would be to evaluate this for a period of 30, 45 days, make certain modifications, see how it goes and then eventually expand it to include a larger population.

The cost savings of this is tremendous. If we kick off the pilot program with ten individuals, that will save the County about \$150,000 a year. As we've gone through this analysis it looks like we could potentially have up to fifty people that would meet the criteria on electronic monitoring and if we did hit that target population we would have a savings of somewhere around \$800,000 a year. So I guess obviously the benefits are here. This is a type of program that has been implemented and used successfully across the country and even in New Mexico.

We have made several visits to Bernalillo County and discussed with them how it works. Today, we also have with us some members from Cornell Corrections who are available to answer any other questions. We have some equipment here. I think we have a few electronic monitoring devices to give you an overview of that. So the resolution that we're requesting that you pass is again to kind of authorize us to proceed along this, finalize a contract and begin the pilot program.

We've talked to the two District Judges in the criminal court here and both of them are excited about this. The Sheriff's Department has looked at what we are proposing and they have no objection to it. At that point, I guess I'm open for questions.

COMMISSIONER TRUJILLO: Do you have any statistics on recidivism? Do you have any of that information?

MR. BRISCOE: That's a difficult question to answer because -- you say recidivism, I'm not sure -- the electronic monitoring, what it can do is, as much as anything there's a large number of people that are in jail that are awaiting trial. So because they are deemed to be low-risk individuals, they could be placed in electronic monitoring. Since they're not guilty of anything until they've been in court. They don't have the recidivism figures.

One thing that you might be interested in is the risk of flight. Do people leave once they have these ankle bracelets on? And I've tried to track down those numbers and nobody has historic data on that, but what they have told me is that that is very negligible. Typically, that's because the people that you place on this have been screened to a degree that you're only allowing very low-risk offenders on this electronic monitoring program.

COMMISSIONER TRUJILLO: If this is implemented with a transition from before [inaudible]

MR. BRISCOE: You could use it for pre-trial people or post-trial people. Let me further say something about recidivism because Bernalillo County does have -- they have a program called ATSD which is Alternatives to Secure Detention. A big component to that is house arrest and electronic monitoring and for their sentenced individuals, they say that the people that complete that program, their recidivism rate is half of the national average. That is specifically geared for DWI offenders because that program, what they

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have done, along with electronic monitoring they have implemented some treatment programs that target DWI offenders and extend the working program again, because their recidivism rate is less than half the national average.

A program like that is something I think the County -- would fall underneath the long range plan that we would have.

MR. WOLF: Mr. Chairman, Commissioner Trujillo, if I could just add something. What we're proposing here for this pilot project is not necessarily a program that will ultimately be a program to keep people out of jail necessarily. It's not a rehabilitation type of program. But what we're proposing is to take ten people out of the current population that we're paying \$60 a day for that are on work release, so they're out in the community roughly ten hours a day. We take those people and put them into the supervision program, give them ankle bracelets, let them go home with certain parameters to be monitored, drug testing and alcohol testing, those kind of things where we only have to pay \$20 a day to monitor these people instead of \$60. So with ten people we save \$400 a day. And they're screened so thoroughly and they're already eligible for the work release program that we believe that the risk associated with this is very low and the flight risk associated with this is very low and those are the things we are probably asking the Cornell people to expand on and get some of their background as to how these programs work.

COMMISSIONER ANAYA: Mr. Chairman, in all honesty, I can say that I submitted this and I've talked to David Wolf about this idea, maybe four years ago to Domingo Sanchez and at that time it was mostly geared towards juveniles and now it's to be expanded to the adult section. But in all honesty I did present that and I don't know why it never materialized, probably because we didn't have any statistics on hand or something of that nature. But obviously, four or five years ago I thought that this would be a good program and a money-saving procedure for the County. So I would certainly endorse this kind of action.

Commissioner Griné moved to approve Resolution 1999-78, adopting safe alternatives to incarceration. Commissioner Anaya seconded and the motion passed by unanimous voice vote.

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

CHAIRMAN DURAN: Is there anyone out there that would like to address the Commission? Please step forward.

CAROLYN SIGSTEDT: My name is Carolyn Sigstedt and I have two items of public interest. I spoke to Javier before his flight to Washington and both of these items deal with lobbying efforts to take place in Washington on a federal level but are really important to us right here at home in our county.

The first is the Land and Water Conservation Fund and I just want to give you a very basic history. In 1964 Congress created this fund. I think it was a rather visionary idea at the time. When they were creating off-shore drilling, oil drilling leases, the money from those leases which amounted to about \$900 million a year, the idea was that if you're depleting one resource you should give back to our natural resources in another way. So that \$900 million was to be used for land and water conservation throughout the United States.

Between the 50's and the 70's, the money was used in that way and I actually have an affidavit here which lists the projects in our own county and city of Santa Fe as well as all of New Mexico. Lots of money came to this state. Then we had a federal budget deficit for so many years, twenty years and because of that, the federal government kind of took that money from the Land and Water Conservation Fund, which was really the citizens' money in my opinion, and used it to help balance the budget. Well, the budget is doing better, as we all know and right now Congress is lobbying to reinstate this money back to where it belongs, which would be land and water conservation. And that could mean a lot of money to our state, actually, about \$78 million.

It is money that could be -- you know what the bond for the \$12 million means to you. This is much, much more and this is also for parks and recreation areas and natural habitats for animals and water conservation. Our water problems. These are problems that go -- that people are realizing are national problems, water pollution, air pollution, and actually, in my opinion they become global problems. I actually think that the challenge of the 21st century is to protect open space and to protect our natural resources. I think that New Mexico can actually lead many other parts of the nation because we haven't destroyed much of our natural beauty.

At any rate, right now this is being lobbied and I'm here to ask you -- Javier is doing it in person, but I'm also here to ask you all to write letters to our Congressmen and Senators because it's going to take that effort to get this money here. There are a lot of eastern Senators that want most of the money to go east of the Mississippi. There are other Senators that want drilling, off-shore drilling increased. None of that has to happen. We can have this land and water conservation bill enacted for all time without any restriction and that \$900 million comes to all our states to be used on a federal and state basis as well as an in-state basis. So there would be a budget of about \$48 million for in-state use. I have lots of material and when I'm done I'll hand out some. One is a possible resolution that the County could come up with. Others are just letters of support and information that will help you write letters of support.

I encourage you to do it and to do it very, very soon. In my opinion, Pete Dominici is one of the key people and he's not totally in support of this because he's on the budget committee. So he's real key to this. Also Bingaman is in support of this. So I'll give you a little information on that. There are two things that I think are important. I don't think that there should be restrictions for net federal gain. In other words, I do believe we should

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be able to purchase land with this. Also I don't think increased drilling should be part of this bill so that is passed again.

So that's number one. Item number two deals with the Railyard. Again, this is federal money and it's happening right now. In fact, we should have been dealing with this six to eight months ago. This is actually even a tougher sell in my opinion. For the Land and Water Conservation Fund, you actually have a lot of support in Washington, from Republicans as well as Democrats and I actually think there is a chance for that going through, but it is going to take all our effort. We can't just sit back and pretend that it's happening.

In terms of the T-21 money, which would bring, this year possibly, \$2.5 million to the track between Lamy and Santa Fe. Now this is a track that is in your County plan. This is a track that has lots of history in Santa Fe. It's an existing track now because the tourists that we have. So we qualify for this T-21 money. The money is allocated for us for light rails like our rail between Lamy and Santa Fe. We need public support. In my opinion, that \$2.5 million could be used to buy the corridor and also the infrastructure and then, someone whoever is the best person would operate this.

The most important reason to do this though, in my opinion, is for the future and that is commuter service between Santa Fe, your college district, on our to Seton Village and out to Eldorado. And these calls are going to be -- well, actually in my opinion, the only person that can get us on the table in Washington is Pete Dominici. I know that the County's been working with Joe Skeen as well. He didn't seem too well informed, but Pete has the power to actually put this on the table and any muscle you can use to do this I encourage to do because otherwise, you're just literally throwing away \$2.5 million for something that I think we all want.

COMMISSIONER TRUJILLO: Those monies are available now?

MS. SIGSTEDT: They are available now. Right now, everybody in Washington is scrambling for this money and there are all kinds of lobbyists back there and thank goodness Javier is there. I literally searched him out this morning and handed over a whole bunch of information and short term briefings and Pete Dominici can put us on the table for this year. In other words, it's not too late for this year. It will take a monumental effort on our part, but if we really put it in, there is a possibility of getting it. And that money was allocated for our rail. And we do qualify it's just that we haven't done the work. We've sort of been sitting there. But it's not too late, but we can't just ask Javier to go back there and stand on his own.

Actually, my last point is the City Council, I work with them as well and attend various meetings. The City, in my opinion is somewhat divided on this issue and they also have a lot of pressure on them from perhaps developers, I don't know, to even pull up the rail. And go for the short term money in terms of real estate development. My opinion this is an atrocity and I certainly wouldn't want that to happen. But the Council is definitely divided on this issue. And I think it's going to take the County to sort of lead there. I do

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believe it's a regional issue and I think the County has to lead it because you do support this issue and again, I think the City, you have at least half the Council and I think some of the others will come around.

So that's why I'm here today and Javier's in Washington and I know he's meeting with Pete Dominici tomorrow, but letters from all of you and perhaps a resolution on either one of these items of interest. I think are very, very important. It's millions of dollars.

COMMISSIONER TRUJILLO: Can we do a letter with the Chairman's signature on behalf of the Board?

TERRY BRUNNER (Policy Analyst): Mr. Chairman, Commissioner Trujillo, Jack Kolkmeyer offered a letter about two months ago and we resent that about a month ago. We can do another one from the whole Board if you like. The current status of the legislation is it's in conference committee right now between the House and the Senate and basically it was not earmarked in the House and it was not earmarked in the Senate. So what will happen, in the conference committee, Joe Skeen and Pete Dominici both sit on the conference committee and they have the ability to introduce it in the conference committee. And that's when the House and the Senate will hash out the details of the legislation. We're pushing on it right now. Jerry Easley from the Chamber of Commerce wrote a letter last week as well.

MS. SIGSTEDT: That's also very good if you have kind of conservative groups, like the Chamber. Certainly more liberal groups that would support this but there are conservative groups as well and that will mean a great deal to the powers in Washington, I think.

CHAIRMAN DURAN: Thank you. Why don't you give that to the County Manager? Thank you very much. Is there anyone else out there that would like to address the Commission?

IX. K. MATTERS FROM THE COMMISSION

COMMISSIONER ANAYA: Mr. Chairman, this kind of ties in with Matters of Public Concern but I'd rather it be under Matters from the Commission. I kind of want to issue a statement of concern of some possible abnormal activity that's happening in my district. It was brought forward by Philip Vandevalde, who is in the audience. I'd like for the Chair to allow him to address this issue, this abnormal activity as far as the Sangre de Cristo Water Company is concerned under the auspices of the City, and the activity that's happening in my district up by Two-mile Reservoir. I would like the Chair to allow Mr. Vandevalde to address the Commission to face some of these concerns as to activities that are happening in the area and issue a statement of concern to the City of Santa Fe and the Sangre de Cristo Water Company. I would be making the statement, Mr. Chairman.

CHAIRMAN DURAN: I have no problem with Mr. Vandevalde addressing

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the Commission if the statement is coming from you.

COMMISSIONER ANAYA: Yes it does. It would come from me, but I'd like for him to bring forth the point of awareness. Is that in order, Denice?

MS. BROWN: Mr. Chairman, Commissioner Anaya, you have allowed before at the discretion of the Commission and the Chair to hear things under Matters from the Commission.

PHILIP VANDEVALDE: My name is Philip Vandevalde and I live up on Upper Canyon Road next to the Sangre de Cristo water treatment plant. I recently discovered there was an industrial use building going in next to my home where the Sangre de Cristo personnel would be grinding metal, using compressors and doing welding in the neighborhood. I have since discovered that the building was never permitted. There was never any neighborhood notice that was issued and basically, from what I understand, neither City nor County officials knew about the project. It was apparently low level employees at Sangre de Cristo took the liberty of constructing the building.

CHAIRMAN DURAN: What's a low level employee?

MR. VANDEVALDE: Some level of employee. At some point. It did not get to the City level in speaking with different personnel. I did talk with the State Environmental Office regarding their drainage system which they had designed to drain their floorways into the septic tank and out into the leach field and indeed it turns out they did not live up to, they did not abide by state or federal environmental codes. They're going to be washing this waste out into the leach field, which is about 100 feet from my domestic water supply, which is downhill from the septic system.

The state has since required that they redesign that system but to me it was a perfect example of when there's no City and no County controls in the construction process. There's no building permits, no notice. I can very easily see how mistakes are made and how things can slip through the cracks like this. I do have two children and obviously they would like to know that their groundwater is safe, their drinking water. I guess my concern is where does the County draw the line?

I know there's been a history of the County not wanting to get involved in City-owned land that may be located within the County boundaries, such as the municipal golf course and I guess the airport. But where is the line drawn on these issues and I think this to me is certainly a matter of life and death and doesn't quite compare with archaeological sites and that sort of thing. I'm asking that the building be red-tagged so we could look at the issue to see what the plans are. I know that in the design they did not allow for drainage or ponding. They did not follow the state procurement code on the selecting on the architect. I think the whole construction has been reckless, without any regard for the neighborhood whatsoever.

With ten acres of land up there, they had numerous possible building sites and for some reason selected the one closest to the residential neighborhood. I don't know where to go from here. It's been a very frustrating issue for me but I certainly appreciate your

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time in hearing this.

COMMISSIONER ANAYA: Mr. Chairman, in that order, what I would like to do is direct staff into writing a letter, a statement of concern from the Commission and perhaps for Mike Hamman to come forward and explain exactly what type of activity is happening over there, to kind of inform Mr. Vandevalde and the constituency up there, the neighborhood up there what type of activity, and what direction it's going. I understand that it still needs some CID approval if they are doing substantial mechanical work up there, which I think is the substance of the complaint. Philip, am I correct? The mechanical work that's being done at the headwaters of the City of Santa Fe. So there is a matter of environmental concern.

So I would like to find out from Mike Hamman and the City officials what actually is happening up there, if they could come forth.

MR. WOLF: Mr. Chairman, Commissioner Anaya, we can draft that letter to the City, Mike Hamman and PNM. The City contracts all the water issues through PNM. But I think this brings up a bigger issue. I think this would be a good time to ask the Commission to give us some policy direction on how you want us to get involved in permitting the regulatory type issues of other governmental entities, whether it's the City, federal property, state, BLM, on their development or development that they're doing in conjunction with private entities. Because this is a broad policy issue.

COMMISSIONER ANAYA: It is, and take for example right now that Commissioner Gonzales is going to Washington, D.C. on the basis of preemption. I think this is what you're alluding to, David, preemption. Did they preempt us? Did they already have the activity going? What kind of voice will we have in these areas, as you just stated. Whether it be the municipal airport or the headwaters of the City of Santa Fe, which most of it is in the county. So I think we need to open some dialogue with these people and I thank Philip for bringing it forth to our attention because I think that there are some answers that need to come forth. And I thank you for that. Thank you, Mr. Chairman.

COMMISSIONER TRUJILLO: Mr. Chairman, along those lines, my position would be that we are the conduit at the lowest level, local government represents the needs of our constituents and that we need to ensure that that voice is heard. There is the federal entity, the Corps of Engineers, the BLM, whatever, the municipality, Rio Arriba County. We need to represent the needs, the desires, the opinions, of Santa Fe County residents. That is our responsibility. That is our job.

COMMISSIONER ANAYA: Thank you, Commissioner. I think it should be just a statement of concern and a request for information.

MR. WOLF: Mr. Chairman, Commissioner Anaya, we'll address this specific issue by writing this letter as requested and ask the City to respond. But I think along those lines, we need to give staff some broader direction on how the Commission wants to handle other governmental agencies, any kind of building that they're doing. Whether we want to have them comply with all our processes or if we want to stipulate certain criteria on when

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we're going to require they go through permitting processes, public hearing processes. This is something we've talked about a little bit at the staff level, Denise and I and Diana, and we are going to prepare a draft of what we thought and how to do this, and then we were going to get to the Commissioners individual and try to bring back something for the Commission and ask you to make a formal policy position on processes that we want other governmental entities to follow and what requirements we have.

CHAIRMAN DURAN: Very good. I think we should also take a proactive approach on this issue. [inaudible]

COMMISSIONER ANAYA: Thank you, Mr. Chairman. Thank you, David for the momentum already created. I appreciate that.

COMMISSIONER TRUJILLO: We've already started that with cellular towers and public lands.

CHAIRMAN DURAN: I have one item under Matters from the Commission. Several months ago we adopted a resolution or passed a resolution dealing with the jake brake issue out by the opera. That was about three months ago. And at that point, or at that time we thought that it was the state's jurisdiction and it was their responsibility to post signs and whatever it would take to get the signs posted. As it turns out three months later, the state has thrown it back in our laps and they would like for us to adopt an ordinance and install the signs.

At our special meeting on Friday, this is coming before us to consider. But one of the things I was hoping we could do -- is this published? Well, one of the things I was hoping to do today is maybe give Larry direction to get the signs ready for that, in anticipation.

COMMISSIONER TRUJILLO: Thank you very much. That's the same issue I have in the Pojoaque Valley at the intersection of 50502 and 2852 and 285, it's causing a major impact on the quality of life. The noise issues. There's no concern for the community along that 285, along that highway. [inaudible]

CHAIRMAN DURAN: That would be great. The only thing about the opera section, the opera starts this week. My understanding is that Larry is trying to put together some guidelines, some criteria to have this in those areas. [inaudible]

Chris, is that ordinance for the entire county or just specific to that section of road?

CHRIS GRAESER (Assistant County Attorney): Mr. Chairman, the ordinance that I just revised, the emergency ordinance for Friday, is specific for 84/285 from the north entrance to the opera to the interchange. It would just be on that road. We're trying to get criteria together to establish where jake brakes are and are not appropriate in the rest of the county, then we can go back and amend or repeal that ordinance to cover the whole county.

CHAIRMAN DURAN: The area where Commissioner Trujillo was talking about, could we incorporate it as an amendment to that ordinance?

MR. GRAESER: Absolutely.

COMMISSIONER TRUJILLO: Would that have to come from action of the

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Commission?

MR. GRAESER: My position is it probably does.

COMMISSIONER TRUJILLO: We don't want to wait very long. These people are suffering a negative impact. They talk to me 18 months ago regarding the issue.

MR. GRAESER: Mr. Chairman, Commissioner Trujillo, I was sitting in the back and I didn't quite catch where it was you're talking about.

COMMISSIONER TRUJILLO: It's right there by the intersection of Pueblo Drug Store, by Pablo's Pizzeria, at the intersection of 502 going to Nambe, the highroad to Taos.

MR. GRAESER: Mr. Chairman, Commissioner Trujillo, we could do something specifically targeted at that. I believe, that I know of, six different requests of areas in the county where they would like to not have jake brakes which I why I think we need to have something to cover the whole county.

CHAIRMAN DURAN: Is it okay to deal with this at a later date or would you like to try and do it now?

COMMISSIONER TRUJILLO: I'd like to try and get it on there.

CHAIRMAN DURAN: Is it too late to publish another amendment to include that area? Debra or Denice? Becky?

MS. BUSTAMANTE: For an emergency ordinance you need 24 hours.

MR. GRAESER: Mr. Chairman, I can add that to the draft ordinance. It does require that there is a danger to public health, safety and welfare. So I can add that into the draft. If the state feels that it's the County that has to pass the ordinance --

CHAIRMAN DURAN: I don't think we're going to have a problem with that. Why don't we just do it that way?

MR. GRAESER: I'll add that in the draft ordinance.

MS. BROWN: Mr. Chairman, if I could just point out, this is some of the difficulty we've had in the Legal Department trying to deal with the Highway Department. As you know, you and I met with the Secretary and we're told that the cell towers are none of our business, but then we go to them about the jake brake issue, [inaudible]

CHAIRMAN DURAN: Why don't we just do it and if we have a problem we can deal with it later. Are there any other matters from the Commission?

COMMISSIONER TRUJILLO: Just one from me to Larry. On 88 and 285, Representative Lujan has some legislation, \$40,000 for a light there. It was supposed to be up this past spring.

MR. VELASQUEZ: Mr. Chairman, Commissioner Trujillo, that's the intersection through La Puebla and Arroyo Seco and that's actually out to bid as I understand it. We worked on the design development of that with the Highway Department and my understanding is it went out to bid. There were some right-of-way issues that got resolved and that took some time, so I can call up and then give you a call.

I guess on the jake brake issue, just so that you're aware of, is that's really a safety

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feature on these trucks. That's a way that they use to stop these vehicles. So whenever you have major intersections or you have steep grade, you're probably not going to curtail the use of that. In my opinion, if it's a professional truck driver and he can avoid an accident by using that, that's probably what they're going to do. It's essentially a brake to stop a vehicle because conventional brakes will not stop a vehicle of that 80,000-pound weight. Just so that you're aware of that.

IX. K. 1. Appointments to the EZA

CHAIRMAN DURAN: I would like to resign from the EZA. I think that I've been on there a long time. I nominate Commissioner Griñé to take my place.

COMMISSIONER TRUJILLO: I also would like to resign. I nominate Commissioner Javier Gonzales to replace me.

The nominations were seconded by Commissioner Anaya and Commissioner Gonzales and Commissioner Griñé were unanimously elected to serve on the Extraterritorial Zoning Authority.

IX. MATTERS FROM THE COUNTY ATTORNEY

1. Executive session
 - a. Acquisition of real property for Fin del Sendero
 - c. Threatened legal action by the Pueblo of Pojoaque related to street addressing within Pueblo lands
 - d. Update on possible acquisition of Hagerman well

Commissioner Anaya moved to go into executive session to discuss the matters delineated above. Commissioner Griñé seconded the motion which passed unanimously upon roll call vote with Commissioner Anaya, Commissioner Griñé, Commissioner Trujillo and Chairman Duran all voting in the affirmative.

[The Commission met in executive session from 3:48 to 4:41.]

Commissioner Griñé moved to come out of executive session having discussed only the matters outlined in the agenda, and Commissioner Anaya seconded. The motion passed by unanimous voice vote.

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Commissioner Grifé moved to approve land purchases on Fin del Sendero from David and Robin Martinez, Kim and Jane Knowles and James Jackson. Commissioner Trujillo seconded and the motion passed by unanimous voice vote.

X. PUBLIC HEARING

A. Proposed projects for fiscal year 2000 Community Development Block Grant (CDBG) and the Infrastructure Capital Improvement Plan (ICIP)

DAVID MADRID (Grant Administrator): Mr. Chairman, members of the Commission, this is the second public hearing for possible candidates for the Community Development Block Grant Program of the Infrastructure Capital Improvements Plan. The way it works is that the County is able to submit one Community Development Block Grant application and we are also working on our capital improvements plan, and under the ICIP plan we can submit as many projects as we want to.

We have a couple of people here that would like to make presentations for either or both of these projects and at this time I would request that the Commission open the meeting to a public hearing that you may hear these individuals and their requests.

Mr. John Suda is with the Edgewood Library Committee. He's the president of the committee.

JOHN SUDA: Mr. Chairman, Commissioners, my name is John Suda. I'm the president of the board of directors and I'm representing the Edgewood Community Library. Here with me today is Mr. Ray Lucas, the vice president of the Board of Directors, and Ann Dacy Lucas, our library director. We'll be glad to answer any questions you may have. For those of you who are not familiar with the library I will provide a short history of the library and why we need your support.

Page 3 of the handout shows the supporting statistics for this plan. Mr. Chairman, with your permission, I'd like to give a copy to you and each of the Commissioners and have it entered into today's proceedings. The Edgewood Community Library was established in July, 1991 by a group of local citizens to serve Edgewood and the surrounding rural communities and most importantly four rural elementary schools in Edgewood. The basic objective of the library is to provide books, materials and computers to aid our teachers and students with research, information gathering and the pursuit of personal enhancement.

The library is a non-profit corporation run solely by volunteers. Our operating funds are obtained by pledges and donations made by community members, aluminum can collections and book and rummage sales held weekly. Originally, the library started with 500 donated books placed on shelves made with cinder blocks and wood located in a strip mall that was very small, cramped, and expensive to operate. As years passed, it became

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too expensive to operate in a small strip mall due to escalating rent and operating expenses that exceed \$1,000 a month.

The library was threatened with closure in October of 1997 until Mr. Mark Jensen, a local citizen offered the library the use of a building owned by him. With the help of the community and a great number of volunteers the library was moved into the new building. The building is rent-free and operating expenses are now at a reasonable rate. Currently, the library offers the following. Available for check-out are over 12,000 children, adult, young adult fiction and non-fiction books, the top ten sellers, fiction and non-fiction, maintained current each week, books on tape, video tapes for adults and children at no charge. Also available in the library are reference books, a public computer with free Internet access, an on-line catalogue, an automated circulation system, a printer, reference CD-ROMs and a copy machine.

We have inter-library loan capability, provide tax forms for the public during tax season, have our own home page on the Worldwide Web and conduct an active summer reading program annually for our young patrons. In addition, the New Mexico State Library has recently recognized the library as achieving full public library status, an endeavor that has taken five years to achieve. As shown in the handout I gave you, in September of this year, we will be receiving two additional computers with Internet capability and a new laser printer from the Bill Gates library initiative.

We have come a long way in the past eight years. However, there is always a possibility that the library could be forced to close should Mr. Jensen require the use of his building. To this end, during the past two years, we have been pursuing the funding needed to build a library building that will allow us to continue to support the community in the future. Realization of this endeavor, however, will require a successful acquisition of funds approved by this committee to accomplish the following: Contracting with an architect and builder to build a core building that will not only provide for library services to the community, but also be designed and built with pre-planned additional space for later expansion and improvement of library services as the community grows.

The land needed to build the new library has been acquired and deeded to Santa Fe County as the first step towards the building of the proposed permanent library.

As shown on the last page of your handout, we are now seeking additional funding through this grant, to plan, design, build and furnish a new library building as originally proposed over two years ago. The estimated funding needed for the building is \$275,000, of which \$75,000 has already been obtained.

We are now asking for your support in providing an additional \$200,000 to complete the building. On behalf of the Edgewood board of directors and the southern Santa Fe County committee, our communities and schools serviced by this library, I would like to say thank you for your consideration and request your support to make this new library a reality and not just a vision. With your help, we can welcome a new millennium with the realization of a library with many years to come.

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At this time, I would like to address any questions you might have regarding the handout or anything else.

CHAIRMAN DURAN: Is this the only library in Edgewood?

MR. SUDA: Yes sir. We're servicing four schools right now, we have the possibility of an additional middle school being built and this serves the children we are trying to support along with the communities around that area. Being rural, it is very hard for the children to get to the library. Most of the schools are busing the children to school. It's not like you can walk to a library anywhere in that community. So they depend on their parents, bicycles or whatever to get to the library.

CHAIRMAN DURAN: So the schools don't have libraries within them?

MR. SUDA: The schools have libraries but they're very poorly maintained. Since we've been doing this, we've had an active participation in our patronage is around 3,000. And that's a small community so that's a sizable number of that community that actively use the library. We've come a long way. If you read, on the first page, going to the state legislature several times to get the \$75,000 we currently have. Once we had the money we couldn't spend the money for the land so we had to get the land donated to us and it's been an ongoing endeavor but we have not given up and I have told the community out there that I will do everything I can to see this to fruition. And I will need your support.

COMMISSIONER TRUJILLO: This is an important project for your community. How much have you gotten from the state legislature?

MR. SUDA: The total at this time is \$75,000. It was cut in the last special session. We asked for \$75,000 from Representative King. That was cut by 2/3 down to \$25,000, we just got that. Then I believe it was Senator Wilson that submitted \$500,000 which was totally cut out of the budget. So we're looking for avenues -- hopefully we can get this grant and we can press on with this project. As it says on that last page, we have not only the land, but there's a utility available. The land was initially deeded to the library. We have since turned it over to the County so that we can proceed with this. The latest I understand is that on Sunday, the RFP will be going out.

COMMISSIONER TRUJILLO: The RFP is going out for construction or design?

MR. SUDA: Once that's out we'll have a better idea. All of these are estimates, the \$200,000 that we have, the \$275,000 total is an estimate. It's possible it could cost more. It could cost less. It depends on what we find from this proposal. The estimates are for \$110 a square foot and the figures are there.

COMMISSIONER TRUJILLO: So if this application is approved, the CDBG is for \$400,000 total. Is there just one application we can submit?

MR. MADRID: We can only submit one application, if it's for \$200,000 or \$400,000. We only get one application. I've seen their basic budget and it's going to take some refining. So \$200,000 is not the final amount.

COMMISSIONER ANAYA: What's the total population your proposal would

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serve?

ANN DACY LUCAS: Officially, something like 5,800. I think that's based on the 1990 census.

RAY LUCAS. It's been growing.

COMMISSIONER TRUJILLO: Are the immediate needs being addressed by the schools?

MR. SUDA: The schools are not providing what we consider adequate support to the students, therefore eight years ago it was recognized that we needed something in the community to provide the support and that's why this library was initially conceived.

MS. LUCAS: The schools have extremely small resources, small budgets and inadequate collections. We try to provide as many services as the children need. The school libraries are only open during the school days and there is no other library close for these children to go to. So we've been providing that service for about eight years now.

CHAIRMAN DURAN: Are there any questions? Thank you. David, is there anyone else out there?

MR. MADRID: Yes, Mr. Chairman, I have Liz Stefanics, the executive director of Open Hands, Incorporated.

LIZ STEFANICS: Good afternoon, Mr. Chairman, County Commissioners. We're not here this year to ask for the funding, but in talking to Mr. Madrid I was trying to find funding for a variety of things. We're building a project here in Santa Fe City proper and we were looking for trucks, etc., but we started talking about the Edgewood area.

Now, Open Hands serves the frail elderly, disabled and poor, and we serve ten counties and twelve pueblos. And the whole intent is to keep people living in their own homes, so they don't have to go into a nursing home or be evicted from substandard housing. I happen to sit on the Open Space Committee right now for the County and several people from Edgewood sit on that committee and they've brought to my attention that there is not home care services, or any services for disabled people in the southern part of the county.

So in working with my planning committee of my board of directors, we would be prepared, in the next year, two years, three years, to expand our services into the Edgewood area or southern Santa Fe County and I wanted to bring that to your attention and the County staff's attention so that if there are projects that are being developed that we, because of the number of people that we serve at the low income level, below poverty, at the federal standards, not even the Santa Fe County median standards, that we would probably qualify for the CDBG. We are qualified for CDBG here in the city. So if projects are coming up that we could piggy-back on in the southern part of the county or in the Edgewood area, we would certainly be open to providing services.

Our weatherization services already go down to that area, but I'm talking about services during the day so that frail elderly or disabled adults could be taken care of while their family members continue to go to work or so they can receive safe care and not be left

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home alone without food and possibly getting into trouble. So I just wanted to bring it to your attention that in the future, we'd be happy to work with any entities that do that in the southern part of the county. Thank you.

COMMISSIONER TRUJILLO: I have a question. These are monies that would provide a service?

MS. STEFANICS: No. Well, if it's CDBG it would have to be capital. So what I'm suggesting is that as we look at any other county capital projects that are going on in Edgewood we would be happy, and I've talked to Mr. Madrid, that we would be happy to collaborate on doing something together. County Senior Services are already done there, but they are for well elderly and the population I'm talking about are not people who can even go to the bathroom by themselves or feed themselves. They are people who need either care, one on one or one to four people, so it's more -- it's a step above nursing home, but it's not such that people can hop on the bus themselves and go over to a senior center. And that's the kind of service that we could provide.

Our funding, lots of times and in fact we did try to go through the County for some use of County Indigent funds but right now our services are paid for by private dollars, by state funds, Medicare, Medicaid, so we try to qualify clients to pay for the services. So I'm talking about capital, the CDBG. Open Hands, we don't have a need to open a brand new building in the southern part of the county, but we'd be happy to piggy back with somebody or another County project that might be going on down there. Thank you.

MR. MADRID: Mr. Chairman, that's all the applicants we have at this time for this hearing.

COMMISSIONER GRINÉ: Corky, can you address the last CDBG? The one in the northern part of the county?

MR. OJINAGA: Mr. Chairman, Commissioners, the present CDBG project that we have for 1999 is for Hands Across Cultures Youth Center in northern Santa Fe County. We are awaiting a decision from the Española School Board on the two sites that they've talked to Hands Across Cultures on land use for the project. The executive director made a recommendation to the school board for one particular site. At that time, we went out, County staff went out, did an analysis of the two sites and we have not come up with a recommendation of those two sites.

I presented the analysis on June 15 to the Española School Board. They asked us to give the executive director one more opportunity to find access to the site that he had preferred. We have not received any information on that site or the access. We have spoke with the executive director today and he does not have some kind of an easement worked out for that first site that was preferred, but he would jointly write a letter to us, the County with Hands Across Cultures making recommendations on the site behind the Sombrillo Elementary School.

So we are going to request that we be placed on their agenda for their July 6 meeting for that recommendation from the school board so that would move forward to do the survey

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and to do the environmental tests done on that site. We need to have the engineering and an architect contract in place before we make application for the 2000, the fiscal year 2000 CDBG request which is November 3. So we're running really close on the timing issue as far as getting stuff in place on this application. So that's the status of that project.

CHAIRMAN DURAN: My concern is that maybe Commissioner Trujillo could meet with the Española School Board to get everything in place.

COMMISSIONER TRUJILLO: I've impressed on the school board that I think the most strategic place is the site closest to 285. It's a very narrow piece of land. If that could be rectified, that one has perfect accessibility. I understand that the one by Sombrillo Elementary has drainage problems. If we could solve the problem of accessibility by talking to the private property owners that own those pieces of land along the highway, maybe get an easement for now and then later look at purchasing. I will talk with the Board of Education and Representative Ben Lujan about these issues.

MR. OJINAGA: Mr. Chairman, Commissioners, that really was the issue on the 84/285 site, was lack of improvements for access, the cost of the accel/decel lane. We received a letter from the New Mexico State Highway Department. Their recommendation was find an alternate site. Again that's the reason why the executive director and ourselves have been trying to get a hold of the property owners. I'm not sure if we're going to be successful in that but the timing is coming down to where we need to resolve those issues.

COMMISSIONER TRUJILLO: We've got to do that by November?

MR. OJINAGA: We probably need the site approved at the October 27 meeting and in the meantime go forward with our application for the \$2,000.

COMMISSIONER TRUJILLO: And that's already been approved?

MR. OJINAGA: That's correct. The money has been approved.

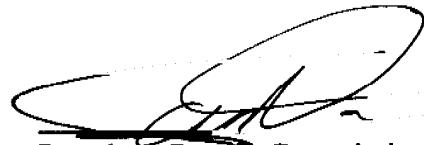
CHAIRMAN DURAN: Are there any other questions?

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ADJOURNMENT

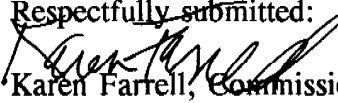
Chairman Duran declared this meeting adjourned at approximately 5:15 p.m.

Approved by:



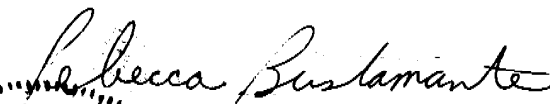
Board of County Commissioners
Paul Duran, Chairman

Respectfully submitted:

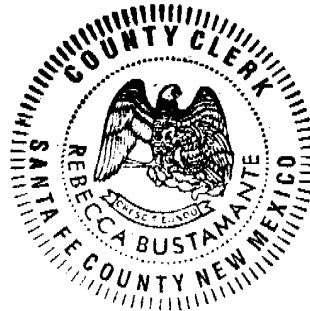


Karen Farrell, Commission Reporter

ATTEST TO:

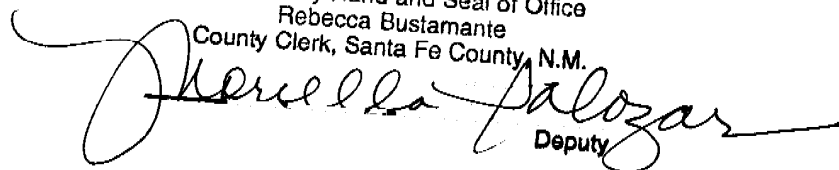


REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK



COUNTY OF SANTA FE
STATE OF NEW MEXICO 1082 SS 107
I hereby certify that this instrument was filed
for record on the 14 day of July A.D.
19 99, at 8:07 o'clock A m
and was duly recorded in book 1663
page 568 of the records of
Santa Fe County.

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



Deputy

***** NOTICE *****

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