

SANTA FE BOARD OF COUNTY COMMISSIONERS

COMMISSION CHAMBERS

COUNTY ADMINISTRATION BUILDING

**REGULAR MEETING
(Public Hearing)**

July 11, 2000 - 5:00 P.M.

Agenda

- I. Call to Order**
- II. Roll Call**
- III. Pledge of Allegiance**
- IV. Invocation**
- V. Approval of Agenda**
 - A. Amendments**
 - B. Tabled or Withdrawn Items**
- VI. Approval of Minutes**
- VII. Consent Calendar:**
 - A. Request Approval of Actual Travel Expenses for the County Clerk for Out-of-State Travel in July and August**
- VIII. Administrative Items:**
 - A. Appointments:**
 - 1. Extraterritorial Zoning Authority**
- IX. Staff and Elected Officials Items:**
 - A. Fire Department**
 - 1. Request Authorization to Publish the Title and a General Summary of an Ordinance Adopting a Santa Fe County Urban-Wildland Interface Code**
 - B. Land Use Department**
 - 1. Request Authorization to Enter into Amendment Number One to the Joint Powers Agreement with the City of Santa Fe for City/County Regional Planning Authority**
 - C. Matters from the County Manager, Samuel O. Montoya**
 - 1. Presentation of an Award Recognizing Dr. Arturo Gonzales for His Years of Service as the La Familia Medical Clinic Director**

2. **Request Authorization to Enter into a Contract with the City of Santa Fe to House City Inmates at the Santa Fe County Detention Facility**
3. **Resolution No. 2000- A Resolution Supporting the Televised Broadcast of the Regularly Scheduled Meetings of the Santa Fe Board of County Commissioners**

D. Matters of Public Concern - NON-ACTION ITEMS

E. Matters from the Commission

F. Matters from the County Attorney

1. Executive Session

- a. **Discussion of Possible Acquisition of Real Property or Water Rights**
- b. **Discussion of Pending or Threatened Litigation**
- c. **Limited Personnel Matters**

X. Public Hearings:

A. Discussion of Possible Acquisition of the Villa Rivera/Marion Hall Property and Possible Financing Options

B. Resolution No. 2000- A Resolution Granting a Certificate and Acceptance of Franchise for a Transfer of Rights from Adelphia Communications Corporation to Comcast Cablevision Corporation to Operate a Cable System in the Tesuque, Agua Fria, La Cienega, Dinosaur Trail and Turquoise Trail Areas of Santa Fe County

C. Land Use Department Items:

1. **CDRC Case #V 00-5320.** James Kennelly Appeal/Variance. James Kennelly, applicant, requests a variance of Article III, Section 10 (lot size requirements), of the Land Development Code to allow for a second dwelling unit on 12.17 acres. The property is located at 85 Goldmine Road in Cerrillos, within Section 19, Township 14 North, Range 8 East (Commission District 3). Wayne Dalton
2. **CDRC Case #Z 00-5300.** Sonny Otero. Sonny Otero, applicant, Michael Bodelson, agent, request a master plan amendment with preliminary and final development plan for a 10,000 square foot warehouse building and a vig storage year on 5.4 acres. The property is located off of State Road 14, north of the intersection of SR 599 and SR 14, within Section 25, Township 14 North, Range 8 East (Commission District 3). Frank White

XI. ADJOURNMENT

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

SANTA FE BOARD OF COUNTY COMMISSIONERS

COMMISSION CHAMBERS

COUNTY ADMINISTRATION BUILDING

REGULAR MEETING
(Public Hearing)

July 11, 2000 - 5:00 P.M.

Amended Agenda

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Invocation
- V. Approval of Agenda
 - A. Amendments
 - B. Tabled or Withdrawn Items
- VI. Approval of Minutes *May 2, 2000; June 13, 2000 = approved*
- VII. Consent Calendar:
 - A. Request Approval of Actual Travel Expenses for the County Clerk for Out-of-State Travel in July and August - *approved*
 - B. Resolution No. 2000-⁷⁵ A Resolution Requesting a Budget Increase to the Local DWI Fund to Budget a Grant Received from the State of New Mexico for Expenditure in Fiscal Year 2000 (Community, Health and Economic Development Department) - *approved*
- VIII. Administrative Items:
 - A. Appointments:
 - 1. Extraterritorial Zoning Authority - *Gonzales' Appointed*
 - 2. Library Board - *Adelino Ochoa*
- IX. Staff and Elected Officials Items:
 - A. Fire Department
 - 1. Request Authorization to Publish the Title and a General Summary of an Ordinance Adopting a Santa Fe County Urban-Wildland Interface Code

B. Land Use Department

1. Request Authorization to Enter into Amendment Number One to the Joint Powers Agreement with the City of Santa Fe for City/County Regional Planning Authority *approved*

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

1. Presentation of an Award Recognizing Dr. Arturo Gonzales for His Years of Service as the La Familia Medical Clinic Director
2. Request Authorization to Enter into a Contract with the City of Santa Fe to House City Inmates at the Santa Fe County Detention Facility
- not* 3. Resolution No. 2000-²⁶ A Resolution Supporting the Televised Broadcast of the Regularly Scheduled Meetings of the Santa Fe Board of County Commissioners

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SANTA FE COUNTY

REGULAR MEETING

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BOARD OF COUNTY COMMISSIONERS

July 11, 2000

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 5:00 p.m. by Chairman Richard Anaya, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

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

Members Present:

Commissioner Richard Anaya, Chairman
Commissioner Joe S. Griñé, Jr.
Commissioner Paul Duran
Commissioner Marcos Trujillo

Member(s) Excused:

Commissioner Javier Gonzales

IV. INVOCATION

An invocation was given by Father Brito from St. Francis Cathedral.

V. APPROVAL OF THE AGENDA

A. Amendments

B. Tabled or withdrawn items

SAMUEL MONTOYA (County Manager): Mr. Chairman, members of the Board, we do have two amendments to today's agenda, Mr. Chairman. They are item VI. B. Resolution requesting a budget increase for the DWI fund, and item VIII. A.2. which is an appointment to the Library Board. Mr. Chairman, those are the amendment for today.

The tablings for today, Mr. Chairman, are on page 2 of the agenda. Basically item X. B. which is a resolution granting a franchise for a communications corporation, Comcast Cable TV. And item X. C.1, which is a CDRC Case 5320 relative to an appeal and a variance. Those are the tablings for today's agenda, Mr. Chairman. I stand for any questions.

CHAIRMAN ANAYA: Thank you, Sam. Are there any questions of Sam? Any further changes? If not, what's the pleasure?

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

VI. APPROVAL OF MINUTES:

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May 2, 2000

Commissioner Griñé moved to approve the May 2, 2000 minutes as submitted. Commissioner Duran seconded and the motion passed by unanimous voice vote.

June 13, 2000

Commissioner Griñé moved to approve the minutes from the June 13 meeting and Commissioner Duran seconded. The motion passed by unanimous voice vote.

VII. CONSENT CALENDAR

- A. Request approval of actual travel expenses for the County Clerk for out of state travel in July and August

Commissioner Duran moved to approve the actual travel expenses of the County Clerk for July and August. Commissioner Trujillo seconded and the motion passed by unanimous voice vote.

- B. Resolution No. 2000-75. A resolution requesting a budget increase to the local DWI fund to budget a grant received from the State of New Mexico for Expenditure in fiscal year 2000

CHAIRMAN ANAYA: Excuse me, Sam. Before you start I'd like to recognize the presence of Commissioner-elect Paul Campos who's in the audience. Congratulations, sir.

MR. MONTOYA: Mr. Chairman, I'd like to defer to Mr. Anaya to make that presentation.

ROBERT ANAYA: Mr. Chairman, Commissioners, the item, the resolution budget adjustment brings us in line with the allocated amount of money we received from the LDWI fund and will help us to close the books on that fund from last fiscal year, Mr.

Chairman. I stand for any questions.

CHAIRMAN ANAYA: Are there any questions of staff?

Commissioner Trujillo moved to approve Resolution 2000-75 and Commissioner Duran seconded. The motion passed by unanimous voice vote.

VIII. ADMINISTRATIVE ITEMS

A. Appointments

- 1. Extraterritorial Zoning Authority**
- 2. Library Board**

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MR. MONTOYA: Mr. Chairman, it was my understanding that the Board wanted to consider making an appointment to that particular authority and we were asked to put it on the agenda.

COMMISSIONER DURAN: It was my understanding that my term had expired and that Commissioner Gonzales had decided that he wants to sit on the board.

CHAIRMAN ANAYA: He has indicated that to me also.

Commissioner Duran moved that his term resignation be accepted and that Commissioner Gonzales be appointed in his stead. Commissioner Grifé seconded and the motion passed by unanimous voice vote.

MR. MONTOYA: Mr. Chairman, members of the Board, at the last County Commission meeting we brought before you a resignation off the Library Board and at the time the instruction was to bring you a nominee to fill that potential slot. Mr. Chairman, we are pleased to bring before you the name of Abelina "Lina" Ochoa to serve in the capacity as a member of the Library Board. We have received Ms. Ochoa's interest as well as a resume with her job experience that has been included in your packet. She comes with great experience from her relationship with the New Mexico State Legislature and working directly with some of the members of the House and has also been a public servant working with the Election Bureau and I think also comes highly recommended by the County Clerk Ms. Bustamante.

So, Mr. Chairman, we place before you the name of Abelina Ochoa as a member of the Library Board and would stand for any questions.

CHAIRMAN ANAYA: I've known Lina for many, many years and she is truly a quality type of person. The chair will entertain a motion for the acceptance.

Commissioner Duran moved to appoint Abelina Ochoa to the Library Board. Commissioner Grifé seconded and the motion passed by unanimous voice vote.

IX. STAFF AND ELECTED OFFICIAL ITEMS

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A. Fire Department

- 1. Request authorization to publish title and general summary of an ordinance adopting a Santa Fe County Urban-Wildland Interface Code**

Commissioner Griñé moved to approve the request to authorize publishing title and general summary of an Urban-Wildland Interface Code. Commissioner Duran seconded for discussion.

HANK BLACKWELL (Fire Marshal): Mr. Chairman, members of the Commission, thank you for almost saving me a trip up here to the podium. What we're asking you to do is again approve title and general summary so we can begin the public hearing process for implementation of the new County Wildland Interface Code which would be a sister document to the Uniform Fire Code that we updated and passed two years ago and has served us very well.

A lot of what we're doing here in light of this fire season and a few potentially catastrophic fire seasons in the past few years is taking this opportunity to use this code, which is a national level code -- we've made a few amendments in it -- again, to look at again, preventing urban-wildland interface fires and catastrophic fires. A good part of this code we're already practicing right now on a case by cases basis in terms of exterior building materials that are non-flammable, subdivisions, residential sprinkler systems, such as in the Mountain Special Review District.

Also in terms of rural addressing, street widths and what have you. So a lot of this is already pattern and practice, or it's covered partially in some of the other codes. What we're asking is that approve title and general summary so we can approve the public hearing process to look at consideration of an urban-wildland interface code just to help prevent some of these catastrophic fires, which I think are some of our greatest risk here in the county in terms of catastrophe.

CHAIRMAN ANAYA: Okay, are there any questions of staff? Thank you, Hank.

The motion to publish title and general summary passed by unanimous voice vote.

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IX. LAND USE DEPARTMENT

1. **Request authorization to enter into amendment number one to the joint powers agreement with the City of Santa Fe for City/County Regional Planning Authority**

COMMISSIONER DURAN: Mr. Chairman, Estevan, are these the amendments that we spoke of in the first Regional Planning Authority Meeting?

ESTEVAN LOPEZ (Land Use Administrator): Mr. Chairman, Commissioner Duran, yes they are. There are two specific amendments that were moved on by the authority itself. That is, to clarify that the Mayor does in fact have a right to vote and two, that for routine business, that is other than the specific purposes outlined in the JPA, a simple majority is needed rather than a super majority of three Councilors and three Commissioners.

In addition to those two items, a number of clarifications were made in discussion and staff recommended three additional amendments. One is to clarify that references to the County Growth Management Plan and the County General Plan are interchangeable. Two, that given the discussion that ensued about the chair of the RPA and how it would begin with Commissioner Gonzales and then rotate to Mayor Delgado and then rotate between County and City, that was incorporated into the language as well. And finally we clarified that the meetings could be held at locations other than the County building, which was also discussed at that meeting.

With that I recommend that those amendments be approved by the Board.

Commissioner Duran moved to approve the amendments to the JPA of the RPA and Commissioner Griné seconded. The motion passed by unanimous voice vote.

IX. C. MATTERS FROM THE COUNTY MANAGER

1. **Presentation of an award recognizing Dr. Arturo Gonzales for his years of service as the La Familia Medical Clinic Director**

MR. MONTROYA: Mr. Chairman, we did have a conversation with Dr. Gonzales just recently and Mr. Chairman, the reason that the item is still on the agenda is that I wanted to make certain that the record would reflect the fact that we have come before the Board of County Commissioners to indicate that we certainly appreciate the hard work and the due diligence that Dr. Gonzales has attributed to the La Familia Clinic. All of the work he has done with the community relative to health care, to his hard work and making sure that the public policy in relation to legislative changes that he has so diligently watched over through the course of many years, that it is reflected and recorded in the record that

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the Board of County Commissioners acknowledge his hard work and appreciate all that he has done.

Most recently, Mr. Chairman, he sent a letter of resignation to the La Familia Board indicating that he would be leaving his job as director of the facility and there will be a grand opening of the Southside La Familia Clinic on July 23 whereby, Mr. Chairman, we will be making the official presentation of the recognition of Dr. Gonzales at that particular function. The reasoning for having it today on the agenda, Mr. Chairman, is to basically acknowledge his achievements and his hard work on behalf of the community and to allow the Commission to also know that he will be basically acknowledged at the July 23 function that will be at the clinic itself out on Agua Fria Park.

I would stand for any questions. I'm not sure, I don't think Dr. Gonzales is here with us today.

CHAIRMAN ANAYA: I don't see him in the audience.

MR. MONTOYA: But Mr. Chairman, we do want to acknowledge his hard work and wish him all the best in all future endeavors.

CHAIRMAN ANAYA: Thank you, Sam. Definitely is a good person and he did wonders with one CDBG grant and all kind of support that the County Commission has given him throughout his tenure of service. He is truly a commendable person.

COMMISSIONER TRUJILLO: Well deserved.

CHAIRMAN ANAYA: Very well deserved. I'm sorry he's not here to listen to these comments, but he'll know it.

IX. C. 2. Request authorization to enter into a contract with the City of Santa Fe to house City inmates at the Santa Fe County Detention Facility

MR. MONTOYA: Mr. Chairman, members of the Board, we have been negotiating with the City of Santa Fe to establish a new rate for detainees that are brought to the facility by the municipality. Mr. Chairman, in view of the fact that their existing contract expired June 30 of this year, we are asking that, because of the fact that we have not completely finished our negotiations with them. In view of the fact that the Sheriff has provided what he believed to be some very important, meaningful amendments that required the City's review, we simply were able to get those over to the City this week and have not had the appropriate time to go over their contents and how it impacts the contract itself.

So in view of that, Mr. Chairman, we are asking to extend the current contract with the City through June 2001, not that we would need to go that long term. However, we are thinking that if there are any issues that would require more time to negotiate that we would at least have an instrument in place that would take us through the next fiscal year. However, Mr. Chairman, we feel that we'll be before you soon with the negotiated contract.

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and with the City's agreement as well.

CHAIRMAN ANAYA: Thank you, Sam. Do these seem a little more favorable to the City as far as the amendments coming forth?

MR. MONTOYA: Mr. Chairman, I believe that we are trying to work out the issues and the concerns that the City has brought to our attention. We are also working on some of the issues that the Sheriff believes would strengthen the contract. In relation to that, Mr. Chairman, I believe that the instrument that we bring before you will be a much better working instrument. However, quality time is needed to finish that. But the short answer, Mr. Chairman, would be yes.

CHAIRMAN ANAYA: Good. And then of course then recognizing that our debt service is still a heavy burden on us.

MR. MONTOYA: Absolutely, Mr. Chairman.

CHAIRMAN ANAYA: Are there any questions of Sam? If not, what's the pleasure?

Commissioner Trujillo moved to approve entering into a contract with the City to house detainees. Commissioner Duran seconded and the motion passed by unanimous voice vote.

IX. C. Resolution No. 2000-77. A resolution supporting the televised broadcast of regularly scheduled meetings of the Santa Fe Board of County Santa Fe County

MR. MONTOYA: Mr. Chairman, members of the Board, Resolution 76 is the culmination of many years of discussion by the County Board of Commissioners about this particular initiative. It is my understanding that the Board has discussed bringing televised sessions to the public many, many times and have debated the pros and the cons of that and I think basically what we have before you today, Mr. Chairman, is a resolution that instructs the staff to proceed with the appropriate actions to bring televised sessions to the general public of the regular meetings of the County Board of Commissioners.

If I could, Mr. Chairman, read the now, therefore section of the resolution I think it goes to the general purpose of the resolution. And I want to point out, Mr. Chairman, that we have talked to Channel 6 who basically is the provider of the televised meetings at the City Council and at the School Board. We had a meeting with them earlier today about the costs related to the capital expenditures and the operating expenses of what it would cost to operate this particular initiative.

Mr. Chairman, I can go into those particulars after reading to you the general intent if that's appropriate approach to follow, Mr. Chairman.

CHAIRMAN ANAYA: That's fine.

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MR. MONTTOYA: Thank you, Mr. Chairman. Now, therefore section of the resolution states that the Santa Fe County Board of County Commissioners believes it is in the best interest of the public via television the proceedings of all regularly scheduled meetings by the Board of County Commissioners and directs the County Manager to proceed as follows: To direct staff to research and apply the available technology to begin the televised broadcasts of regularly scheduled meetings of the BCC; to set guidelines for the use of televised broadcast meetings of the regularly scheduled meetings; and in a timely manner, to begin the televised broadcast of regularly scheduled meetings of the Board of County Commissioners.

Mr. Chairman, that is the general direction to the staff. I want to point out that there are several possibilities of engaging this initiative and they are related basically to cost. One scenario would be that we would have one camera and that it would cover the basic proceedings and we would take that tape back to Channel 6 and they would run the meetings. The second scenario is that we would be in a position to buy our own equipment, which would basically give us the opportunity to have as many as three cameras operated automatically by one individual that basically covers the general scan of where the meetings are going from the actual bench to the staffing comments, to comments made by the public.

That scenario, Mr. Chairman -- well, let me back up. The first scenario would cost about \$2,4000 or around that particular expenditure level for the year. If we go to option two where we buy our own equipment and then bring the service initiative into it as well, we're looking at an expenditure of about \$14,000 to \$15,000 per annum that would be a one-time hit of ten to twelve thousand for the equipment and the \$2400 for the actual proceedings tape to be put together and sent off to Channel 6.

There is a possibility for a third proposal. However, we have not asked for that officially and I would recommend though to the Board that it seems to me that if we're going to go ahead and publicize our proceedings through television that it would be in our best interest to procure our own equipment and to be kind of in a state of the art venue to provide this service to the public.

I want to point out also, Mr. Chairman, that I did talk to Channel 6 about where this actual would end up because there have been some concerns that the only people that would actually be able to see the proceedings would be people living in the city limits. But I did get some very encouraging news from Channel 6 and TCI, who is the cable company that they are considering expanding to a lot of different communities, included amongst those would be as far north as Velarde, possibly to Pecos, to the Española Valley, to Cochiti Pueblo, to Edgewood and possibly to Eldorado. My question to the representative from Channel 6, who I believe is here, Eric I think is here, indicated to me that the augmentation of all of these new communities into the system could bring us to as many as 30,000 households.

Mr. Chairman, I think that is what the County Board of Commissioners would like to see, that our proceedings get out to the county as well as to the city residents, but it's

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encouraging to know that they are working diligently to expand the capabilities of their system out to the county. Mr. Chairman, with that, I stand before you for any questions but I do recommend to you that we proceed with the adoption of Resolution 76 for all of the reasons stated and I think it's a very logical thing for the County to do.

CHAIRMAN ANAYA: Thank you, Sam. I think it is an excellent idea. The EZA passed a resolution some time back which was supported -- actually it was requested by Councilor Cris Moore and I believe that part of that particular motion was that the City would be willing to participate in some kind of, proportionately, rather, just for the EZA portion, for publication. You might try to research that and if there's any potential negotiation with the City in that matter, it might behoove you to follow through with it. Are there any questions?

COMMISSIONER DURAN: Mr. Chairman, Sam, so if we buy the equipment, if the County buys the equipment, will Channel 6 be the one that comes out and tapes the proceedings?

MR. MONTOYA: Yes, Mr. Chairman, Commissioner Duran, that would be the intent.

COMMISSIONER DURAN: And that would be at what cost?

MR. MONTOYA: Approximately \$2400 a year to come in and tape the meetings for us. If we have our own equipment available to them. And obviously these are numbers off the cuff in a preliminary discussion we definitely have to have them submit a proposal with their firm numbers and with the expectation and hopefully would meet our scope of work. But Mr. Chairman, I believe the one time expenditure of between ten and twelve thousand dollars would buy state of the art equipment that would do a fine job over the course of many years.

COMMISSIONER DURAN: And the \$2400 that Channel 6 would charge, they would charge that same amount if they brought their own equipment?

MR. MONTOYA: Mr. Chairman, Commissioner Duran, if they brought one camera and had one individual here it would bring the general proceedings of the Board of County Commissioners to the public but what I am recommending quite probably as soon as we know that the proposals are firm is for a long term investment that would bring a nice capability to scan not only the bench with the County Commissioners but the staff and also the general public that could be done almost automatically with the push of a button depending on who's talking on what issue.

COMMISSIONER DURAN: The biggest question is does that mean that we have to start behaving up here?

MR. MONTOYA: Yes, Mr. Chairman.

Commissioner Trujillo moved to approve Resolution 76 and Commissioner Grillo seconded.

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COMMISSIONER DURAN: It has me as being the chairman on the resolution, so I don't know if you want to give up the chair or have the resolution changed.

BECKY BUSTAMANTE (County Clerk): The original has been changed.

MR. MONTOYA: Mr. Chairman, I did want to point out that if the Commission has any particular questions of Channel 6, there are two representatives here that could address any of those technical questions if I misstated anything.

COMMISSIONER DURAN: Mr. Chairman, Sam, if you could just bring back proposals to us when we make a decision as to which way we're going to go on this?

MR. MONTOYA: Absolutely, Mr. Chairman, Commissioner Duran.

COMMISSIONER DURAN: The other thing I'd like to ask is what would it cost for three cameras?

MR. MONTOYA: Mr. Chairman, I believe the proposals for three cameras is the estimated cost between \$10,000 and \$12,000 I mentioned to you earlier. That scenario brings with it three cameras.

COMMISSIONER DURAN: Thank you, Mr. Chairman.

The motion passed by unanimous voice vote.

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

CAROLYN SIGSTEDT: Well, here, here to Resolution 76. I think it's a wonderful thing that you're doing and long overdue. But I am really happy. If I read this correctly then it means that it's not just the County Commission meetings, it's also the EZA meetings? No, it doesn't mean that. Okay, that's what I thought. So it is important I think to add and publicize the EZA meetings since that's a lot of where the action will take place in the next twenty years.

And the other thing that I would recommend is there are a number of people that can't afford cable television and until cable television is even available to the full county you might consider radio broadcasting as well. Those are possibilities. Then there's one other item that I want to mention and it deals with the fact that it's our future water source, which is the Rio Grande, and I think that we have to be very vigilant as to what is going on at Los Alamos with the clean-up. I wrote this and I'll just read it.

In the aftermath of the Los Alamos fire, Secretary Bill Richardson must reverse the decade-old practice of the Department of Energy, its predecessor agencies in the nuclear weapons laboratories of playing down, covering up, under estimating and misrepresenting the health impacts to the environment and to the public from accidents in operations at its facilities. The flood threat situation in the deforested canyons where to date is stored plutonium and other more serious toxic chemicals discarded from the war effort is potentially catastrophic to the future water quality of our Rio Grande.

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The Los Alamos Laboratory and the Department of Energy freely admit that their latest, worst-case scenario projections of flood damage and potential water contamination were grossly underestimated. Secretary Richardson should direct the EPA to designate Los Alamos a superfund clean-up site. The state and LANL do not have the necessary resources nor record of open accountability. Declaring Los Alamos a superfund site would assure not only another level of government addressing our health, safety and environment from potential releases and contamination into the Rio Grande, but would be a more formal, disciplined, well-financed, well-planned, more transparent, long and short range integrated strategic effort.

Please consider a resolution asking that in the aftermath of the fire, Los Alamos be placed on the national priority list for superfund consideration. Don't allow this to be solely a LANL decision. This is a societal decision. We all live downstream.

Incidentally, the lab years ago was taken off the EPA and separated from it for security reasons. But in terms of this catastrophe, it really deals, it clearly is an EPA issue and I feel that they should be involved in the clean-up.

CHAIRMAN ANAYA: Thank you, Carolyn. Would anyone else like to address the Commission?

ELAINE CIMINO: Commissioners, my name is Elaine Cimino. I'm from La Cieneguilla. We have a few potential serious water problems. In La Cienega there have been test results that have come back that have shown that the picuries high-gross alpha in the drinking water is fifteen plus or minus 3.8 picuries per liter. Now that the standard is set at 15, and according to NMED groundwater, this indicates that these contaminants are over the standard maximum contaminant level.

Over a month ago I brought this to the attention of Commissioner Gonzales and he turned it over to staff, and yesterday I was informed by Commissioner Gonzales that he was assured that the contaminants contain no health threat. However, I do have some questions about that and that is basically who assured that there was no health threat when we are looking at the standard maximum for the residents of our area.

I would like to see or request the recent monitoring reports of water tests that may indicate something else that perhaps County staff has found that we're not aware of. If you could make that available to me, I've had a difficult time trying to get that information from staff. We've been playing phone tag back and forth.

And I also would like to know who did the monitoring tests and what lab performed those evaluations because we do have an evaluation here that was on Melissa Wright's well in Por Su Gracia that detected some thermal retac that information. This has been given to staff already. I would also like to find out whether the County Hydrologist could state for the record whether there is a health risk or not and then say what criteria that would be based on.

What we show is quite the opposite and the maximum contaminant levels are well at the standards and whether this is naturally occurring in the aquifer or whether such areas like

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Pojoaque, for instance have higher picuries in the drinking water is really irrelevant. The fact is that we are over the maximum contaminant levels. What I would like to also note that the fact that these tests show that at times they may have exceeded the maximum contaminant levels, whether these tests are showing trends of rising over a period of time. They may have been lower and we're showing higher levels at this point and if these trends continue what are our alternatives in this area.

I would like to request from the County that we have an environmental impact study on this to be initiated as soon as possible and that there could be some kind of water testing study to determine what levels of contamination over this area, because nuclear dynamics had performed uranium test hole drilling in this area years ago and we believe that it has contaminated the aquifer. We also would like to see if the County would look into a possible mutual water system and the appropriate water purification systems and supply clean water to the upper La Cienega. I think this is extremely important.

The other issue facing our area of course is what happened in Los Alamos and the nuclear fire that took place. I sit on the Jemez y Sangre Regional Planning Council and this council is coming forward with a technical study that so far has omitted any suggestion of the Cerro Grande nuclear wildfire that occurred. One of the reasons for this is that when the council was initiated, the scope did not consider the impact of such a catastrophe occurring. However, now that it has it's important the data that's now be collected be included in its technical report.

Duke Engineering has concluded that the contracted task and of course the report shows no mention of the wildfire and the impacts on the water supply. The fact is now that San Ildefonso Pueblo's local river wells and possibly the Rainey collector has been impacted by the fire, according to NMED officials. The samples that have been taken have shown cyanide and mercury poisoning as well as other high level strontium-90, beryllium and other nuclear materials. These samples are being confirmed in the lab and the data is being assessed, but these water conditions on the mountain and in the rivers and have proceeded all the way to Cochiti.

Because of the technical difficulties with the Rainey collector, considerations are now being given to do a direct diversion of surface water for the San Juan Chama from the Buckman area. However, it's important to note that the run-off from the Pueblo Canyon and Los Alamos Canyon have a storm outfall in the river and a possibility of further downstream contamination which is highly likely.

The last thing that anyone really wants is the contamination of the Santa Fe River native basin. We cannot import this water without the proper safeguards in effect. What the Jemez y Sangre Regional Water Council is needing is additional funding to include the data from the Sierra Grande fire. I appreciate your listening.

CHAIRMAN ANAYA: Thank you, Ms. Cimino. I'm sure if you turn it over to Commissioner Gonzales he's already following through on it and so is staff.

MS. CIMINO: Well, that's been kind of the problem. We really haven't

gotten the updates that we really needed.

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CHAIRMAN ANAYA: Let Estevan address the issue.

MR. LOPEZ: Mr. Chairman, Commissioners, I'd like to address first of all the issues surrounding the Por Su Gracia Subdivision and the Santa Fe Racetrack and water quality issues that have been brought up. We have received information from Ms. Cimino and others regarding potential contamination of water supplies in that area. However, we've also been in contact with the New Mexico Environment Department and they have some questions, specific questions as to some of the data that's been presented to us and whether that can be replicated.

They have not to date been able to replicate that information. They are starting, renewing a monitoring program for certain contaminants like radio-nuclides but they have been doing some trend monitoring of nitrates and the trend that they had been tracking was a trend that was actually decreasing over time. With respect to nitrates, even the tested data that what provided to us by Ms. Cimino did not exceed drinking water standards.

The Environment Department also had claimed that the maximum contaminant levels for radio-nuclide contamination weren't very well established and they're really seeking guidance as to where to go with that, but they have initiated a new testing program.

With respect to some of the other issues raised by Ms. Cimino, we have prepared a summary of the activities that we've pursued with respect to those issues at Por Su Gracia and Santa Fe Racetrack and we'd be happy to make that available to her so she understands some of the stuff that we have done. We've met with all of the regulatory agencies that could have jurisdiction over that as well as property owners to try and move this issue toward resolution.

COMMISSIONER TRUJILLO: Mr. Chairman, I'm perplexed that she brought up an issue with the Rainey well on the Rio Grande by San Ildefonso Pueblo. That is not even in the drainage from Los Alamos, so how is the quality of that well compromised? Because I don't see any contamination, either maybe airborne but not surface contamination going into that well. I'm a little perplexed that there's concern there.

MR. LOPEZ: Mr. Chairman, Commissioner Trujillo, you're right. And one of the things that she mentioned and I haven't really had a chance to discuss this with her, but she mentioned that because of technical difficulties with the Rainey facility, we've not gotten to that point yet. We don't know yet whether that Rainey facility is technically feasible. We've not yet moved on to the step that she described, that is a direct surface diversion in the Buckman area. Certainly that's an alternative that if the preferred alternative at San Ildefonso doesn't go forward we will explore but certainly we will be cognizant and be looking for contamination issues and address those appropriately.

CHAIRMAN ANAYA: Thank you, Estevan. Is there anyone else in the audience that would like to address the Commission?

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IX. E. MATTERS FROM THE COMMISSION

CHAIRMAN ANAYA: First of all, I just want to thank you Commissioners for electing me as you chairman for my last hurrah. I really appreciate that.

COMMISSIONER TRUJILLO: Congratulations, Mr. Chairman.

CHAIRMAN ANAYA: Thank you, Commissioner Trujillo. Any matter?

COMMISSIONER TRUJILLO: I've got one. I think we need to revisit the fee schedule and the protocol regarding the solid waste program. We've got -- we need to make the process, the protocol as user-friendly and responsive for the community as possible. Jill's not here and I understand, because the community has called me, that now the County's charging or punching the card for pruning or branches. This weekend, and I noticed in and around the rivers that there's an accumulation of branches and leaves and that sort of stuff. In fact this weekend, in front of my house, I found 15 bags in my driveway of leaves and branches and that sort of thing.

So the community's not taking that very well. I don't understand why we all of a sudden started to do the punches or punch for pruning. We issue every year on a yearly basis 24 punches. If you don't use them in a given month, you lose them. I don't think we should do that. I think if we give 24 punches, the community should be accountable to use them whenever. If they want to use them all in one month, they use them. If they want to split them up throughout the year, they use them. But they should get 24 visits to the facility, to the transfer station without losing them.

If they want to give one of their punches to a neighbor, to a relative, to a friend, I think they should be afforded that opportunity. Otherwise, the purpose of our infrastructure is defeated and we're going to see solid waste all over the countryside. If we give 24 punches to the community, they should be able to use 24 punches and branches and pruning and leaves should be accepted into those facilities free of charge, because the community is not going to use one of their solid waste punches to take branches in there. Again, that's what I experienced this weekend.

ROBERT MARTINEZ: Mr. Chairman, Commissioner Trujillo, that hasn't changed. That has always been the procedure. It requires a punch whether it is household trash or tree branches or grass trimmings, because we do pay Caja del Rio \$25 a ton whether it is household waste or vegetation.

COMMISSIONER TRUJILLO: Robert, the vegetation is mulch on the side and the community takes that to their properties. That is not taken to the regional facility. It is mulched at the site. So there is no out of pocket expense for the County. And I've gone to the facility and I've been there when other people have gone to the Jacona transfer station for pruning, and they have been accepted for free. That just changed.

MR. MARTINEZ: Mr. Chairman, Commissioner Trujillo, not all of the mulch is picked up by the residents. A lot of it, because it is not clean mulch, a lot of it is contaminated with weeds and other type of undesirable types of vegetation are not utilized.

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So we do send that to the landfill. Recently, what we have done, I would say in the last month and a half, we've been setting up the chipper at certain areas in the community and providing the residents a place to bring their vegetation and we've been mulching it and hauling it off. So that is being done at this point.

There is on the agenda for the 25th meeting of this month, for the Commission to change, I guess amend the Solid Waste Ordinance. So the discussion was brought up a month ago when there was a problem with some residents transferring the passes. So the Commission had directed us to bring this before them so they could amend it.

COMMISSIONER TRUJILLO: Very good. We'll discuss it at that time.

MR. MARTINEZ: Yes.

CHAIRMAN ANAYA: Thank you, Robert.

COMMISSIONER DURAN: Mr. Chairman, Robert, while you're there. Every time that we have a pretty hard rainfall, the road going to Tesuque, Bishops Lodge Road, gets rained out because of the steepness of the canyon, rocks come down and the road is very treacherous after a hard rain. And I'm wondering what the procedure is, because the procedure is to go in there and actually check areas like that. I called you on Sunday, or I forget when I spoke to you about it and it had been a couple days after it had happened. Big boulders are in the middle of the road and I think we need to take a little bit more proactive approach to these kind of roads because you could be driving down at night, there's a boulder there, you swerve and you're off the road or even into the path of an oncoming car.

So I'd like to have something in place that when we do have a hard rain like this, that areas like this, and this area in particular that someone goes out there, a road crew goes out there and investigates the damage that the rain has done.

MR. MARTINEZ: Mr. Chairman, Commissioner Duran, we do inspect the roads during working hours. We do depend a lot on the Sheriff dispatch in the event that there are some hazardous conditions. What I did in senior staff on Monday was distribute the emergency phone list that has an emergency pager number that once you call, you're call will be returned within 20 minutes. Unfortunately when you called me Sunday I was out of the area.

COMMISSIONER DURAN: Well, Sam, could you put a policy together where our Public Works Department designates areas of concern or designates roads that have this kind of an issue and have the Public Works Department have something in place so that someone goes and patrols it? Is that acceptable to the Board?

COMMISSIONER TRUJILLO: Do you have something like that in place Robert? I think you do.

MR. MARTINEZ: Mr. Chairman, Commissioner Trujillo, the way the storms move, it's impossible for say, Ramon, Bishops Lodge is in his district. Ramon is in the Nambe and Pojoaque area. It's impossible for him to see if it's raining in the Tesuque area. That's why we depend a lot on the Sheriff's dispatch. But in the event of severe

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storms, yes we do get out there and check the roads.

COMMISSIONER TRUJILLO: I think we depend on the community to let us know too. We had a major hailstorm last week over in Chupadero, and I got a call immediately from the community and Ramon was there the next 15 minutes. So we're dependent on the community to let us know.

COMMISSIONER DURAN: Well, if we had something in place it didn't work over this weekend.

MR. MARTINEZ: Mr. Chairman, Commissioner Duran, like I said, we have the emergency pager which we will respond within 20 minutes. It was just unfortunate that I wasn't in the area when you called me.

COMMISSIONER DURAN: Well, I don't even live out there, but it just seems to me that too much time went by before something happened. That's all I'm bringing up and if you're saying we have something in place, I'm telling you that whatever we have in place didn't work in that area over the weekend and I just want to make sure that if this is happening there, maybe it's happening in other places that a crew needed to go out to. Anyway, can you just check on it? That's fine. Thank you.

CHAIRMAN ANAYA: Robert, I think Commissioner Duran is also looking into it as a loss prevention measure for any potential suits that might be created by these issues so it would behoove you to follow up on what Commissioner Duran desires.

MR. MARTINEZ: Mr. Chairman, what we can do is put our crews on alert during this monsoon season and have them, in the event that there is a storm, have them go out, even if it is after hours or on weekends just to inspect the roads.

COMMISSIONER DURAN: Thank you.

CHAIRMAN ANAYA: Are there any other concerns or Matters from the Commission?

IX. F. MATTERS FROM THE COUNTY ATTORNEY

1. Executive Session

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

Commissioner Duran moved to go into executive session to discuss the matters delineated above and his motion was seconded by Commissioner Griné. The motion passed unanimously by roll call vote, with Commissioners Commissioner Trujillo, Commissioner Duran, Commissioner Griné and Commissioner Anaya all voting in the affirmative.

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[The Commission met in executive session from 6:00 to 6:40 with Commissioner Gonzales participating telephonically.]

Commissioner Griñé moved to return to regular session having discussed only possible acquisition of real property and water rights and possible litigation. Commissioner Duran seconded and the motion passed by unanimous voice vote.

X. PUBLIC HEARINGS

A. Discussion of possible acquisition of the Villa Rivera/Marion Hall property and possible financing options

MR. MONTTOYA: Mr. Chairman, Members of the Board, we have prepared a presentation for you relative to the directive from the Board to come to the general public and to seek input on the potential proposal to purchase Marion Hall and La Villa Rivera which is known also as the old St. Vincent Hospital.

Mr. Chairman, the Power Point Presentation we've put together will bring you a lot of relevant data and also some pictures of the actual facility which we believe are important to this process because a picture is worth a thousand words. And Mr. Chairman, we would like to possibly dim the lights a bit and be able to get some perspective on the slides we have before.

Mr. Chairman, after our presentation we would certainly encourage the public to give us their input and their comments on this potential initiative. I want to point out Mr. Chairman, that the way we structured this presentation, we want to give you a general idea of what the facility looks like, we're going to give you space information about each particular building, then we are going to give you a rationale for why it is important to the County to consider this initiative. Then we have given the County a total of 5 or 6 options of what could conceivably happen. We've also given you a scenario of what it would cost the taxpayer in the general sense if any of these particular options were to pass. And then the final step would be to ask the public for any comments, should they have any, Mr. Chairman.

So, with that Mr. Chairman, if we can proceed. The first slide here shows you basically a sign that indicates the facility that we are talking about and the location, 228 B Palace Avenue.

Mr. Chairman, La Villa Rivera features include:

1. The fact that it is approximately 50 years old. It was built in 1949 and it was eligible for historic designation in 1999, which it does not currently have yet;
2. It's a 4-story complex with an unfinished basement. 130,488 gross square feet;
3. There's a boiler room with 7,425 square feet;
4. There's a wood shop and a storage room totalling 4,307 gross square feet;

5. A wood frame shed, 360 gross square feet;
6. Concrete columns and plate structure;
7. The interior has non-bearing plaster and drywall;
8. Exterior walls are pintail concrete block, metal lath and painted brick facades
9. Windows are metal frame, single pane, crank operated;

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COMMISSIONER DURAN: Sam, that 130,000 square feet, that does not include the Marion Hall, right?

MR. MONTTOYA: No, it does not. That's coming up next. Yes, Mr. Chairman, continuing on the facility,

10. It has a flat roof and some sections has rubber roof components and others have graveled roofing;
11. There is a 3-passenger elevator. One currently inoperable and one freight elevator. I want to point out Mr. Chairman, that the legislature has just recently pumped in some money to replace both of these elevators. That's my understanding. So that work is happening as we speak;
12. One functional kitchen in the La Residencia section which is a nursing home component;
13. We have three gas boilers in a separate building, high in natural gas usage and they need to be replaced;
14. We have a composition tile carpet, ceramic tile overlay;
15. We have an overhead sprinkler system;
16. Ceilings are acoustic and have painted concrete;
17. Lighting is florescent;
18. Four stairwells;
19. 60 pair cable for telephones, 300 currently being used. We need a new phone system in this facility and it's approximately, the value of replacement is about \$1,000,000 this particular component;
20. The parking at this facility is approximately 88,000 square feet. It is able to handle 253 parking spaced based on formula of one space for 500 square feet by code, the city code;
21. The sitting tenants at the actual La Villa Rivera are PNM Medical Services has La Residencia function there,
22. The Museum of New Mexico is housed there;
23. The Office of Indian Affairs;
24. New Mexico Historic Preservation Division;
25. The New Mexico Arts;
26. Museum of New Mexico Crafts;
27. New Mexico Agency on Aging;
28. And then New Mexico Administrative Services Division.

These are all State agencies, Mr. Chairman. Should the County or any other private sector

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component buy this facility, all of these agencies would need to move from this facility.

Mr. Chairman, we just gave you a quick look at all of the entities we just mentioned are spread out over these three floors.

COMMISSIONER DURAN: Sam, what's the longest lease on that?

MR. MONTOYA: Mr. Chairman, the longest lease is an existing two-year lease with La Residencia that would go through, I believe, it's 2002, and they have an additional 5-year option to stay in the facility. So it's a total of 7.

The State agencies, Mr. Chairman, are kind of at the whim of what happens with the sale of this facility.

COMMISSIONER DURAN: The La Residencia people, it's my understanding is that they're hoping to find another site, so although it's a 7-year potential lease, are they not looking for another place so that they wouldn't extend it beyond those 7 years?

MR. MONTOYA: I have not contacted these people directly but I do hear that there is a potential for them to possibly move. However, if the County were to purchase this building and if we wanted to keep them there, I'm sure they might discuss that with us and quite possibly stay there. But I have not had direct communication with them due to the fact that we don't quite know exactly where we're headed yet.

But I do want to point out that it is approximately \$500,000 per year, is the revenue stream coming from that source.

COMMISSIONER DURAN: Is that net?

MR. MONTOYA: Yes.

COMMISSIONER TRUJILLO: That was the same train of the thought that I had.

MR. MONTOYA: Mr. Chairman, then we go now to the facility. This is the entrance into La Villa Rivera. This is the facility we just finished discussing. And we'll show you several other sections of the facility. This is, I believe, from the North side of the building on Palace Avenue. This is the entrance to La Residencia where we have the housing component. I do think this is another shot from the North side.

This, Mr. Chairman, is also approaching La Residencia entrance from the West side of the building. Another shot of the La Villa Rivera. It shows, clearly, the four stories. This is from the roof of the facility looking down. It does have a lot of nice patio areas and greenery. This is a typical hall in the administrative office sections that we discussed earlier. And you'll note here, Mr. Chairman, of course this was an old hospital, so it has very wide corridors and this gives you kind of a feeling of what it looks inside. Another shot of an internal look. I believe this is the Tourism Office. Another shot of the inside giving a different perspective. Another external look. This is the painted brick facade that we talked about earlier. You'll see the white paint on the red brick.

This is a look at the 253 parking spot garage. It shows the functionality of it, Mr. Chairman, and later on we'll talk about the possibility of constructing a parking garage. If

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you'll look at this picture, that would be it on the left side of the picture in that particular neck of the parking lot.

And then an internal look at the functionality of conference rooms, this gives you an idea of how it's currently being utilized. I believe another shot of a different briefing room.

This, Mr. Chairman, takes us to Marion Hall. This is a shot or a picture of Marion Hall in the early 1900s. And this facility, this building does have a national historic designation, as well as New Mexico designation. Here we go on Marion Hall:

1. It was built in 1910;
2. It's in the national register;
3. On the New Mexico register;
4. It's part of the downtown east side historic district;
5. Three stories;
6. Plus finished basement,
7. 31,000 gross sq. footage;
8. Wooden brick masonry structure;
9. Brick facade painted;
10. Windows are double-pane on wood frame;
11. Interior walls are plaster and drywall;
12. Gable-type pitched roofing with asphalt shingles;
13. It has one passenger elevator which takes care of the ADA requirements;
14. HAV has been converted from steam to hot water back in '96 and still receives water from the central boiler system;
15. Uses 100 percent outside air;
16. Cooling system consists of 2 swamp coolers;
17. Flooring is composition tile;
18. Carpet;
19. Mosaic tile;
20. Overhead sprinkler system;
21. Ceiling has acoustic tile;
22. Lighting is fluorescent.

The only tenant at Marion Hall currently is the New Mexico Public Regulatory Commission. They take up the entire building. This component, Mr. Chairman, would also require a legislative appropriation to move to another building should it be purchased.

We just thought we'd show you a "For Sale" sign that we saw in Marion Hall in the window.

COMMISSIONER DURAN: What does that signify?

MR. MONTROYA: Just an indicator that they're looking for a buyer, Mr. Chairman, I want to point out this is the West side portal that goes into Marion Hall as kind of historical perspective, you can see the cathedral in the background behind that tree. Here's a better look at the portal and a better look at the perspective to the cathedral, so it's right

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down town.

Mr. Chairman, I believe this is the north side on the Palace Avenue side. And this is basically the entrance from the parking lot into the Marion Hall. Another look from the west side, as well. This is the main entrance into Marion Hall from the Palace Avenue side. This is the major lobby area. Again, you can see the PRC Commissioners on the wall there. This is the current operating location for them.

A look at the interior, as you can see here, the hallways are much narrower than La Villa Rivera but very functional. This is one of the hearing rooms, Mr. Chairman, that has current utility for the PRC. I understand that this was -- not sure if it was an operating room or had some venue for maybe a chapel. But I've heard some different perspectives on this use here but it does have hearing possibilities at this point in time. That's what it's used for now. Another look at the different architectural style, the types of windows it has under its historical designation.

Now the purposes why we should consider these initiatives, Mr. Chairman, is kind of twofold and we'll expound on these issues. ****The first would be to find new ways to generate alternative revenues for the County and to accommodate the County growth over the years.

Mr. Chairman, the public/private joint ventures would allow the County to generate new revenue without increasing taxes through a public/private joint venture. It would allow the County to operate -- the County operating revenues currently are maxed out. All our property tax mills have been imposed by the Board. All our gross receipts taxes have been imposed as well. So we are challenged with looking at new ways of generating revenue and we will expound on this a bit further as we move ahead.

I want to also point out that current legislation, House Bill 366, that was introduced by Representative Lujan limits future property tax revenue growth to 3 percent over the existing tax base and that is a current law that is on the books currently. Current statutes do not permit additional tax revenue, therefore, Counties are being forced to seek alternative funding sources and that's one of the potential rationales, as well.

Now allowing the County to generate additional revenue to create a "win-win situation." we're talking about utilizing the private sector money and expertise to convert publicly owned buildings into revenue generators. We would be talking about allowing the government to maintain ownership and development control of real estate and it also allows the private sector a shorter time frame to develop property using the government umbrella.

Mr. Chairman, what we're talking about here, if there is a possibility of the County moving to a new venue and if the venue is St. Vincent, what could happen with this existing facility, if the facility we're currently in today, we could have all kinds of different potential for this facility in terms of it being a revenue producer. We could talk about its possibility to serve as a hotel, as a restaurant, as commercial gallery space, office space. It has a lot of different possibilities. And that's what we're talking about in terms of public/private ventures.

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COMMISSIONER DURAN: So there would not be a public/private joint venture on the old St. Vincent's property or properties downtown?

MR. MONTTOYA: Mr. Chairman, we're talking about the possibility on both properties. And we're going to cover that as we move into that in our next section here.

The next issue or section of our presentation, Mr. Chairman, we thought that it would be very important to give you some meaningful numbers of how the County has grown in the past and also if it's happened in the past, most certainly, there will be some future growth. And we wanted to give you a good base of that growth and this is where we're headed in this particular section.

Mr. Chairman, obviously the County's budget has grown over the years and larger budgets basically are built around more services which require more employees which definitely requires more space. The County has outgrown the facility that we're currently using and it's expected to grow in the future. Currently departments are short of space and I think it's now becoming an issue of how we are able to better service the community. And it would be a wise plan for future growth to utilize today's dollars to build for the future and for that expansion or that growth to cover the next 10- to 20-year needs.

Mr. Chairman, we want to show you here, just based on the county growth, what the population looked like back in 1980. 73,000 people occupied the county back in 1980. In 1990, it was 98,920, we just barely missed the 100,000 mark which would have made the county a Class A County. We're currently still a Class B County but we're expecting to roll with the 2000 Census into a Class A designation. And the estimations are that the population count should be approximately 120,000. Although, there are other people saying that it would be closer to 110,000. But the estimate is 120,000.

I also want to point out that the operating budget back in 1995 was \$25,000,000. The current budget, Mr. Chairman, is \$91,000,000. And the employee number was 386 back in 1990. It is now 464. And I know there might be some questions about how the County grew from \$25,000,000 to \$91,000,000. There's approximately \$65,000,000 tied up in revenue bonds and GOB bonds and that is the lion's share of the growth. And I thought you might ask that question, so we did check on the due diligence in that particular section.

Mr. Chairman, I want to point out though, on that 464 number, just so that we keep it in perspective, from that number I want to point out that there are 29 term employees which means that these people are paid directly from grants that the County has been successful in bringing into the County. And there are also 15 temporary employees. So you put those 2 numbers together and you'll see that those temporary employees and the term employees are products of the County's ability to bring revenue from other sources.

COMMISSIONER DURAN: Sam, does this include the Sheriff's deputies?

MR. MONTTOYA: There are some employees there that are paid through the Hyder Grant and others, yes.

COMMISSIONER DURAN: Not the deputies, just the administrative level?

MR. MONTTOYA: Well, we do have some participation in the COPS grants.

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and some of those particular programs. So there are some elements in there. But mostly they are administrative people, yes.

COMMISSIONER TRUJILLO: On the total work force, does that include the law enforcement personnel?

MR. MONTTOYA: Yes. Mr. Chairman, we wanted to also show you how the growth in the County compare to the City growth which we thought would be important. Population inside the city limits in 1980 was 48,953. In 1990, it was 55,859. For a total growth rate of 14 percent. Now the population outside the city limits back in 1980 was 24,000 people. In 1990, it was 43,000. Just to show you here, Mr. Chairman, the growth in the County is 76 percent. That is quite a large number and once we are able to ascertain what the numbers are in 2000, we'll be able to give you another number.

But, the point is here, Mr. Chairman, that growth is definitively going to the Extraterritorial zone and to the County.

Mr. Chairman, on the growth trends or the trend of growth outside the city limits has continued during the 1990s and just simply reiterating what I just said that the 2000 Census Report will, I think, show us some definitive growth, most of it in the County.

Mr. Chairman, new and expanded County services in the last 5 years, I thought we'd just simply roll through some of the growth that the County's gone through. And these are some of the people that need this space that we have been talking about. We have a new rural addressing program that did not exist 5 years ago. There's approximately 8 employees there. We have a GIS and an MIS system that we did not have to this type of/or size of employee structure. We did have a MIS system but it was not at a current 7 employees. The GIS system was in its infancy. I think there was only 1 employee, now we have 4.

The Land Use Department has almost doubled probably in the last 5 years. 19 current employees that go to Code Enforcement and Planning. The Utilities Department, we acquired it approximately 5 years ago. That has 7 employees. And here is a very important component. The Fire Department, we have 24/7 operation around the County now that requires a total of 24 employees to keep that operation going. And to the Commission, I think now the AMT coverage in the County is excellent and we did receive a national award for that design.

Mr. Chairman, also the Public Works Department is serving a greater population now with more people moving out to the County. We have to do more maintenance on the roads, clean more culverts, do a lot more internal paving and all of these other issues that relate to Public Works and Solid Waste.

Mr. Chairman, we have been talking about a GSD facility, a Public Works facility and we have tried to give you a good idea of where we are now. We are currently in a facility that's 12,000 square feet which houses the Public Works Department, General Services. We've been trying to work here, Mr. Chairman, to find a new home for these people. The facility serves as a base for 112 employees. And it's boxed in a highly densified residential development. It is not conducive to the functions of Public Works and

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General Service operations. And I just want to tell you that early in the morning, we have to start all this heavy equipment and it wakes up a lot of folks early in the morning and we have stockpiles of gravel and other things out there that does not make this operation conducive for that purpose.

Mr. Chairman, continuing on here, we've been talking about the need for a new facility which would improve, if we were able to move from that residential zone, we'd have better emergency response time, we would be able to have an increased performance in terms of time in getting to the locations we want to get to for snow removal and other things.

The County emergency vehicles and heavy equipment, I mentioned to you earlier, materials testing occurs at this facility and there's a lot of construction material and maintenance material. We fabricate traffic and street signs. And we construct and repair a lot of fixtures, heating and cooling equipment, parking accessories, so there's a lot of noise that is conducive to this operation.

Mr. Chairman, we've also been talking about if we were to have a better location, that it would basically reduce our need to contract services, we could centralize facilities, we'd have a closer proximity to road construction and maintenance materials and we'd have a better ability to have stock piles for needed equipment and materials. And we'd have hopefully a better access to the public, including parking and handicapped access.

Now the Department's outgrown its basic location. We probably need to double our space, Mr. Chairman, and over the past 5 years we wanted to just let you know that the Department of Public Works has grown from -- and GSD from 74 to 112. Combined budgets have increased from \$9 million to \$15.8 million. And the County fleet which is maintained at this facility has grown from 235 to 316 pieces of equipment and vehicles.

Mr. Chairman, the adequate office space comprising 16,000 square feet is what we would basically need to go to. We'd need an adequate shop of 28,000 square feet, we'd need centralized workshop areas to provide for all the different issues that relate to what the staff does at these facilities and we're currently in charge of servicing 17 other facilities and 3 recreational parks. And most definitely would need storage for a lot of equipment and materials.

We're trying to finish off here giving you an idea of the need. We would need basically 21 acres to really kind of spread our wings and do our job in a better light. We need additional parking for our people and most definitely are growing, Mr. Chairman, we have a lot of vehicles that are related to the Sheriff's Department and the 911 Program. And we would like to basically also accommodate the traffic flow that requires access to the fueling stations. As an example, the Sheriff's Department. They use that facility exclusively to fuel.

COMMISSIONER DURAN: Excuse me, Mr. Chairman, Sam, I must have not been paying attention but how did we start talking about the Public Works facility/roads, how does that relate to acquiring --

MR. MONTOYA: Mr. Chairman, what we're trying to do here is to give the

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County Commission a good idea of where -- what our basic needs are. And I know it's been a bit long-winded here but we're going to cut to the chase here in a minute.

CHAIRMAN ANAYA: No, I think it's an excellent presentation. It's very informative. But go ahead, Commissioner Duran.

COMMISSIONER DURAN: Well, I think it's informative too, but I'm just wondering how moving the Public Works facility got tied into it.

MR. MONTTOYA: Well, Mr. Chairman, as you will see, we're coming up to some options here, and the options we're going to present incorporate how to solve all these problems. And the general gist of where we're going, Mr. Chairman is to try to give you some very thoughtful ideas of how to solve these problems and then to let the public tell us if we're right or wrong.

Mr. Chairman, that's the approach and I'll try to move ahead here. I know we've gotten a little cumbersome. This is actually just more discussion about what the needs are relative to the testing laboratory and the fabrication shop and the sign shop, so we'll move on.

Mr. Chairman, this is probably a good screen because it talks about our current space. We have 43,000 square feet in this current building. Our need is 64,000 square feet to get us to where we would be able to accommodate all of our space needs. Right now we sit on 6 acres at the Public Works, 12,000 square feet. We would need 44,000 square feet on 20 acres to accommodate our needs.

Then there is a request from the judicial community. They currently have 56,000 square feet. They are telling us they need approximately 90,000 square feet for future growth.

Mr. Chairman, just to show you the growth in some of the other areas that we have to serve, this is the District Attorney's Office, we also have to provide space for these people. They have shown some growth. Their budget back in '95 was \$1.9, it's now \$3.4. They had 39 employees, now they have 62. They're projected to grow almost double by 2015 and their existing square footage over there is 13,000 and they probably need more like 26,000.

Mr. Chairman, there are other programs that the DAs put in place and that is why their growth needs are so important. Mr. Chairman, this goes now to the District Court, tells you that their budget was at \$2.1 back in '95. The 2000 budget is a \$3.7. They had 56 employees in '95, they have 66.5 right now. Cases filed 7,200 and currently 7,700. That's the District Court picture.

Mr. Chairman, these are all of the agencies and entities and the County has to provide space for. The District Attorneys, the District Judges, the State Juvenile Probation and the State Health Building. We are currently on top of trying to juggle all the needs that the County has just for its own administrative functions. We have to also provide space for all of these entities. I want to keep that in perspective.

Mr. Chairman, here are the options that we've talked about. Some of these go from

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a very large price tag to a more manageable price tag. But I think you will see that we have been very thoughtful about if we're going to do this, it has to be done right. And so we have given every consideration to the appropriate number of dollars that are needed for each venue. Mr. Chairman, the first option would be to place a \$47 million General Obligation question on the ballot for the November election. If passed the County would purchase the old St. Vincent property for approximately about \$10 million. Right now the appraised value is \$8.8 million and it would definitely require a new appraisal. So that price could go down but hopefully not over \$10 million.

We would raze Villa Rivera which means we would basically reduce it to nothing. We would construct a 64,000 square feet administration and a 90,000 square feet judicial complex which would cost about \$23 million. Then we would build a 500 parking space garage which we estimate to cost \$8 million. The County would use approximately 400 of those spaces, including County customers and judicial customers. We would remodel Marion Hall with \$2 million. And that would free up this Administration Building and the Judicial Complex which would both be revenue-producing properties that could potentially produce \$1 million which could go back to pay the debt off quicker.

Option 2, Mr. Chairman, would be to place a \$34.25 million question on the ballot for the November election. If passed, we would purchase the facility for the \$10 million or below. We would build the parking structure at \$8 million for 250 spaces. We would gut and reconstruct Villa Rivera and improve Marion Hall for \$16 million. We would renovate for the administration space, retail and commercial space, which is where the private sector comes in. Also possible space for non-profit and educational institutions which would lease approximately 70,000 square feet generating another \$1 million in revenue to offset the price tag.

Option 3, Mr. Chairman, would be to place a \$12 million Bond on the November election. We would use the lion's share of the money to buy the facility. We would remodel Marion Hall. We would develop a private/public partnership to construct the parking structure and to renovate Villa Rivera where possibly we could have a hotel, a restaurant, retail space, potential revenue of \$1 million or better. This option here, Mr. Chairman, really does the private/public relationship in a strong way.

Option 4, again is to do a \$32 million GOB. This is a little bit different than Option 2 because it doesn't buy the facility but it does remove La Villa Rivera, \$4 million to raze it, and construction of an administration building, 500 parking space, 250 of those would include County customers. We'd construct 40,000 square feet administrative building, remodel 20,000 square feet of Marion Hall for use by the County Administration. And we'd free up the current Administration Building to generate some revenue. Possibly \$500,000 in revenue.

Mr. Chairman, I believe this is the last option. We would place a \$13.8 million question on the ballot. We would use \$10 million to build a County administrative building on Galisteo Street where the County owns 4.5 acres. We would construct a 40,000 square

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feet Public Works and GSD building on Highway 599 where we currently have a lease with the State Land Office. And that would cost about \$3.7 million. It would free up the administration to generate money to help defray the cost. And this is why the discussion of the Public Works Building and the GSD Building plays into one of these options. Because, in other words, we would leave the Villa Rivera question and the purchase of St. Vincent totally off the ballot and do something totally different, still taking the County to a new Administration facility building and GSD facility that is also needed, getting out of a residential area.

COMMISSIONER DURAN: Sam, why, in this option, this building's only generating \$500,000 when in another option it was generating \$1 million?

MR. MONTOYA: Mr. Chairman, because you'll note that in the prior options we had the Judicial Complex and the County Building both available. And that might be a very --

COMMISSIONER DURAN: Oh, okay. So \$1 million was income generated from both buildings.

MR. MONTOYA: Judicial and this facility, yes sir.

CHAIRMAN ANAYA: Okay Sam, I have a question too. What's the rationale in putting this out to referendum?

MR. MONTOYA: There is -- earlier in our discussion, we talked about the fact that we have no general -- no gross receipts space. We are maxed out in our property mill. So the only way we can construct any of these facilities would be to take it to a general obligation bond or to have a revenue bond. However, the only revenue-producing properties that we've been talking about in these options would be the parking garage. But that would only help defray itself. So we would have to basically go to the public to ask them to allow us to impose more property tax so that these facilities could be constructed on their behalf.

COMMISSIONER DURAN: I see and it has to go to a vote to get the --

MR. MONTOYA: Absolutely, Mr. Chairman. A yes or no vote --

COMMISSIONER DURAN: The reason I bring that up is because this is a second hearing. The first one in El Rancho, my understanding is, there were only 2 people who showed up and I'm just wondering why there's such a lack of concern from the public. I'm sure there's a few people out there that are concerned about it. But it's pretty highly publicized and our intentions are very clear.

MR. MONTOYA: Mr. Chairman, we've done the best job we can to get the word out that we're thinking about doing this and, I mean, you can't take a horse to water.

COMMISSIONER DURAN: That's right.

MR. MONTOYA: I mean you can take it there, but you can't make it drink.

COMMISSIONER DURAN: I agree.

COMMISSIONER DURAN: So Sam, in every scenario, 1 through 4, we were razing the Villa Rivera Building, is that correct?

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MR. MONTOYA: No, there is one option, Mr. Chairman, where we gutted. Which means that the facility is strong enough that it could be -- we could basically gut the insides out and the strength of the construction, this is Option 2, where we would basically gut it and reconstruct the inside. Because the architects tell us that the building is so sturdy that you can knock the insides out because there are no bearing walls and you can reconstruct the inside to whatever conforms to your needs. So this building does have that capacity which is very interesting.

COMMISSIONER DURAN: Has the State ever separated the value of Marion Hall? I mean, is it possible that we could buy the property excluding Marion Hall?

CHAIRMAN GRINÉ: No, we have to buy Marion Hall. Know why?

COMMISSIONER DURAN: Why?

CHAIRMAN GRINÉ: I was born there.

CHAIRMAN ANAYA: I don't know if that's a good enough reason but --

MR. MONTOYA: Mr. Chairman, Commissioner Duran, we have not asked the State if they would be interested in separating the properties. They've also always brought the package to us as a "take all."

COMMISSIONER DURAN: But the value of that been separated out. I mean I realize that they don't want to sell it separately but -- the reason I'm asking --

MR. MONTOYA: The short answer is no.

COMMISSIONER DURAN: The Marion Hall is a 80-year old building. And I'm not sure how functionally -- how functional it is for us to buy it, spend \$2 million renovating it because it's still an 80 -- the laws governing improving a historic structure are very tough. And I think it's going to be hard to get that building to fit in present day demands and standards for what we're going to need it for.

MR. MONTOYA: Mr. Chairman, most of the \$2 million, we think, it's very structurally sound. But what we are thinking about with those \$2 million is that we would have to bring in some technological opportunities into that facility. It's not wired for a lot of the higher tech elements that we would need as an administrative venue. So we're thinking that a lot of that money would go towards the tech side.

But to answer your question in a short way, we have not segregated what their purchase price would be for either building. This is kind of an amalgamation of both buildings plus the real estate.

Okay, Mr. Chairman, I think we were down to the property tax impacts and this is kind of a broad brush on what we believe the debt service would be. If we were to do the \$12 million option, it would require about \$1 million in debt service, which means \$33.00 per thousand to the taxpayer.

COMMISSIONER GRINE: Thirty-three cents per thousand.

MR. MONTOYA: Thirty-three cents per thousand, Mr. Chairman. Then if we did the \$34 million option, it would require \$3.1 million dollar service debt, which would be approximately \$1.02 per thousand to the taxpayer. Then if we were to go for the high

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end, the kind of Christmas Tree list of getting everything bought and done, about \$47 million, the service debt would be \$4.2 million which would be about \$1.40 per thousand to the taxpayer.

COMMISSIONER DURAN: Okay, Sam, with this kind of a tax base structure though, would the revenue-producing sources offset any of these?

MR. MONTOYA: Absolutely, Mr. Chairman. We have not incorporated what the revenue generators could do to buy down the debt.

CHAIRMAN ANAYA: Okay, these figures here are without the revenue.

MR. MONTOYA: Absolutely. This is just the crude GO bond number with the crude debt service and what it would mean per thousand to the taxpayer. But, we would also, if we were able to do this, it's kind of a domino effect. If you buy and move and you allow this to be a revenue producer, then all the dominoes work in a positive way. And then the positive cash flow could go back to buy this down quicker.

COMMISSIONER DURAN: It would go to buy it down but it wouldn't go for any tax relief?

MR. MONTOYA: Mr. Chairman, that is really up to the Board of County Commissioners. You could -- with the additional money, you could go back and say, "we're going to remove one property tax mill because we don't need that revenue because we're getting it from another source." So you actually could, Mr. Chairman. And that would be a very interesting option and something that we could do to benefit the entire public and give them something back in relation for them giving us some public trust to move ahead and build out for them for the next 20 years.

COMMISSIONER DURAN: So on an average home, let's say that the average price is \$180,000. What does that increase their tax bill?

CHAIRMAN GRINÉ: \$140.00 per thousand, a hundred thousand.

MR. MONTOYA: We'd have to run a quick calculation to give you a number, Mr. Chairman, but these are kind of rough "ball park" figures, but, there is some basic relief. And especially if we're able to move the judges and this building and both of them going to a revenue mode, that brings a lot of money to the County which then you could go down and remove some property tax mills and bring tax relief. That's a very strong potential.

COMMISSIONER DURAN: So much would it cost the taxpayers? I'm just concerned on how much --

CHAIRMAN GRINÉ: What option though?

MR. MONTOYA: Yeah, if your house is worth \$100,000, it's taxed at \$33,000.

COMMISSIONER DURAN: So multiply 33 times 33?

MR. MONTOYA: Yes. So that's exactly -- and if you have a \$300,000 home, it's taxed at \$100,000.

COMMISSIONER DURAN: I see. It's \$186 a year more.

CHAIRMAN GRINÉ: If you go on the big one.

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MR. MONTOYA: That's on the \$47 million, right?

COMMISSIONER DURAN: Yeah.

MR. MONTOYA: Okay, Mr. Chairman. Okay, Mr. Chairman, that does our presentation and I --

CHAIRMAN ANAYA: I think you're very, very informative. I think you're very, very --

MR. MONTOYA: Thank you for your attention, and to the general public for --

COMMISSIONER DURAN: Mr. Chairman, I just have a question, Sam. In addition to the increase in the taxes, what kind of impact is owning this building going to have on our general fund? I mean the utilities and all that. There's more to the picture --

MR. MONTOYA: Yes, there is one other component, Mr. Chairman, and that is the operating cost. And we approximate that it would cost a \$1/2 million to operate this facility in its current state. But if you improve it, the efficiency of energy and all of these things should come with the renovation.

But the other point I would like to make, that if we are able to successfully keep, let's say the Residencia happening for awhile, that generates \$1/2 million per year, which can pay for the maintenance and the overhead.

But there are a lot of complexities and a lot of different scenarios depending on what it is that we actually end up doing. But there are a lot of positives, as well as, and we're very clear about the fact that there are some negatives here. There's the structure does have some issues that are hard to get over and we do have the State Architect here that could confirm that, but, we're being as honest as we can with the public. It brings a lot of potential, but with it, it also has some complexities that need working out.

COMMISSIONER DURAN: I would just like to say, Mr. Chairman, as we go forward in our public meetings here, that the public is made aware of the entire impact of owning of this facility is going to be on our General Fund because if -- there's just so many components to making this decision that need to be included in the presentation to the public. And I think it was a great presentation, but again, I think we need to know what it's going to cost us, what impact it's going to have on our general fund, and --

CHAIRMAN ANAYA: Budget projects.

COMMISSIONER DURAN: Right.

CHAIRMAN ANAYA: What's it cost to maintain or to operate this building?

COMMISSIONER DURAN: I have no idea.

MR. MONTOYA: Some of the expenditures will be consolidated if we move the judicial complex over there, plus the Administrative Building.

COMMISSIONER DURAN: True.

MR. MONTOYA: So that would consolidate some of the expenditures and

would save us some money.

COMMISSIONER DURAN: Those kind of offices.

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COMMISSIONER TRUJILLO: But yeah, you're right. We need to afford the public the opportunity to see what the general fund impact is going to be. If you could get a slide to that affect on the next presentation, that would help.

MR. MONTOYA: Mr. Chairman, this is a work in progress. We're adding on as we move.

COMMISSIONER TRUJILLO: Thank you, Sam.

COMMISSIONER DURAN: And we as Commissioners have to face the fact that we're growing and we need to culminate that for our needs today plus futuristic needs, you know.

CHAIRMAN ANAYA: Is there anyone in the public that would like to address the Commission? This is a public hearing and it's wide open to anybody.

DAVID C DE BACA: Mr. Chairman, Commissioners, I'm opposed to this. Why they can't buy some land in Highway 14 or somewhere where it's cheaper than trying to spend all that money and renovating that whole building. They've spend a lot of money on this building here. I know that and in the last few years they've spend a lot of money. And somebody's -- they could buy land out there cheaper and they could -- right next to the pen or across the road there. You could buy 10 acres out there for \$100,000. And they could move out there.

Another thing, I've never seen any taxes go down after any bond is retired. They just keep adding more and more, more taxes. And that's what I'm against it. The taxes here. Every time, every election, they have 1 or 2 or 3 or 4 bonds coming up. That's all I have to say. Thank you.

COMMISSIONER ANAYA: Thank you Mr. C de Baca. Do you recall sometime back, I can't remember how many years ago, Mr. C de Baca, that 5 general obligation bonds went out for vote and the only one that was turned down was the one on the Judicial Complex. We were going to build one out there. And that's the only one that the public turned down because the sentiment was to keep the Judicial Complex here in town where land is very expensive and that was the sentiment of the public. So just keep that in mind.

MR. C DE BACA: The Manager also mentioned about the Public Works Building. They want to move out of the residential area. They'd be out there, out in the middle of nowhere. [inaudible]

COMMISSIONER ANAYA: Thank you very much. That thought is in existence, by the way. State your name and address for the record.

REBECCA FRENKEL: Rebecca Frenkel, 1252 Vallecito Drive. I guess that raised more questions in my mind than it really answered. But I think what I want to urge the County to do is as you look at proposing this, you've had a good start in saying you want public involvement. But once you make a decision as to what it is you're going to offer the

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COMMISSIONER ANAYA: Right, which is in town there on Galisteo Road.

MS. FRENKEL: When Mr. Montoya started his presentation there were two issues that he brought up. Which one of them was the need for additional revenue just to run the current County budget, is the way I understood it. And so do you feel that you will -- under which option do you think you're going to gain enough revenue to make up any losses you have? And then my second question and then I'll sit down, is if with the Year 2000 you become a Class 1 County, does this then broaden your ability to be able to increase either your gross receipts tax or your other bonding capacities?

MR. MONTOYA: Mr. Chairman, Let me respond to the last question first. The County, if it does exceed 100,000 in population, will not be able to increase its gross receipts or property tax. But it will have a direct line to the federal government. At this point in time we have to go through the State of New Mexico when we ask for HUD money or when we go for CDBG money. What happens when you go to a Class A is you can go direct to the federal government for larger amounts of money from a set-aside pool. So that perspective brings us some great alternatives that we do not have available to us.

Now in relation to your question about which option would work best. Let me first preface that response by saying that the County currently does have enough revenue to operate its functions. I want to make that clear.

But, we do not have any additional capacity to grow, was my point. Because we have no additional property tax mills and we have no additional gross receipts tax that we could float a bond on, as an example.

So the only way that the County can grow in terms of large capital expenses is the for electorate to allow us to do it. Now how we achieve that, I think, is exactly the exercise we're going through right now. And we're learning a lot of things about what the electorate thinks about how we finance things and what we should build and where it should be built. It is not the first time we've heard that we should go out to the County and procure land there. And we are learning from this experience, a great deal of information and I think we are getting closer to our constituency, learning about how they would like us to run this operation.

So, in general terms, Ms. Frenkel, even if this idea does not pan out and it doesn't work, the exercise would have been worth all of the effort. Because we are getting so much information from some very learned people that comprises our constituency that I am pleased, even if it doesn't work, to be able to have that relationship with people like you tonight. Thank you.

COMMISSIONER DURAN: Mr. Chairman, Sam, I think that there is probably another option that hasn't been considered or hasn't been presented tonight. And that is that the existing Judicial Complex be expanded, that we don't relocate them, that we don't try to find them a new place. But rather, that we expand on their existing location. And the City has indicated their willingness to provide parking on their lot to the Judicial Complex.

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So if we expanded the footprint of our existing complex out into the vacant land and into the parking lot, with the City buying in or agreeing to provide us parking, that's an option that I think needs to be presented to the public. And in my opinion, I think that that option should be coupled with the fact that we would then move this Administration Building out to the Galisteo property and build a facility there.

I think that it's a noble thing to consider buying St. Vincent's Hospital, but I thought that we made, as a Commission, made some decisions on what our priorities were several months ago. And those priorities were to find a new location for the Administration Building and deal with the Judicial Complex, and the Public Works facility.

So for me, I'd like to see two things happen. One of them is, I think, that the public should be made -- all those options should be made available to them, as a referendum, and that another option be included which would be what I just went over.

MR. MONTTOYA: Mr. Chairman. I do want to point out, Commissioner Duran, that just today we had a very informative discussion with Judge Hall who shares the judicial initiative to move them to a new venue. And we didn't have enough time to incorporate his thoughts and those of the City, the relationship that Commissioner Duran talks about, but you're absolutely right. We're going to add that on as Option 6. Once we get a direct read from the City that they are willing to do that with us because that in itself brings another complexity of getting another local government to agree that we would pay for a parking structure that was approximated at \$12 million jointly.

They would either have to allow us to float the bond at \$12 million and they would pay us \$6 million or they would float it and we would pay them \$6 million. We have to figure all those complexities out. But we did have that discussion today, Commissioner Duran, and I know exactly where you're headed, and that is a strong possibility.

However, that one has to be built in phases and it's -- I understood that the Mayor had talked about that \$40 million proposal that had been unveiled by them, that the parking structure would be Phase 1 because it would be underground parking. So I was surprised to hear that it would be done in phases. But that doesn't dampen the ability for it to work. It just means that it would be done in phases. So that's one thing I did learn today.

COMMISSIONER DURAN: The other reason I'm bringing this up is that I think that in all of the scenarios, not all of them, but the ones that had us acquiring the St. Vincent site, that we were razing it, and it is a historic structure and I think that we are going to run into a lot of opposition from the public. And I know that from a functional point of view, and economically it's probably the best the thing for this County to do, to raze it. But I'm not sure that the private sector wouldn't be willing to take it the way it is and do something to it. So I think that needs to be factored into the decisions that we make too.

CHAIRMAN ANAYA: There's also there a potential that there too, that the City might consider incorporating it to the \$40 million proposal of the Convention Center and utilizing the Judicial Complex and their planning structure. There's that kind of potential too, to offset it. And the old St. Vincent Hospital was built in 1949, you call it a

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historic structure? It's younger than me. Does that make me a historic structure too? Okay, anyone else like to address the Commission.

MS. SIGSTEDT: Well I'm a historic structure too.

CHAIRMAN ANAYA: We're all getting there.

MS. SIGSTEDT: I kind of -- I think that this is really worth going through the process and looking into, for all the reasons that your County Manager just stated. It's a wonderful public process and I personally feel that it's worth investigating. I think there are a lot of people that feel that it's very important with so many other real things having left the core of our City, that to keep government in the downtown is paramount. And City and County governments should be in central locations, symbolically, like churches or whatever. So that the people come together in the center to discuss community issues. I think this building, Marion Hall, lends itself beautifully with that portal. I guess it would be on the south side facing Cathedral Park for the potential of even having town meetings or community events that could discuss future efforts.

The thing that you've got a problem about is November is not far off. And it's not as though you have this wonderful relationship with the community already. In other words, people don't participate and understand County government. And that will start to happen, incidentally, when County government is televised and -- but it's a slow process.

The most difficult thing about democracy is getting people to participate. That's what I learned. And it's a good lesson. But it's not something that we should not try to work for. But it literally means that if you want this to be investigated in all these options to be investigated and either accepted or rejected, you're going to have to really work. Your notice - an ad in the newspaper isn't going to do it. You know, obviously, the community didn't show up.

A convention at Sweeney probably won't do it. I think each of you are going to actually -- or maybe in force, go out to your communities, you know, and have meetings in neighborhood associations and meet the neighbors and meet the communities in the County. And have a presentation put together. And this is a lot of work to do between now and the election.

And then you're going to also have to have a real partnership with the other big players in the planning of downtown, one of the major ones being, as you all just mentioned, the City. I think that the only thing you've got going for you is that the community knows that for a long time you've wanted a new location for the Judicial Complex. And it was rejected when it was put out on the ballot in the County. So that's one plus.

The minuses you've got, and I'm kind of for looking at this project, so I really would like this to work. But the minuses you've got are the City did a terrible P.R. job. You've got all the negative repercussions of their efforts that weren't done well. And they weren't done well because people tried to do -- it was somewhat a closed environment and it wasn't brought before the people. And it was also always connected to a convention center which people had very strong feelings, pros and cons. So these are like negative influences that

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you have to work against and show people that there's another picture here besides this. You have to dispel these feelings which is going to be really hard.

At any rate, I think it's clearly a strategy job and a P.R. job and it's not just a surface P.R., I mean you have to really do it. You have to go out to the people and you have to communicate these very difficult things. But I think it's worth presenting and I actually think all the work is -- it's just like, well all the work is worth doing whether you win or lose. Like an election. If you believe in what you're doing, then it doesn't matter whether you win or lose. You've learned a lot in just the process. Let me tell you, I know.

Anyway, that's it. But I think it's exciting and I'd love to even see the City and the County still jointly share some offices in that space. I think it's a lovely space and I think it's worth preserving and I think Santa Fe, throughout its history, has always honored old buildings like this.

CHAIRMAN ANAYA: Thank you Carolyn. There's also the potential, you know, of consolidating the Judicial effort out there with the Magistrate Courts. It's my understanding is they're paying like about \$200,000 where they're at right now. And if we could land that kind of lease, you have centralization of all these efforts and a consolidation. There's all kind of factors, positive factors, Carol, that we can motivate the public to favor this. Come forward sir. State your name for the record. Are there going to be any other speakers on this issue? Okay.

ERNIE ROMERO: Mr. Chairman, my name is Ernie Romero and I didn't come with any specific questions. I came to listen to the presentation and after the presentation, I think it's a noble effort to try to buy the old St. Vincent's Hospital. But after the presentation, I probably would like to request a copy of the powerful presentation. I think there's a lot of questions left. I think that your County Manager did a great job with the "broad brush" presentation. But things like operating expenses that Commissioner Duran brought up, the cost to renovate these facilities to turn them into revenue producers, and all of those types of questions, I think the numbers are going to be a lot tougher and a lot more complicated than the "broad brush" would indicate. And so, I guess, my request is to get a copy of the presentation so that I can come back with a lot more meaningful questions to the Commission.

CHAIRMAN ANAYA: Good idea. Thank you Ernie.

MR. MONTTOYA: Mr. Chairman, I like to thank Ernie for his comments. What I want to point out and I'm sorry that it's very hard to anticipate every question and every complexity that comes here but after listening to everyone it helps us to really understand what the people want to know and how they want it structured. But I do want to point out one thing that I might have failed not to mention. And that is, if we were to turn this facility into a revenue producer, not only this one but the Judicial if that were to happen, that cost would be borne by the entity that would be moving into this facility. So it would not be the County renovating this facility and then seeking someone to take it over. It would be in reverse.

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We would ask for a request for interest, a request for information, saying the County has 43,000 square feet for lease. Is anybody interested? And if you are, what do you want to do with it? How would you pay for it? And what are you going to use it for? And then the County would review all that. We'd do all the due diligence and if it's a good plan, then we would recommend it to you and say, "this is a great way to use this facility." Retaining its integrity and making sure that murals like this and stairwells and beautiful facades like the vigas are not disturbed or destroyed. So the integrity is something very important. The utility, the cost, and what it does, in terms of protecting this property for the general good of the community, would all be part of this scope of work.

But I what I wanted to point out that it would not cost the County additional money to prepare it. We would ask the interested parties to tell us that and they would bare the cost.

MR. ROMERO: I would understand that, Mr. Chairman, but I've been involved with renovation and, you know, 43,000 square feet can still cost \$100 a square foot or more to renovate to make it revenue-producing and then Commissioner Duran asked the question about operating expenses. Well, I've been involved with old operating buildings and it wouldn't surprise me if the old St. Vincent's costs \$8.00 square feet to run that facility. As it sits right now, utilities and maintenance, and rather than the \$500,000 cost that might have been thought of, I bet that at \$8.00 a square foot you're probably talking about \$1.2 million to \$1.3 million in operating costs.

So I understand what your chairman is saying, I just think that if we have the information in its raw form, I think that we can ask very specific questions which will then require specific answers.

MR. MONTROYA: Mr. Chairman, we will certainly encourage that and more certainly, we'll get this gentleman, if you have a card, we'll get you a copy.

MR. ROMERO: Thank you.

COMMISSIONER DURAN: I'd like a copy too, Sam.

MR. MONTROYA: Yes sir.

COMMISSIONER DURAN: Mr. Chairman, I just -- for me it's worth considering spending \$50 million of our community's money. And I'm not sure that we're going to be able to have all the pieces put together for this referendum, to put it on as a referendum item. I know that projections have been made on a new Administration Building. And I guess it's important for me to have some information as to how -- I mean, what were the parameters that you laid out to determine that this was adequate money to build the facilities?

So in the weeks to come, if you could provide me with that information, I'd appreciate it. But again, it's, for me, it's spending \$50 million of the public money and I am proceeding with a lot of caution and making sure that the voters have every opportunity to select the path that we -- we present them with every possible path that we could take and that they make the decision as to which way they want us to go.

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CHAIRMAN ANAYA: Thank you, Commissioner Duran. Personally I'm a little bit more optimistic. I think this is a good effort. I know we've gotten some editorial endorsements that will pursue, they wanted the City to pursue the purchase of St. Vincent Hospital which I think there's already public awareness out there. And I'm optimistic that we can something very solid to present before the November election. So we have to really work at it and I think it's a good public effort for us to put forth.

COMMISSIONER TRUJILLO: I agree with you Mr. Chair, I think it's an honorable, public effort. I think that we need to grow, that's a reality.

CHAIRMAN ANAYA: We're growing.

COMMISSIONER TRUJILLO: And we're growing and we're going to have to accommodate the growth. Historically, County government has been in and around the heart of the community, the hub of the community. I think that by participating and partnering with the community, making the right decision, we can make this a "win-win" situation for everybody. Mr. C de Baca says that we can take the facility out to the County, but we need to worry about the convenience for the people from the north. You know, a lot of people from the north are aged, they come to downtown to do their business, they look for rides to get here. It will make it harder for them to go to State Road 14 and do their government business, their County business. I think that totally takes away the link that the community has, with the heart of the community, away from the picture. We need to keep government in the Plaza.

CHAIRMAN ANAYA: I agree with you Commissioner. We would be de-centralizing instead of centralizing.

MR. MONTTOYA: Mr. Chairman, I have one more piece of information that is very important to this process. And it's probably my closing comment. And that is that legally we're required to give notice, if the Commission is going to decide to place any of these questions on the ballot, we have to do it within a certain time frame, legally. And the last day that they Commission has before them to make this decision and still meet that legal time frame would be approximately August 29th. So we have the better part of maybe 40 days to consider the integrity of any of these options and/or to create a new option based on what you hear and place that option on the ballot.

But Mr. Chairman, I do want to point out that we do have time restrictions and we must be diligent about keeping those calendars clean of any legal challenge. So I want to point out that I think that we've estimated as the last appropriate day would be August 29th, which is I think also a County Commission meeting date.

CHAIRMAN ANAYA: Well, let's go to work and let's get it done.

MR. MONTTOYA: Thank you, Mr. Chairman.

CHAIRMAN ANAYA: I was going to ask, just for a matter of knowledge out there. When is the next public hearing on this issue?

MR. MONTTOYA: Mr. Chairman, I believe it's -- I don't have the schedule with me, but the next meeting is in Eldorado at the school, I believe it's a Thursday, July

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- do you have that schedule, Corky? Well, short of not having the dates right in front of me, the next hearing date is in Eldorado, and then the forth hearing date is the second County Commission meeting of the month which would be the 4th Tuesday of July and then the last meeting is August 3rd and I believe it's going to be in the Turquoise Trail School.

CHAIRMAN ANAYA: Elena and Dale, if you guys could publish then, I would appreciate it, you know, of that scheduling of that.

MR. MONTTOYA: Mr. Chairman, here we go. The third meeting is July 20th, 7:00 p.m., El Dorado Elementary. The fourth meeting, July 25th, here in the chambers. The last meeting August 3rd at the Turquoise Trail at 7:00.

CHAIRMAN ANAYA: Thank you Sam.

COMMISSIONER DURAN: I was just wondering if -- I mean it seems to me that since there are so many options available to the public, and I sense that this Commission might not be in agreement on which possibility or how we should proceed with acquiring St. Vincent's or other properties. So I guess I'd like to know if this Commission is willing to put all the options available up for the voters to make a decision.

CHAIRMAN ANAYA: Can we do that?

COMMISSIONER DURAN: No, I'm just trying to kind of poll all of us tonight. Because you mentioned earlier, Sam, that we had the right to either put all the options out for the voters to make a decision or for us to select one or two that would be out there for them to make a decision. And I think that it's only fair for the public point of view, that they have the opportunity to select whichever option the majority of the voters want. Rather than just us make a decision on two of them when perhaps the public wanted something else?

MR. MONTTOYA: Mr. Chairman, if I could respond to that. My point in making that statement, not only relates to St. Vincent, but to other initiatives, Mr. Chairman. This is not the only question that the Board of County Commissioners will have before it. And let me expound on what I mean. There is a request to bring before the County Board of Commissioners, a fire bond, to finish our proposals and our network of fire districts out in the community, anywhere from \$2.5 million to \$5 million. We're discussing bringing that bond before you. We've also been discussing the possibility of bringing a Phase 2 Bond of the COLTPAC, which is bringing a question to the electorate that would allow us to go for a second phase of procuring open space.

There is the potential of the \$40 million question from the City, which is their initiative. But the possibility of it being on the ballot is also real. The Judges have been asking us to do something for them. Either a new facility and/or the renovation that Commissioner Duran spoke about, either of those possibilities could work for them and/or moving them to St. Vincent should we go that way. Those are 4 or 5 other possible bonds that are before you as well.

So my point is to you, Commissioner Duran, that if you want to do options within an option, that we could possibly give the electorate a few options under the St. Vincent

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umbrella. But, just limited space, I think the Clerk could speak to the actual ballot. We're going to be limited to the number of questions we can probably put on.

But I do want to expound to you that there are other interests, other concerns, in the general community, that you will have to weigh. Not only this question but several other possible needs that the community has. So with that I just want to give you kind of a comprehensive picture. That this is not the only question we're going to be pondering. There are several other initiatives. And I only mentioned a few or I could have missed something that you would bring as an item.

CHAIRMAN ANAYA: Commissioner Duran, see the reason we're elected is to make that decision. See which way we're going to steer, what direction we're going to steer this community. So I think we're going to have to take the bull by the horns and just decide which is the best option to put on the ballot and put it out to the public and let them vote yes or no.

COMMISSIONER DURAN: You know, I don't mind doing that, but again, when we start talking about the Judicial Complex, when we were talking about it last year, it was a \$30 million bond. And we decided that that wasn't an appropriate thing for us to do, to vote a \$30 million bond. I thought we had decided that we were going to proceed with trying to expand on where they are. And now it's changed into something entirely different where we're moving them over to the St. Vincent Hospital and tearing down the building. And all I'm saying is that I think that what we need to do is have the options and if there are only 2 or 3, fine. But I think we need to make a decision as to which are the appropriate options to make available for the public to make a decision on.

And I don't think that the \$43 million one deals with what we had initially given direction to Staff to follow up on.

CHAIRMAN ANAYA: That will come up during decision-making on our part, so -- okay, let's move on. This ends the public hearing portion of the St. Vincent Hospital purchase.

- X. C. 2. CDRC CASE #Z 00-5300. Sonny Otero. Sonny Otero, applicant, Michael Bodelson, agent, request a master plan amendment with preliminary and final development plan approval for a 10,000 square foot warehouse building and a viga storage yard on 5.4 acres. The property is located off State Road 14, north of the intersection of SR 599 and SR 14, within Section 25, Township 15 North, Range 8 East

FRANK WHITE (Review Specialist): Thank you, Mr. Chairman, Commissioners, Sonny Otero, applicant, Michael Bodelson, agent, request a master plan

5. Combustible materials with the viga storage area shall not be store directly under

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amendment with preliminary and final development plan approval for a 10,000 square foot warehouse building and a viga storage yard on 5.4 acres. The property is located off State Road 14, north of the intersection of SR 599 and SR 14, within Section 25, Township 15 North, Range 8 East

The warehouse will store a personal car collection of approximately 15 vehicles along with business equipment and vehicles. There is currently a telecommunications shed on the northwest side of the property which was approved in 1996.

The viga storage was given master plan approval initially in 1999. Vigas and latillas area currently stored on the property. There are no other buildings proposed at this time.

This application has been reviewed for access, parking, terrain management, water, fire protection, ecological, liquid waste, solid waste, signage and lighting.

Recommendation: It is staff's position that this application is in accordance with Article V, Section 5.2 for master plans of the County Land Development Code. The decision of the CDRC was to recommend amended master plan with preliminary development plan approval with final development plan approval to be approved administratively subject to the following conditions:

[The conditions are as follows:]

1. All redline comments will be addressed; original redlines will be returned.
2. The final development plan will be reviewed administratively when all conditions are met.
3. The applicant will provide a 25-foot landscape buffer along State Road 14 and the 25 access road. Any dying or diseased trees will be replaced within 30 days.
4. A Fire Department Access Plan shall be submitted to the County Fire Marshal for approval. A Knox rapid entry system shall be installed at the main gate as approved by the Fire Marshal.

any power lines. No smoking or open flame shall be allowed within the confines of the storage area. Signs shall be posted designating restricted areas.

6. Height of stored materials in the viga storage yard shall not exceed 20 feet. Materials shall be stored in an orderly fashion. Log and pole piles shall be stabilized by an approved means to ensure pile stability.
7. The applicant shall limit the viga storage to the current scope of the project. Any expansion will require a re-evaluation by the County Fire Marshal's office.
8. No outside storage is permitted other than that for the viga storage yard.
9. A minimum of two portable fire extinguishers shall be maintained within the viga storage area, with a rating and storage location approved by the County Fire Marshal's office.
10. An automatic fire suppression sprinkler system shall be installed within the warehouse building. The applicant will install a fire hydrant. The location of the fire hydrant will be subject to Fire Marshal approval prior to installation. Fire hydrant shall be

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- in place, operable, tested and approved prior to construction of permit issuance.
11. The applicant shall provide written approval from County Utilities demonstrating water availability to locate hydrant on property.
12. All existing and proposed lighting shall be shielded. Applicant shall provide cut sheets for all lighting.
13. All utilities shall be placed underground.
14. A 30-foot clear perimeter, free of combustibles shall be maintained around the perimeter of stored material within the viga storage yard. Natural vegetation shall be kept mowed to a height of not more than 3 inches.
15. A 50-foot minimum distance shall be maintained from any structure or parked vehicles to the viga storage piles.
16. Viga storage yard shall not be visible from I-25 or State Road 14. Fencing immediately surrounding the warehouse building and viga storage shall be a minimum 6' in height and of wood or masonry construction.
17. Retention ponds are to be sized and located by a professional engineer.
18. The applicant shall submit a water budget to include water usage at the Wolf Canyon Brewery to ensure that the available water rights are sufficient to serve both properties. The applicant shall provide documentation on how they arrived at the irrigation requirements for the proposed landscaping. Water usage on the site is to be limited to 0.25 acre-feet per year and the well is to be metered.
19. Applicant shall submit a shared well agreement with Wolf Canyon Brewery.
20. The project will be subject to a final inspection by the County Fire Marshal.
21. An approved driveway permit from the State Highway Department will be required.
22. An approved septic permit from the State Environment Department will be required.
23. All signage shall be in accordance with County Code requirements. Applicant shall submit a signage plan at final development stage.
24. The existing and proposed driveway shall meet local road standards. The applicant shall be required to provide driveway plan and profiles.
25. Compliance with the applicable review comments from the following:
 - a. State Engineer's Office
 - b. State Environment Department
 - c. State Highway Department
 - d. County Development Review Division Director
 - e. County Fire Marshal
 - f. County Public Works
26. The applicant shall submit a financial guarantee for all improvements including fire protection, driveway, retention ponding and landscaping prior to grading or construction permit issuance.
27. The structure be painted or stuccoed in an earthtone color.

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CHAIRMAN ANAYA: Are there any questions of staff? Condition number 10 is the automatic fire suppression sprinkler system? No questions. Thank you, Frank. Is the applicant present?

[Duly sworn, Michael Bodelson testified as follows:]

MICHAEL BODELSON: My name is Michael Bodelson, 1904 Proctor Court, Santa Fe.

COMMISSIONER DURAN: Mr. Chairman, Mr. Bodelson, is the applicant in agreement with all the conditions set out by staff?

MR. BODELSON: Generally speaking, Commissioner, there are a couple of things I would like to clarify if I could, with the Commission and the staff. I've had some conversation with staff on a couple of these items.

CHAIRMAN ANAYA: Go ahead.

MR. BODELSON: Actually, number 16, there's a requirement that the building not be visible from Highway 14 and the Interstate. Because of the logistics of the site and its position relative to the roadway, especially the interstate, it's not going to be really feasible to screen the whole building. It's going to end up looking a little bit like PNM, their facility out there. The slopes basically expose the building to the interstate. The owner is very interested in providing a large degree of landscaping as required by County Code and actually he's interested in exceeding that with dense vegetation, mainly Russian Olives and some native plantings with low water use that he would establish in the first couple of years of planting and then let those become natural.

And he would propose to that in lieu of the requirement for visibility and also in lieu of some of the requirements for fencing along that perimeter.

COMMISSIONER DURAN: So how would you suggest amending that?

MR. BODELSON: I think staff had a recommendation.

MR. WHITE: Mr. Chairman, Commissioners, if you take a look at condition number 16 it actually says just the vigas storage yard. It's not including the building, it's just the vigas storage yard and I believe the applicant just addressed the building.

MR. BODELSON: That's correct, but I think it would apply to the vigas as well. They're still going to be exposed, I think, from the interstate.

COMMISSIONER DURAN: So how do you plan on shielding that from visibility?

MR. BODELSON: By utilizing the buffer requirement that the County has and as that landscaping fills in, it will tend to screen. But again, because of the position of the property relative to the interstate it's just -- the geometry really won't allow it. You'll have to have a fence that was probably 40, 50 feet high to effectively screen it. Just the angles, they don't lend themselves to the line of sight that a six or eight foot wall would preclude visibility.

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COMMISSIONER DURAN: Well, Mr. Chairman, what if we said something that the applicant shall make every effort to mitigate the visibility from I-25?

MR. WHITE: Mr. Chairman, Commissioners, we can get rid of the entire first sentence, if that would be fine.

COMMISSIONER DURAN: Well, I think you need to replace it with the applicant will make every effort to mitigate the -- I don't know if it's mitigate --

TOM DOMINGUEZ: Mr. Chairman, Commissioners, if I could. We need to keep in mind that the decision of the CDRC was to recommend approval with preliminary development plan because he was in agreement with all the conditions. So now we're looking at kind of two different things. The applicant was in agreement with all conditions as stated the night of the CDRC meeting and they gave their approval at that point. Just so you understand.

COMMISSIONER TRUJILLO: Ultimately, we don't have to conform with CDRC's position. We can make our own.

MR. DOMINGUEZ: Mr. Chairman, that's correct, but just to keep in mind that the CDRC did give approval for this master plan with the applicant being in agreement to all conditions.

CHAIRMAN ANAYA: Thank you, Frank.

COMMISSIONER DURAN: So, I think if you could change that to something like the applicant hereby agrees to provide some kind of landscaping buffering so as to prevent the viga storage yard from being visible from I-25.

CHAIRMAN ANAYA: Did you nod agreement, Mr. Bodelson?

MR. BODELSON: We're in agreement. It wasn't apparent at the time of the approval that it was going to be a line of sight issue that was going to be difficult to address. We weren't opposed to the requirement, we didn't realize that there were going to be technical difficulties meeting it with this wording.

CHAIRMAN ANAYA: Okay. Commissioner Duran, your amendment is noted.

COMMISSIONER DURAN: Thank you.

COMMISSIONER GRINÉ: Mr. Chairman, also on number 10, since we're already going to have a fire hydrant, I don't think it would be necessary to have the first sentence, which is the automatic fire suppression sprinkler system that shall be installed within the warehouse building. I think we should remove that sentence.

COMMISSIONER DURAN: Well, the applicant didn't have a problem with it.

COMMISSIONER GRINÉ: The applicant called me.

COMMISSIONER DURAN: He didn't say he had a problem with it.

MR. BODELSON: It's not a Code requirement. It's not a building requirement. It's a condition that the Fire Marshal I think is looking at as kind of blanket application and I'd like to review that with him under the conditions that there would be fire

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protection and there would be protection from adjacent properties under the proposed plan. The sprinkler system, actually is more of a blanket application of the Fire Marshal as opposed to a Code requirement.

COMMISSIONER GRINÉ: Also, this is going to be a metal building and also a concrete floor. I don't see why we should need so much fire protection.

CHAIRMAN ANAYA: So we're just suggesting, Commissioner Griné, is in lieu of them already expending and putting out fire hydrants which will serve the community they should be allowed mitigation and strike --

COMMISSIONER GRINÉ: Strike the first sentence. Mr. Otero called me on this issue.

CHAIRMAN ANAYA: I agree.

COMMISSIONER TRUJILLO: Seems to be a duplication of effort here.

CHAIRMAN ANAYA: Yes, it does. So there's an additional amendment to the conditions.

COMMISSIONER GRINÉ: We haven't made the motion yet but when we make the motion we'll indicate that.

CHAIRMAN ANAYA: As amended.

MR. WHITE: If I may, Mr. Chairman, I need to remind the Commission that this is a very large building. It's 10,000 square feet. The Fire Marshal has made all the adjoining property owners in the area and development sprinkler their buildings and the Commission needs to consider that there's a lot of these developers that have taken a lot of expense, put a lot of money into these buildings for sprinkler systems.

MR. DOMINGUEZ: And they're not storing wood.

MR. WHITE: And just to address another point quickly, if I may. La Cienega is one of the busiest districts as far as fire protection and they're one of the lowest number of volunteers, so a sprinkler system in this area is definitely needed.

COMMISSIONER DURAN: Mr. Chairman, I think that it's important that we uphold condition number 10. The other buildings in the area, if they were required to do it, and then we don't require this individual to do it, I don't think it's fair to the other property owners out there. Not only that, I think that by not making this applicant put the sprinkler system in is that we expose ourselves to some liability in the future because if we didn't require him to do it and he has the most flammable materials in his building.

CHAIRMAN ANAYA: Frank, were the other people out there required to build a fire hydrant.

MR. WHITE: Mr. Chairman, that is correct. And sprinkler the buildings.

COMMISSIONER TRUJILLO: So to be consistent, the appropriate thing to do is to -- what does the applicant feel about the sprinkler system from a continuity perspective and that everybody else is required to implement the sprinkler system? It's only fair.

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MR. BODELSON: Mr. Chairman and Commissioners, as a former fireman I can appreciate the Fire Marshal's interest in having the building sprinklered. They're effective fire protection methods. As an architect, I would go back to the Code to look at what is reasonable in terms of cost and implementation. The owner here in this case, although he does have an extensive car collection that's worth quite a bit of money and he's interested in protecting it, it's an expense that the owner's not really interested in taking on and feels that he has adequate fire protection in terms of the type of construction of the building and the materials that are used.

There are examples in the county that are unsprinkled. I think there is some inconsistency in the county but I don't denigrate staff's position on it or the Fire Marshal's for wanting to pursue this but I will point out that there are some inconsistencies within the county on it. It's kind of a Catch-22 if you want to call it that where we would be asking for something a little bit different than what other applicants in the vicinity might have been granted by I think -- that's why I wanted the opportunity to discuss it with the Fire Marshal to see how he had arrived at this direction.

CHAIRMAN ANAYA: Thank you, Mr. Bodelson.

COMMISSIONER TRUJILLO: You see the situation that we're in. By requiring the other people that build buildings there to implement the sprinkler system, we've got to do the same for everybody.

MR. BODELSON: It generates more inconsistencies. It's a point that I want to make more of the Fire Marshal that he is requiring beyond the Code. When that occurs it imposes additional expense on people.

CHAIRMAN ANAYA: Thank you, Mr. Bodelson. Is there anyone in the audience that would like to speak either for or against this proposal? Let's go some action.

COMMISSIONER DURAN: I'd like to move for approval with the following amendments: That everything stay in place except for item 16 which we amended that the applicant would be responsible vegetating that area so as to shield the storage area from I-25.

COMMISSIONER GRIÑÉ: Second.

CHAIRMAN ANAYA: So there's a motion with an amendment, seconded by Commissioner Griñé. Is there any further discussion? If not, all those in favor signify by saying "aye." [Unanimous] Motion carries.

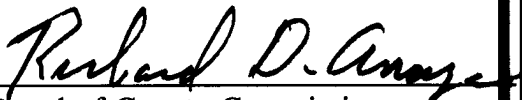
MR. BODELSON: I appreciate your time, Commissioners.

ADJOURNMENT

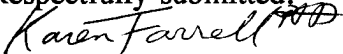
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Chairman Anaya declared this meeting adjourned at approximately 8:22 p.m.

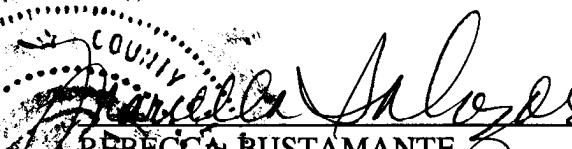
Approved by:

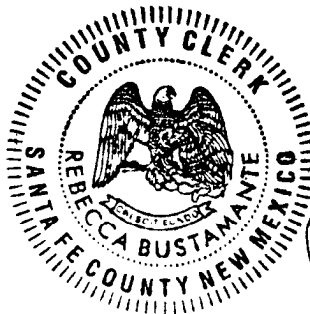

Board of County Commissioners
Richard Anaya, Chairman

Respectfully submitted:


Karen Farrell, Commission Reporter

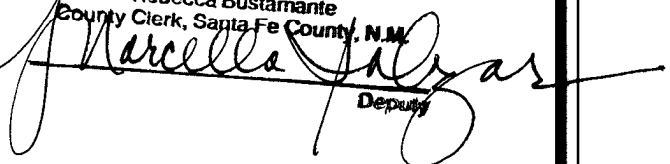
ATTEST TO:


REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK



1126383
COUNTY OF SANTA FE
STATE OF NEW MEXICO } SS
I hereby certify that this instrument was filed
for record on the 16 day of Aug A.D.
2000, at 9:53 O'clock PM
and was duly recorded in book 1797
page 217 of the records of
Santa Fe County.

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


Deputy