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BOARD OF COUNTY COMMISSIONERS

SANTA FE, NEW MEXICO

REGULAR MEETING

SEPTEMBER 23, 1998

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

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SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

September 29, 1998

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 1:30 p.m. by Chairman Marcos Trujillo in the Santa Fe County Commission Chambers.

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

Members Present

Commissioner Marcos Trujillo, Chairman
Commissioner Joe Grinë, Vice Chairman
Commissioner Richard Anaya
Commissioner Paul Duran

Members Absent

Commissioner Javier Gonzales

IV. APPROVAL OF AGENDA

CHAIRMAN TRUJILLO: David, any changes to the agenda?

DAVID WOLF: Mr. Chairman, Commissioners, there are no changes to the agenda.

CHAIRMAN TRUJILLO: Thank you.

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

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V. APPROVAL OF MINUTES:
August 25, 1998

Commissioner Griñé moved to approve the minutes as presented. Commissioner Duran seconded the motion, which passed by unanimous voice vote.

September 2, 1998

Commissioner Duran moved to approve the minutes of September 2, 1998 and his motion was seconded by Commissioner Griñé. The motion passed by unanimous voice vote.

September 8, 1998

Commissioner Griñé moved to approve the minutes of September 8, 1998. His motion was seconded by Commissioner Duran and passed unanimously.

VI. CONSENT CALENDAR

MR. WOLF: Mr. Chairman, Commissioners, first of all, the first four budget adjustments, items A through D. I just wanted to clarify that for the closing of the books, to make sure we get the books straightened out for the last fiscal year. I'll go ahead and read these into the record.

- A. **Resolution No. 1998-92. A resolution requesting a budget transfer between funds from the Fire Districts Fund (La Puebla Fire District) and Fire Tax Fund to the Special Appropriations Fund for the Arroyo Seco Fire Station Project - Fiscal year 1998 year-end closing**
- B. **Resolution No. 1998-93. A resolution requesting a budget transfer between funds from the General Obligation (Series 1997) bonds proceeds fund to the General Obligation debt service fund to transfer capitalized interest earned on bond proceeds for debt service payments as required in the bond document - Fiscal year 1998 year-end closing**
- C. **Resolution No. 1998-94. A resolution requesting a budget transfer between funds from the Sheriff Facility bond proceeds fund to the Sheriff debt service fund to transfer capitalized interest earned on bond proceeds for debt service payments according to the deposit made by the bond trustee - Fiscal year 1998 year-end closing**
- D. **Resolution No. 1998-95. A resolution requesting a budget increase in the equipment loan debt service fund from cash held by fiscal agent for**

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- administrative fees that were paid as part of the debt service - Fiscal year 1998 year-end closing
- E. Resolution No. 1998-96. A resolution requesting a budget increase to the general fund/solid waste fiscal year 1999 budget from insurance funds received last fiscal year for the replacement of stolen property at the Agua Fria transfer station
 - F. Resolution No. 1998-97. A resolution requesting a budget transfer between funds from the environmental gross receipts tax debt service fund to the general fund/legal administration fiscal year 1999 budget to transfer environmental gross receipts tax revenues for a legal settlement payment related to the regional landfill property
 - G. Resolution No. 1998-98. A resolution requesting a budget increase to the Housing Special Grants Fund to establish a budget for the Drug Elimination Grant which was awarded by the US Department of Housing and Urban Development for expenditure in fiscal year 1999
 - H. Resolution No. 1998-99. A resolution requesting a budget increase to the Housing Federal Grants Fund to budget the 1998 Comprehensive Improvement Assistance Program (CIAP) Grant from the Department of Housing and Urban Development for Expenditure in fiscal year 1999
 - I. Resolution No. 1998-100. A resolution requesting a budget increase in the Fire Fund to budget fiscal year 1998 impact fee cash balance to allow for expenditure in fiscal year 1999
 - J. Resolution No. 1998-101 A resolution requesting a budget increase to the general fund DWI Program for fiscal year 1999 budget for grant funding received from Department of Finance and Administration for the Magistrate Court data entry services
 - K. Request authorization to accept and award a contract to the lowest responsive bidder, IFB #99-04, for fire tanker/pumpers
 - L. Request authorization to accept and award a contract to the lowest responsive bidder, IFB #99-06 for the construction of County 91-A bridge project
 - M. Request authorization to accept and award a contract to the lowest responsive bidder, IFB #99-15 for the construction of County Roads 6 and 9 project
 - N. Request authorization to accept and award a price agreement to the lowest responsive bidder, IFB #99-11 for road construction materials
 - O. Request authorization to enter into a memorandum of understanding between the community of Galisteo, the State Environmental
 - P. Request authorization to Enter into a memorandum of understanding between the City of Santa Fe for DWI drug and alcohol screening, DWI

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- data entry, DWI compliance monitoring, teen court and rent at the Municipal Court
- Q. Request authorization to enter into a profession services agreement with Kimberly Cobbs for drug and alcohol screening services for the Teen Court Program
 - R. Request authorization to enter into a professional services agreement with Richard de Mella for DWI compliance monitoring services at the Santa Fe Magistrate Court
 - S. Request approval of DFA Grant 98-D-J-G027 to provide funding for a data entry clerk at the magistrate court
 - T. Request authorization to submit the final report for Fiscal Year 1998 local DWI grant, Project Number 97-D-J-G-27, to Department of Finance and Administration
 - U. Request authorization to enter into a professional services agreement with Patricia R. Gallegos for DWI screening services at the Santa Fe Magistrate Court
 - V. Request authorization to enter into a services agreement with Ray Sandoval for DWI clerk services at the Municipal Court.

CHAIRMAN TRUJILLO: What is the desire of the Commission; do you wish to isolate anything?

COMMISSIONER ANAYA: Mr. Chairman.

CHAIRMAN TRUJILLO: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chairman, if there is no isolation of items for discussions, I move for blanket approval of the consent calendar.

COMMISSIONER GRINÉ: Second.

COMMISSIONER DURAN: I just have one question for discussion; we don't need to isolate it. I just would like to know where the bridge is that you're talking about in item L?

MR. WOLF: Mr. Chairman, I believe that is the one in Arroyo Seco; but I would defer to Larry to be sure.

[Public Works Director Velasquez confirms Mr. Wolf's statement]

COMMISSIONER DURAN: Okay, thank you.

The consent calendar was approved by unanimous voice vote.

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VII. ADMINISTRATIVE ITEMS

A. Committee Expirations/Resignations/Vacancies:

1. DWI Planning Council

MR. WOLF: Mr. Chairman, Commissioners, in regard to the DWI Planning Council there are two requests. One is to accept the resignation of Edwina Taylor and the other is to remove Denise Soto from the DWI Planning Council. The reason for that would be that he has not attended any of the planning council meetings and has effectively resigned by default.

Commissioner Grifé moved to accept the resignation of Ms. Taylor and removal of Ms. Soto from the DWI Planning Council as requested. His motion was seconded by Commissioner Duran and passed by unanimous voice vote.

CHAIRMAN TRUJILLO: So we will get some names in the future to replace these people?

MR. WOLF: Mr. Chairman, Commissioners, that is correct.

2. Santa Fe Road Advisory Committee

MR. WOLF: Mr. Chairman, this a request that the board consider the resignation of Mr. Francis West from the Road Advisory Committee.

Commissioner Anaya moved to accept the resignation. His motion was seconded by Commissioner Grifé and passed by unanimous voice vote.

CHAIRMAN TRUJILLO: This resignation is my district so I will come up with a name, Larry, at your discretion within the next couple of weeks.

ROBERT MARTINEZ: Mr. Chairman, there is nobody that I am aware of that is interesting in serving this area. This is the Chupadero area.

CHAIRMAN TRUJILLO: And Mr. West is not an alternate; right?

MR. MARTINEZ: No, he is a member and there is no alternate for that area.

CHAIRMAN TRUJILLO: So I need to get somebody to replace Mr. West?

MR. MARTINEZ: Yes, sir.

CHAIRMAN TRUJILLO: Thank you, Robert.

INA TIDWELL: My name is Ina Tidwell. Is this the same thing as the Arterial Roads Task Force Committee?

CHAIRMAN TRUJILLO: No, this is the Road Advisory Committee.

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MS. TIDWELL: Oh, because I know there was a nominee for that. Sorry.

COMMISSIONER ANAYA: Excuse me, Mr. Chairman. Robert, could you explain to the Commission what you were talking about earlier about Andy Swarthout.

MR. MARTINEZ: Mr. Chairman, Commissioner Anaya, that is next on the agenda, committee appointments.

VII. A. 3. Santa Fe County Maternal and Child Health Planning Council

MR. WOLF: Mr. Chairman, it's recommended that the resignations of Joyce Medina and Anya Dozier Enos be accepted from the Maternal and Child Health Planning Council.

Commissioner Griné moved to approve accepting the resignations and his motion was seconded by Commissioner Anaya. The motion passed by unanimous voice vote.

VII. B. Committee Appointments

1. Santa Fe County Maternal and Child Health Planning Council

MR. WOLF: Mr. Chairman, there's two recommendations for appointment to the Maternal and Child Health Planning Council and that is Cheri B. Briscoe and Ron Hale.

Commissioner Duran moved to approve the appointments. His motion was seconded by Commissioner Griné and passed by unanimous voice vote.

VII. B. 2. Santa Fe County Road Advisory Committee

MR. WOLF: Mr. Chairman, Mr. Andrew Swarthout has submitted a letter of interest to serve on the Road Advisory Committee. It looks like it would be Area 6. Robert, do you want to elaborate?

MR. MARTINEZ: Mr. Chairman, yes, this is for an alternate. Andy Swarthout and this would represent Area 6, which is the Summit Hills area, which is in Commissioner Anaya's district.

COMMISSIONER ANAYA: Mr. Chairman, he's been there before and he's always volunteered for this sort of service so I recommend that we appoint him, reappoint him.

COMMISSIONER GRINÉ: Second.

CHAIRMAN TRUJILLO: We've got a motion, seconded by Commissioner

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Griñé. All those in favor? [Unanimous] Opposed?

VII. B. 3. DWI Planning Council

MR. WOLF: Mr. Chairman, there's a recommendation that two people be appointed to the DWI Planning Council. They are John Grubestic and Ms. Melissa Bunnell to represent the public school system.

Commissioner Duran moved to approve the recommendations and was seconded by Commissioner Griñé. The motion passed by unanimous voice vote.

VIII. PRESENTATIONS

A. Presentation by Abraxas regarding the programs being provided at the juvenile detention center

MR. WOLF: Mr. Chairman, Commissioners, I asked Mr. Pete Looker? If he could give us an overview of some of the programs they're providing at the juvenile facility just to give you guys an update. Thank you.

PETE LOOKER: Good afternoon, Mr. Chairman, Commissioners. My name is Pete Looker and I'm the director of the juvenile detention center. I'm joined today by three members of my staff. From your left to right is Mr. Chris Martinez, who's a senior counselor. Sitting next to him is a gentleman named Trevor Sellers, one of the two assistant directors, and the lady sitting to his left is Mrs. Melissa Sanchez, also an assistant director.

I've got some slides and I'd like to run through those very briefly. I know you have a busy agenda; we'll keep this down to a minimum. If I may, Mr. Chairman, approach and give you a hard copy of these slides. As I'm confident you're all well aware, in the state of New Mexico we have fourteen detention centers, long-term detention centers and they all use a similar model, a model called essentially benign incarceration. And that's what we had when we first arrived here as a Cornell Abraxas Program. Then I was told by Mr. David Cornell and Steve Logan that was installed at the request of the Commission. We had moved from a model of benign incarceration, which essentially featured these things that you see listed on this slide.

The kids were watching TV routinely when they wanted to. They were playing cards. They were gambling, essentially doing things that they wanted to, which is certainly inconsistent with habilitation and rehabilitation of our kids. Another major situation that occurred -- when we arrived we were immediately faced with a licensing situation from the state of New Mexico to operate the facility. Graffiti was a major concern on the state's behalf. In fact we had to remove it before they would issue us a license, to the tune of \$5,000 and of course that was on County property that they were putting the graffiti all over.

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Another situation as everyone is well aware, the out of control gang situations that exist across the states and in fact in many large metropolitan areas on the east coast where I came from. The day I arrived in Santa Fe we had a riot in the school. Fortunately, no one was seriously injured. There was sufficient staff available to quell the kids and reestablish some degree of safety and normalcy in that program. As you all know, that's a model that all the detention centers in New Mexico are currently operating under with the exception of one in Bernalillo County, which has got a pretty doggone good program.

We have changed that. That's what it looked like before. We have now moved to an interactive model. The interactive model looks like this. The pod doors are open. Staff are in with the kids providing constant eyeball supervision as well as meaningful interaction. As you can see by some of the highlights here, that we haven't had a single fist fight since March 26 of this year when we began this program, and the reason for that is simple. Staff are now in with the kids. We're constantly in with the kids. We're not in with them just to lock them and be guards, in fact we've taken away the uniforms. All the staff wear civilian clothes now and we interact with them not as guards and prisoners but rather as adults who care about the kids, mentors and role models.

What we want to do is get the kids out of that system. We can get them out of the system by taking away, requiring them to no longer use the tools of violence, gang affiliation and intimidation they had used for so long and replacing those with new tools, tools that everyone in this room uses successfully. Anger management, conflict resolution, tools necessary to function in our society.

Each resident upon arrival is assigned a trained counselor, such as Mr. Martinez. They talk about some of the issues that are impacting on the kids life to cause them to swing into a not necessarily delinquent, because many of our kids are preadjudicated, but a criminal type of pattern of behavior. We also bring in the families now. There was a time when they would have what they called a non-contact visit where the kids, an eleven year old, a thirteen year old, which we have right now in the center, would sit in a window behind a bullet-proof glass and speak on the telephone to mommy. And they'd have no contact whatsoever. We stopped that practice immediately. All visits are now contact visits.

And a contact visit is facilitated by guys again like Mr. Martinez who talk about the family dynamics and some of the things that are going on inside the family unit that contribute to the kids' delinquency. Now gentlemen, here is the one thing, I'm certainly sure that you knew what was going on but some of the things that we're recommending for the future. We're going to have expanded programming. We're going from a capacity of 40 kids, of course with your approval of the contract, when that comes before you, to a facility that will have 115 teenagers. We are also -- we are going to do some things to give back to the community.

We're going to have a graffiti removal program that we'll be able to offer the community. Snow removal, lawn care for elderly or incapacitated Santa Feans, just a lot of stuff we can do to give back. We're also going to have a computer literacy push. With

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the expansion, we'd like to install computers throughout. Right now the situation, as we all well know, if you aren't computer literate going into the 21st century, you're well behind the power curve. Our kids are intelligent, they're capable and they want to learn stuff. And we want to teach them. And together we can get a lot of these kids out of the system so they'll never go into that beautiful new jail that just went up.

One other thing we want to do, is we want to receive a designation. And I have a meeting next week with a gentleman from the state to be considered a provider for the state of New Mexico. Right now, our kids cannot be sentenced, if you will, or placed in our facility for long-term care. They're sent to places like Springer, YDDC in Albuquerque, other facilities across the state, and quite frankly, although they're okay, I think we can do a better job. I truly believe that. I've visited each of these places. I've seen their programming. I've seen the staff to resident ratio. And I really believe we can do better and we can do better right here in Santa Fe.

So that's essentially the last major thing we would like to do with the expansion is receive designation as a provider for the state. And the last thing that I would like to put up, gentlemen, is the mission statement. This is a mission statement that was developed by our staff at the end of our ten-day intensive training period back in March. We all sat down and said, now we know what we're supposed to do, what's going to be the vision, what will be the guiding light for us to do it. And this is what we came up with.

Mr. Chairman, Commissioners, you'll notice on slide 3 of the four pages you have before you, at the top of the page, the name is different. As with the recommendations, I think with the expanded services that our facility is going to provide to our kids, with the mission statement that we all live and work by and with those things that we want to do with our kids, the kids of Santa Fe, the kids of New Mexico, I would recommend, of course subject to approval, that we give this facility a different name more consistent with the unique program that is offered only here in Santa Fe.

CHAIRMAN TRUJILLO: And the name that you're proposing is the Santa Fe County Youth Development Program?

MR. LOOKER: That's correct, Mr. Chairman. So Mr. Chairman, Commissioners, subject to your questions.

CHAIRMAN TRUJILLO: I'd just like to say that this is totally congruent with the initial impetus that we gave regarding setting up alternative programs to give impetus to rehabilitation so that juveniles, so that the youth can go out into the community and become contributing members. This is enlightening. It's refreshing. It's something that Santa Fe County needs and I commend you for the program and whatever we can do to support it, let us know.

MR. LOOKER: Thank you, Mr. Chairman, the last thing I would like to do is to extend an invitation to yourself and the other Commissioners and everyone in this room to please come and visit us and see what we're doing. The kids love to have visitors. They love to talk about the program. In fact we've even changed the menu and they love to talk

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about the food as well. So please come and visit us, perhaps for a meal, and we'll show you exactly what this looks like in practice.

CHAIRMAN TRUJILLO: Just one question. Programs like this have been set up in other parts of the country. Can you just briefly tell us or let us know about what the recidivism, success if and how the revolving door has essentially been done away with, things like that.

MR. LOOKER: In every program, sir, there is a bit of a revolving door. Of course we can't save all the kids, although we certainly desperately try to. One thing on the third slide, we talked about a continuing care or an after-care component of this program. What we will do to address the recidivism rate is when a kid comes in to our program and we work with them, we spend a lot of time with him and the family, they're all fired up and ready to go back and do good stuff, but then they go right back and are subjected to the same amount of peer pressure, the same difficult environment that they came from.

So our after-care component, we'll actually go back into the community with the kids, provide services to the family in the home, go to the home. If the child's having problems they can call us. We'll go there, spend time working with them on-site. In fact one major thing we've done in the state of Pennsylvania where Abraxas originated and has I think well over 25 programs there right now, they've done a statistical analysis of the success rate of the Abraxas model versus the state's model. There's probably about a 5 percentage point difference over the long term. But you know it depends on how you want to package your statistics.

If you want to say if the kid can do well until he's 18 and not go back into the system, that qualifies as success. If they can stay out of the system for a year after placement, that qualifies as success. So depending on how you package your statistics really depends on how the numbers come out. The bottom line is this though. The Abraxas model works. It's very effective and though we can't guarantee all the kids will do well, we can certainly guarantee that relative to what's going on in the state right now, relative to what had been going on in the county, I'm confident a lot more kids will do a lot better.

CHAIRMAN TRUJILLO: Thank you, Pete. Any other questions?

COMMISSIONER ANAYA: Just a comment, Mr. Chairman. I'd like to echo what the chairman has stated and I wish you the best. I think this is an excellent program and an excellent direction you're taking, so I wish you the best.

MR. LOOKER: Thank you, sir.

CHAIRMAN TRUJILLO: Any other questions? Thank you, Pete.

MR. LOOKER: Thank you.

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VIII. B. Presentation regarding the status of the Veterans Memorial Highway

MAX VALERIO: Mr. Chairman, members of the Commission, thanks for having me here. I'm here to give you an update on the status of the Santa Fe Bypass, formally presented here as the Veterans Memorial Highway. It is my understanding that the actual designation or naming has been adopted by the City and the County to rename it as such. The department is following through with the process to formally approve the naming of that so that ultimately signing will be developed.

The general status of the Santa Fe Bypass as I'll refer to it this afternoon is that the middle portion, or the frontage road segment is nearing completion. It is expected to be open to traffic within the next two weeks, the middle of October, such that at that time there will be a completed two-lane facility around the city of Santa Fe. In addition to that, the inner section at Airport Road, as it intersects the bypass was reevaluated as part of the request that came along with many other requests at this summer's public meetings. We've reevaluated that intersection and it did in fact some signal warrant criteria, so that intersection at Airport Road will be signalized before the end of October, we hope.

The remainder of the Relief Route, the status of this regarding construction, the Phase III portion, which is the northern segment of the Relief Route is under construction as you're probably aware. Two of the three major bridges are under construction. One of them nearing completion. In addition to that, the detour for mainline traffic on US 285 is being constructed right now. We're hoping to be able to divert traffic on the mainline this fall some time so that the actual construction of the mainline structures over 285 can be constructed through the winter and the early spring of next year. So Phase III will be under construction through the winter, spring, and next summer, hoping to have that completed by next fall sometime.

As far as developments on the Relief Route in addition to that, as you all recall, back in the summer we held a series of public meetings in which we heard some concerns by the public regarding issues such as safety and access, really the major points of focus there, crossings across the Relief Route for pedestrians, equestrians and other users. In response to that, what the department did initially as part of the construction of the frontage road system, some of the more heavily used intersections were also looked at and reevaluated. Five key intersections had some enhancements done to them, some left turn lanes were added as they warranted that criteria to be able to provide some refuge to the traffic that is turning off the frontage road.

Just to give you an idea, the intersections that included those improvements were, beginning on the south, Caja del Rio, that facility has a left turn lane as well as a right turn decel lane added. As we proceed further north, we have the two County Roads, County Road 62 and 70, which had some left turn lanes added to them as well. Then further east of there, two of the more heavily used intersections which need some major developments back in the area, the streets of Sierra Azul and Calle Sinsonte also had some left turn bays

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added as part of the frontage road project. So initially, as a result of some of those meetings, we did go back and revisit to see what in fact was warranted at the time and what in fact could be added as part of the construction of the frontage road.

Beyond that, the four-lane ultimate facility is still pending and underway. That portion begins at the Santa Fe River near Airport Road and that would connect to the Phase III interchanges that are now underway. That four-lane segment is approximately nine miles in length. The status on that again, as a result of the public meetings that were held, some of the issues that came up having to do with the crossings, one of them was that a committee was established through the summer comprised of the department, the County, and the City of Santa Fe taking the lead as well as some of the interest groups in the area, some of the equestrian users, basically formed this committee to look at some potential sites that could be used for crossings.

These sites were explored. The issue of perpetual easement, which was stated by Secretary Rahn in June appears to have been resolved. Some of those easements are in the process of being obtained. So it does look like the crossings are something that can actually happen and proceed.

The actual recommendations for the crossings were presented to the executive staff of the department, City and County for further consideration in determining just how those crossings could be implemented. Issues such as funding, primarily, were discussed. I think that the issue of funding being the greatest one is one from the department standpoint, we're looking to have some participation by the local governments in some format to provide these crossings. That's basically where the crossings issue stand.

Other issues such as safety and access basically required or, a response from the City of Santa Fe was made to hold a more extensive public involvement process. Through the month of September there has been a series of public meetings with neighborhood associations and public open house meetings to try to identify more of these issues and try to come up with some solutions that could be incorporated at this stage of the game. Those meetings are scheduled to end, I believe next week some time. At that point, formal recommendations, again, on all the discoveries presented at the public meetings will be presented to the executive staff of the Highway Department, City and County so that recommendations and implementation can occur.

Right now I don't have any formal remarks or recommendations that I can give you to say. These changes or these recommendations will happen for sure. I think those types of decisions will be made within the coming weeks by the executive staff that I did mention. In general, that's where the remainder of the Relief Route stands in terms of being able to go out and complete the four-lane facility. The department is basically waiting to see what comes out of these recommendations and how we can proceed further. I can answer any questions you may have at this time.

CHAIRMAN TRUJILLO: Yes, Max. Help me understand, you say there's some augmented safety features that have been incorporated into the design, specifically

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County Road 62, County Road 70, you said merging left traffic, what is that going to do to enhance health and safety?

MR. VALERIO: The safety feature that has been added is essentially, as you're approaching the intersection as is done at many -- if you want to make a left, say, to County Road 62, a left turn bay, essentially a left turn lane where you can pull out into it is now existing so that the main line of traffic, they have a paved lane where they can get around you. So basically, it's a left turn bay so that you can pull out of traffic's way so you can store there and make your turn.

CHAIRMAN TRUJILLO: Are those going to be four-way stops?

MR. VALERIO: No, at present those are designed and the warrants, the criteria they satisfy do not essentially warrant the four-way stop.

CHAIRMAN TRUJILLO: That's in a community that has experienced copious development on the other side of West Alameda, there's major traffic going from one side of the bypass to the other, including buses, aged residents, young people, and this is a situation where they're going to have to come to a stop, and then essentially take their lives into their own hands to get across a highway with 15,000 cars coming at them. That community has come forth and expressed a real concern regarding that situation on County Road 70 and the Highway Department is saying it doesn't merit a four-way stop?

MR. VALERIO: Right. One of the criteria we've tried to explain at some of these public meetings and for whatever reason we haven't done a good enough job at explaining it, apparently. The issue with going in and just establishing a multi-way stop, a four-way stop and a three-way stop, poses some real concerns to the department, safety-wise and liability-wise. Whereas if you install a four-way stop at a location that doesn't meet the criteria you can cause a worse situation and the reason you'll do that is you're wanting to force traffic, mainline traffic, what I refer to as traffic on the mainline to stop at an intersection where you have a lesser traffic intersection. The chances for accidents to occur as a result of mainline stopping are a lot greater. The reason for that is you have more potential for rear-ends. The mainline is posted at 40 miles per hour, which isn't a real high speed, but it's a speed that is high enough to where there is a good chance that you'll have people that will run that stop sign which will cause more of a severe type accident.

You have people on your minor street assuming that the mainline traffic is going to stop and they don't stop. They run the stop sign. Those types of accident are much more frequent. So the liability and the safety issue that the department has in taking that action is really of some concern, it's not just some initial statement to say we won't do it for certain reasons. There is some qualified backing as to why or why not we establish stop signs at locations such as this.

CHAIRMAN TRUJILLO: A perfect example of an aberrated health and safety design is going up 285 North at the intersection of Camino La Tierra. There wasn't a stop light. The Highway Department in their infinite wisdom decided that it wasn't required there. After a few accidents and loss of life, the stop light was placed. I'm afraid

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that that same situation is going to happen on County Road 70 and other areas on that bypass. After people start getting maimed and loosing their lives, then the traffic lights and the stop signs and the health and safety issues will be addressed. Why don't we take care of it initially at the beginning?

MR. VALERIO: Again, we understand what the concern is, but by the same token, the number of lives that can be lost as a result of doing this could very likely occur and the likelihood of them occurring more frequently by providing stop signs. This, again, is one of the issues that will be presented to the executive staff, however, but what I've presented to you here today is basically our position to this point.

CHAIRMAN TRUJILLO: One more comment. Understanding that the City is the lead agency in this effort, there is a major perception that that highway is a Berlin wall. It's severing communities, okay? I've gotten a lot of calls from the northwest sector that Camino Los Montoyas is closed. The City of Santa Fe is proposing to close Buckman. There's situations back there that they don't have access to emergency response units and things like that. They have to go the long way around to get to a destination. There's real concern there that we have the city community and the county community and the Berlin wall.

So it's not healthy for both communities for constituents of the city and the county, and I guess I need to give direction to staff that I'd like to see a joint meeting set up between the City and the County to address those situations, because the City is making decisions that are impacting the county residents and we don't have any say so. The County does not have any say so. I think we need to get the ball moving on the Arterial Task Force. Their recommendations, that study, we've requested analysis and maps and other documents from the City that we're still waiting for. There's a real issue, a major problem with distribution of traffic in that area and it's imperative that the City and the County get together to address those issues.

COMMISSIONER DURAN: Mr. Chairman, on that same issue, I think that this Commission needs to consider adopting the Arterial Road Task Force recommendations. That might be a way of getting the ball rolling, if we adopted, send them to the City and get them to review it, and adopt it. I think it's been prepared and submitted for a long time. Someone mentioned to me the other day, why can't we adopt these recommendations? A lot of work, a lot of study has been done and nobody in the County or the City are making any efforts to adopt those recommendations.

CHAIRMAN TRUJILLO: Can we get a status of where that's at? Where are we at? Can we adopt the Arterial Task Force recommendations on the road infrastructure there?

MR. WOLF: Mr. Chairman, Commissioners, I'm not sure. I think Land Use staff has been attending the meetings. Let me ask them to give us a brief update of what has come out of those meetings.

JUDY MCGOWAN (Senior Planner): I can give you a real brief update.

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You're correct, Mr. Chairman, that some of those decisions that are being made are happening outside of the recommendations of the Arterial Road Task Force and sometimes in conflict with those recommendations where we had neighborhoods agreeing by consensus on what roads would happen and what would not. The Arterial Roads Task Force put together a provisional plan and then they sent it forth to the staff for review and recommendation. It got held up for a while and they basically went into recess. It got held up for a while because both staffs were working on the General Plan.

About a year and a half ago the staff starting working again because one of the things that the Arterial Roads Task Force requested was that traffic projections be done so that they could weigh whether or not the plan that they had come up with was effective and also look at any recommendations that the staffs might give or amendments to see whether they agreed with them or not. The staffs did put out a joint recommendation for amendments this past year and we have been waiting to get the traffic projections so that some judgement can be made about which roads are the appropriate ones and which amendments should be made or not made, and then it should go back to the Arterial Roads Task Force.

There appears to be a couple of problems with getting the traffic projections. One is that although the County owns the software for the T-models to do traffic projections, there are no staff members that have been trained to use those and it has not been set up to run, and that's a very time-consuming process.

It takes anywhere from six months to a year to get that T-model up and going. The City does have the T-model up and going and the County relies on the City to do those traffic projections. So their work takes priority, is part of what's going on. And there is difference of opinion about the land use projections which drive the traffic projections. And that's kind of where it stands right now. We've talked in house recently about reviving that because of the issues that are going on where roads are being planned outside of that process. Rufina Street is another one that's being proposed for construction, not necessarily in conformance with that Arterial Roads Task Force plan.

CHAIRMAN TRUJILLO: Thank you, Judy. I think that development in that area is developing at warp speed. And it's not waiting for any projections. What we need to do is we need to move on adopting the Arterial Road Task Force study recommendation and plan, and then worry about projections later. It's going to take a long time to do projections. We can't -- it's impacting whole communities. It's totally existential and we need to move. We need to make some decisions. And I'd like to see a joint City/County meeting set up to talk about the bypass and to talk about the roads, the Arterial Task Force in that area.

MR. WOLF: Mr. Chairman, would you include then, at this meeting the recommendations from the task force at that would be the discussion between the County staff, elected officials, and City staff and elected officials. Is that the request?

CHAIRMAN TRUJILLO: That's right. Yes.

MR. WOLF: Okay, we'll coordinate that meeting.

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CHAIRMAN TRUJILLO: Okay. Thank you. Thanks, Max.

IX. STAFF AND ELECTED OFFICIALS ITEMS:

A. County Sheriff

1. Quarterly Report

RON MADRID: Mr. Chairman, I'm Ron Madrid. I'm part of the Sheriff's Department. I'd like to talk a little bit about some of the numbers our patrol division has been working on since January of 1998. The patrol division itself has handled 6,939 calls for service since January, and 473 of those calls were residential burglaries, auto burglaries, commercial burglaries. There was a slight decrease since last year, when we had 494. We went down a little bit.

I also wanted to mention that we have hired all of the ten part-time positions at the District Court and we have them working and because of that and because of your help we have five officers on patrol assisting our patrol division now. We also have a full-time officer at the Magistrate Court and everything's been working out very well there.

Just for your information, we have had some problems with fatal accidents. Since January of 1998 we've handled ten fatal accidents, which is almost double last year's number. But as far as everything else, we have plenty of coverage now with the deputies that we pulled from the transport division and everything seems to be working really well. Do you have any questions?

IX. B. County Clerk

1. Resolution No. 1998-102. A resolution calling for a special election for the purpose of submitting to the qualified electors of the Village of Eldorado the question of whether or not the village shall become an incorporated municipality

BECKY BUSTAMANTE (County Clerk): Mr. Chairman, this is just a formality. As you know, we already approved it and there is a court order. For some reason we didn't get the resolution done and before I can publish to have an election, I need a resolution. This is just a formality in regard to action taken earlier this year. And the election will be held on January 5.

CHAIRMAN TRUJILLO: Thank you. What's the desire of the Commission?
Commissioner Griñé.

Commissioner Griñé moved to approval Resolution 1998-102 as presented. His motion was seconded by Commissioner Anaya and passed by unanimous voice vote.

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IX. C. Finance Department

- 1. Resolution Authorization to enter into a professional services agreement with Dennis Engineering, Inc. RFP #99-13 for the construction management and oversight of CR 6 and 9 project.**

DONNA GARY (Finance Director) Mr. Chairman, Commissioners, for RFP 99-13 we are requesting authorization to enter into a professional services agreement with Dennis Engineering.

The County Public Works Department seeks to hire a contractor for construction management of CR 6 and 9. The request for proposal 99-13 was issued to find a qualified firm to provide construction management services on county roads 6 and 9 construction project. The RFP was advertised, four were mailed out and only one vendor submitted a response of proposal.

Upon review of the proposal submitted by Dennis Engineering, the evaluation committee determined that their proposal met with the criteria.

Costs for these services were negotiated and determined to be comparable with the rates set forth in State Highway Department Construction Management Contract and the total amount is \$48,993.98. Our recommendation is that the public works department and from the purchasing section of the finance department would be to request authorization to award a contract in response to request for proposal 99-13 to Dennis Engineering.

CHAIRMAN TRUJILLO: Thank you. Any questions?

There were no questions and Commissioner Griñé moved for approval for the construction management and oversight of CR 6 and 9 project.

His motion was seconded by Commissioner Duran and passed by unanimous voice vote.

- 2. Request authorization to enter into a professional services agreement with BSN RFP 99-14, for the construction management and oversight of CR 91-A bridge project.**

MS. GARY: The County Public Works Department seeks to hire a contractor the construction management and oversight of CR 91-A bridge project. Request for proposal 99-14 was issued to a qualified firm to provide construction management services. Proposal for RFP99-14 were received on August 20, 1998. The RFP was published and advertised. Two RFP packages were mailed out and two firms submitted responsive proposals.

Upon review of the proposals submitted by Tierra Engineering and BSN-Santa Fe, and a presentation given by both firms, the evaluation rated BSN-Santa Fe's proposal and presentation higher. Costs of these services were negotiated and determined to be comparable with the rates set forth in the State Highway Department's construction management contract. The total amount if \$61,200. The public works department in the

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purchasing section of finance request authorization to award a contract in response to RFP 99-14 to be BSN-Santa Fe for construction management of CR 91 A bridge project.

Commissioner Duran moved for approval of the award of RFP 99-14 as presented by staff. His motion was seconded by Commissioner Anaya and passed by unanimous voice vote.

- 3. Request authorization to enter into a professional services agreement with Tierra Engineering RFP 99-16, for the construction management and oversight of the Walnut Subdivision Project.**

MS. GARY: In regards to RFP 99-16 the County Public Works Department seeks to hire a contractor for construction management and oversight of the Walnut Subdivision road and drainage improvement project.

Request for proposal 99-16 was issued to find a qualified firm, to provide construction management services. Proposals for the RFP were received on September 1, 1998. The RFP was publicly advertised, two RFP packages were mailed out and two firms submitted responsive proposals.

Upon review the evaluation committee rated Tierra Engineering's proposal higher. Costs for these services were negotiated and determined to be comparable with the rate set forth in the State Highway Department's construction management contract. The total amount is \$29,452.50. The public works department in the purchasing section of finance request authorization to award a contract in response to RFP 99-16 to Tierra Engineering Consultants for the construction management of Walnut Subdivision road and drainage improvement project in the amount of \$29,452.50.

Commissioner Anaya moved for approval of the award of RFP 99-16 as presented by staff. His motion was seconded by Commissioner Duran and passed by unanimous voice vote.

D. GENERAL SERVICE DEPARTMENT

- 1. Resolution 1998-103: Authorizing and supporting an infrastructure capital improvement plan for Santa Fe County**

DAVID MADRID (General Services): Mr. Chairman, members of the Commission, before you have the most recent version of the infrastructure capital improvements plan. This is the version we hope to submit to the Department of Finance and Administration tomorrow as required by law. If you look right after tab one, this is a listing

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of all the projects and the extreme left-hand column identifies the priority ranking. This was done in coordination with the department directors and with the County Manager's input.

There are a total of 75 projects which we will be seeking funding for and the total amount for this year is \$153,230,670. And this is not our final number of projects. We can amend this document by submitting additional projects later on and all we have to do is just give more projects and use the same format and then just submit another resolution to DFA requesting amendment to this plan.

COMMISSIONER ANAYA: Mr. Chairman.

CHAIRMAN TRUJILLO: Commissioner Anaya.

Commissioner Anaya moved approval of the Infrastructure Capital Improvement Plan "wish list" as presented. Commissioner Grifé seconded for discussion.

COMMISSIONER DURAN: I have a question. How much of this \$153 million do you think we'll be granted?

COMMISSIONER ANAYA: That's why it's a wish list.

MR. MADRID: Do you want dollar amount in millions?

COMMISSIONER DURAN: Historically, what is it that we've received?

MR. MADRID: Last year the General Services Department alone received \$1,125,000 for I believe eight projects. So we did fairly well if we get a tenth or one-half of a tenth -- I think we're doing very well. But it also served as an internal planning document and based on this I plan on working with the planning department on improving the planning process and getting more projects involved in this but if nothing else it lets the legislators know what the county is trying to do.

CHAIRMAN TRUJILLO: Thank you, David. Any other questions?

The motion passed by unanimous voice vote.

- D. 2. Resolution 1998-104: Resolution approving the Santa Fe County Housing Services Division Public Housing Management Assessment Plan for submittal to the Department of Housing and Urban Development for the fiscal year ending June 30, 1998.**

ROBERT ANAYA (Acting Executive Director Housing Authority): Mr. Chairman, Commissioners, annually the Department of Housing and Urban Development assesses the housing authority across the state of New Mexico through the Public Housing Management Assessment Program. There are basically eight components to that program including vacancy rate and turn around time; modernization; rents uncollected; work orders; inspection of units and systems; financial management; resident services; and security. Based on that assessment they grade the housing authority. Last fiscal year because of some

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of the turmoil that we went through at the housing authority we had a score that was a passing score. Prior to that the county housing services didn't have a passing score. But we had a passing score of about 60.8. You have to have a 60 to get a passing score so we just made the cut but we did in fact pass that assessment program.

Currently we have the packet before you and that will be the packet which ended on June 30 of this past year, 1998. We saw some great improvement and the one thing that I do want to point out to the commission is that it's been because of the support that we received from the Commission, the support we get from the manager and first and foremost the support of the staff. There's 13 individuals there that do a hard job and work hard day in and day out. They put a lot of sweat and effort into getting the housing authority back in a position where it's a standard performer.

There are a few of them here today that I just want to acknowledge: Diane Sena, Larry Narviz who is the maintenance supervisor; and we also have our new accountant Steve Shepard. All the people on the staff deserve a lot of credit because they pull a lot of effort, like I said, into making sure that we move forward. Our target for next year is to become a high performer. To move from becoming a standard performer to a high performer and with their efforts we believe we can achieve this objection.

The Housing Authority, just to give you an update, we did receive concurrence from the HUD on the direction that you gave us to move forward and become a housing authority. We've got their support behind and they've been working with us and I also want to make a special thanks also to Corky. He's been providing a lot of support and technical assistance to the general services to our division and also the county manager. With all these efforts combined we will get the housing authority where it needs to be. The development program is moving forward. We received concurrence from HUD who also continues to move aggressively forward to expend that money; that's a high priority. And, also the home sales plan, we're moving forward with that as well. The land use department, emergency services department and public works department is going to be instrumental in helping us achieve what we need to get done to get that home sales program going.

So with that I stand for questions.

CHAIRMAN TRUJILLO: Thank you. Any questions.

Commissioner Anaya moved to approval of Resolution 1998-104 as presented. His motion was seconded by Commissioner Griñé.

CHAIRMAN TRUJILLO: A question for you, Mr. Anaya, before we take the vote. You say at this point that the development program is moving forward, the home sales program is moving forward, it seems that the whole housing program is in a buoyant situation. There is a good rapport with HUD and within Santa Fe County we've got a program that is viable. I've heard some rumors that maybe the Santa Fe Civic Housing Organization would like to combine or absorb Santa Fe County's program; what is your

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position along those lines?

MR. ANAYA: Mr. Chairman, there's been a lot of discussion. I've had several meetings with HUD and I've had a few meetings with Mr. Tafoya who is the director of the Civic Housing Authority. And the think the authority about two and a half years ago was in a situation where we were in troubled status, we've had a lot of deficiencies out there that the County came in and assumed, but I would say as a housing authority we need to first of all take care of the situation at hand. And that situation, as I see it, is getting that development grant extended, getting the home sales program on line, and getting our financial systems to where we can account appropriately and accordingly with the resources that we have.

I would suggest to the Commission that before any decision on options or accommodation of another housing authority, that we take care of what we have at hand and that we build our housing authority into a viable affordable housing provider. I think up until now the perception of the Santa Fe County Housing Authority has been a housing authority that provides low rent assistance through the public housing unit and Section 8 rental assistance. But there's much more out there that the County Housing Authority can do to be a well-rounded affordable housing provider. I don't think that at this time and personally I don't think in the future it would be in the best interest of Santa Fe County for that type of merger. Cooperation absolutely. We work close with Mr. Tafoya and we can work together to work through problems to create solutions. But the affordable housing needs in say southern Santa Fe County and the affordable housing say in Santa Cruz might get left out in the shuffle if we were to form a merger between a civic housing authority which has a lot more resources and a lot units and a lot more interests in and around the city limits of Santa Fe.

I see the Housing Authority in a position to where we can branch out and provide other affordable housing opportunities to people who aren't necessarily on public housing or Section 8.

But like I said, whatever we do and however we proceed we're going to need all the help we can get from the civic housing authority, from HUD and all the other housing authorities in the State of New Mexico.

But I stand ready to move forward in whatever direction the Commission and the County manager sees fit.

COMMISSIONER DURAN: Mr. Chairman, I'd just like to comment that there for awhile I thought we were going to lose this program and the Commission supported me and Commissioner Gonzales in support of the housing which I think is a basic necessity for some members of our community and I'd like to commend staff for bringing it up and keeping it going. I know that Diane has been there for so many years and it was a tough, tough uphill battle to keep it but I'm really happy that it's still intact and we're moving forward.

There was a thought of combining the Civic Housing and all, but I think some legal

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ramifications came into the scenario as far as regionalization being out in the County versus the City taking over and factors like that helped us in our decision making to keep within our own element. I'm real happy, and I wish you the best and keep going.

MR. ANAYA: Mr. Chairman, Commissioner Anaya, I appreciate that. I would add that merging of housing authorities, just for you information, is something that has occurred across the country in different places and is something that the City of Las Cruces and the Dona Ana Housing Authority are trying to do at this point. But I think that we're in a position to move forward and we have a lot of opportunity out there and I know there was a lot of discussion between the City and the County and I think the bottom line for the Santa Fe County Commission is that most of the land in Santa Fe and the City limits of Santa Fe is pretty much taken up so affordable housing development that going to occur is more than likely going to occur in the peripherals of the city limits. I believe that that's an interest that has been expressed by the City of Santa Fe -- I think that we need to take their concerns cautiously, review what those concerns as they pertain to affordable housing development but I think the County as a government needs to create their own affordable housing opportunities to the Commission through the housing authority, through land use department and through the rest of the county so that we ourselves can see a development like Tierra Contenta, for example, come to fruition for the residents of Santa Fe County and the Commission to work towards something like that.

Thank you.

COMMISSIONER ANAYA: Again, thanks to you.

The motion passed by unanimous voice vote.

IX. E. LAND USE DEPARTMENT

- 1. Request authorization to publish title and general summary of an ordinance establishing the Santa Fe County Water Resources Management Plan, and adopting policies and guidelines for the use, conservation and preservation of water resources within the County**

JACK FROST (County Hydrologist): Mr. Chairman, Commissioners, I'm pleased to present the request to publish title and general summary of the ordinance. The Commission directed staff to prepare a water policy herein called the Commission Water Resources Management Plan consistent with the Santa Fe County General Plan part one policies adopted last December. This management plan was the first action item of the County general plan policy.

The plan is consistent with modern policies in place in counties and communities throughout the southwest. It will set a course of action for the county water utility and the county land use department into the future and the process of adoption will include public

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review and comment.

We request that you approve to publish title and general summary and begin this adoption process now.

CHAIRMAN TRUJILLO: Thank you, Jack. Any questions?

COMMISSIONER ANAYA: Jack, we're going to have public hearings concerning your recommendations? You'll have something that will have more meat than this?

MR. FROST: Yes, sir, there is a draft policy and it will become available to the public with your approval of this request.

COMMISSIONER ANAYA: Is it -- I haven't even seen a copy of the proposed ordinances. Do we get to see it when the public gets to see it?

MR. FROST: You can see it right now, sir.

COMMISSIONER ANAYA: I'd like to see it before we have a meeting.

MR. FROST: This will require several months, Commissioner.

COMMISSIONER ANAYA: I guess my only concern, and I'm not opposed to this, I'm just wondering -- it says the draft ordinance has been created and circulated for comment among staff and review. I would like for it in the future for it to be circulated not only to staff but also to the members of the Commission for their review.

MR. FROST: A substantially similar form of this has been circulated in the past and it has been around for about six months.

COMMISSIONER ANAYA: I don't remember seeing it. When our packet was made available to us, I would have liked to have had a copy of that draft and I will take a copy of that now.

CHAIRMAN TRUJILLO: Question, Jack, the final product of this ordinance and public general summary is a comprehensive water availability and water quality report; is that the direction that we're going with this notice?

MR. FROST: That is a goal of the ordinance, sir, but it won't be a single product of the ordinance. It is the objective to continue studies of water availability and water quality throughout the County amongst many other objectives including assisting community water systems, proposing amendments to the land development code, examining and adopting water related policies and actions that support the general policy that we are proposing.

CHAIRMAN TRUJILLO: Okay; is there any other discussion or questions?

Commissioner Griné moved to approval the publication. His motion was seconded by Commissioner Duran and passed by unanimous voice vote.

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- E. 2. **Request authorization to publish title and general summary of an ordinance to modify Article VII Section 2 of the Land Development Code. The ordinance would limit the requirement for nitrate removal systems for commercial development, require such systems for any development with inadequate soil and require annual testing of the total nitrogen content of these systems' effluent**

RUDY GARCIA (Land Use Administrator): Mr. Chairman, the caption states what this issue is. At the CDRC level we've been having some smaller commercial development whether it be a bed and breakfast or a day care center that those uses were required to do an updated septic system which would require nitrate removals. This ordinance sets out that if you have less than 2,000 gallons per day of liquid waste you'd be allowed to install a standard liquid waste disposal system. This ordinance also requires that if you have less four foot of soil under the leach lines, you would be required to put a nitrate removal system with groundwater being shallow you would also be required to place a nitrate removal-type system.

CHAIRMAN TRUJILLO: Even if there wasn't any nitrate in the water table this would be a requirement?

MR. GARCIA: Mr. Chairman, this would be a requirement if your commercial development goes over 2,000 gallons a day for liquid waste. If you're in an area such as the mountainous area where there's a lot of bedrock and there is no soil or if you're near a water table that is shallow then with those three instances you would be required to put a system with nitrate removal.

CHAIRMAN TRUJILLO: Okay, and that's for commercial endeavors.

MR. GARCIA: Yes.

CHAIRMAN TRUJILLO: Any other questions of Rudy?

COMMISSIONER DURAN: Yes. Rudy, what is the single family house produce in terms of gallons of waste?

MR. GARCIA: Mr. Chairman, Commissioner Duran, a single family residential dwelling unit I assume would produce less than 2,000 gallons of waste per day and the reason for that is because EID requires that and any time you come in for a septic system for a single family dwelling you are permitted for a standard size septic system unless you're in the mountain area then EID requires an advanced septic system.

COMMISSIONER DURAN: Let me ask you another question. What I'm trying to do is figure out what 2,000 gallons is -- what kind of use is 2,000 gallons a day. Can you answer that, Jack?

MR. FROST: Mr. Chairman, Commissioner Duran, a single family residence might discharge 400 to 600 gallons per day. Two thousand is the threshold for several criteria at the State Environment Department. Unless several homes are sharing the same

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system, this probably would very seldom affect a single family residential development at all.

COMMISSIONER DURAN: So how did you arrive at 2,000 gallons?

MR. FROST: I can't answer that directly. I can tell you that that is a trigger level for review by the State ED.

COMMISSIONER DURAN: We're going to be able to discuss at another stage.

CHAIRMAN TRUJILLO: Thank you, Jack. Are there any other questions of Rudy?

Commissioner Duran moved to approve the request to publish title and general summary. His motion was seconded by Commissioner Grifé and passed by unanimous voice vote.

IX E. 3. Resolution 1998-105: Establishing an Open Space and Trailing Planning and Advisory Committee

LESLI ELLIS (Planner): Commissioners, I apologize for the last minutes amendment. It was my error in having a late legal review of the document. It's a much better document now.

Just briefly some background for the reason why we're bringing this resolution forward to establish an open space committee. They are primarily two reasons: one, as you know, there is a General Obligation Bond on the November ballot that calls for a \$12 million bond for open space and trails acquisition in the county. And one of the contingencies for that bond proposal is that we establish a citizens' oversight committee to be involved in that program and so that's one reason why that is critical now. The other reason is that the general plan policy also calls for citizen committee. So we tried to address both of those needs in one resolution. The timing right now is very critical because of the election and voters have across the board we've heard from many people in the business community and citizen in the county and even in the press that they'd like to see the committee be appointed as soon as possible and know something about the way it's going to be structured and who would be on the committee and the types of projects that the would be addressing before the election in November. So that's part of the reason for the timing now. Also, they've called for a citizens committee that is fair and representative countywide. We've heard a lot of concern particularly in the north part of the county that there would not be enough representation from that part of the county as well as the south part of the county so people are very concerned that members of the committee not be appointed just from the City of Santa, that it be a countywide thing. Also, we in the planning staff need a committee that can help advise us on the direction to go as far as some of the long range open space

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planning. It's an issue that has been very difficult as you know in part of the general plan and there are a lot of issues about private open space and public open space and that whole bundle of issues that's difficult to address without that kind of citizen input. So that's a very important reason, also, for this committee.

The resolution is attached and -- I'll just briefly summarize. Number one, the county planning staff would assemble all the information that we have to date on open space planning and we would need to work also with the city staff and other members of the community to pull together a lot of the information that is already out there on open space. We certainly don't want to be reinventing the wheel or doing anything that has already been done before.

We're calling for interested volunteers. We'd like to place some ads in the newspaper and call for volunteers to send their letters of interest to the Land Use Department so we can be sure that we are getting that balanced representation from different parts of the County.

Number three explains what that balance would be. Basically, there would be seven representatives from the north, eleven from the central part and seven from the south part.

Number four says that that committee members would also represent the diverse interest of the County including youth, retired persons, families, property owners, conservation organization, farmers and ranchers and community representatives and there may be some others that should be included in that mix.

Number five basically addresses of when committee members aren't showing up for meetings and if they need to be reappointed and that gives direction on how that would be done.

Number six and if necessary, and this was something that was called for in the general plan, if necessary this group could break into subcommittees to address the issues on a regional basis and we didn't want to make that mandatory because we thought it might be easier for them to start working as one group and then if they find it difficult they could break into smaller groups. So that's really their option.

Number seven, the committee would advise staff and also the BCC on a long term open land and trails map for Santa Fe County. The would also identify strategies and implementation methods.

Number eight, county planning staff would then put forth the committee's recommendations to the BCC.

Number nine, the committee would work towards consensus decision making where possible. But if not letters of dissent could travel along with the final plan.

Number ten, the Board of County Commissioners will appoint the committee and we're saying here on the October 27th meeting. And we're saying this for the members of the community who say this should be done as soon as possible. So the ads in the newspapers would call for letters to come to us by the 16th of October and then the staff would forward the whole bundle of letters to the board with some recommendations about

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geographic distribution and so forth and then it would be up to the board to make the final decision and appoint members to the committee.

And the number eleven, if the bond passes in November and this committee would appoint a smaller subcommittee that would be responsible for overseeing the acquisition program and the reason that this is structured this way we thought that a committee of 25 members, it will be difficult for them to make decisions in a timely manner and a smaller subgroup could make the decisions about acquisitions quickly and prioritize the projects that would be on the list. So that's the reason for structuring it that way.

And, finally, number twelve, all the meetings would be governed by Resolution 1996-35 which basically just gives the rules of order for any committee meeting in the County.

CHAIRMAN TRUJILLO: Yes, Commissioner Duran.

COMMISSIONER DURAN: Lesli, I recall at this meeting where we agreed to do this, we talked about appointing these members based on the districts, the five commission districts so that each commissioner would have the same number of appointees. I have been contacted by a lot of people to be on this and I'm just wondering how this got to where it is.

MS. ELLIS: Actually, the general plan policies call for it to be set up based on regions of the County; north, central and south. That's the reason it is structured this way. There are 25 members on the committee and all of the commissioners would approve all of the members of the committee. It's not structured along district lines because of some concerns that people have expressed about the fact that most of the people end up being from the City of Santa Fe or adjacent to the City of Santa Fe if it's based on districts and a lot of people have expressed a concern that they'd like to see it based more on regions.

COMMISSIONER DURAN: But that's not set in concrete; right?

MS. ELLIS: It could be changed, but this is what the general plan policies say that it should be structured.

COMMISSIONER DURAN: How do we change the rules? I'm concerned with how this is going to work. People are going to come in or write you a letter saying they want to be on it and they have to reside -- eleven will reside in the areas designated in the City, seven from the north and seven from the south.

MS. ELLIS: Right.

COMMISSIONER DURAN: And then all of those people will vote on whether or not -- I mean we'll vote on whether or not they'll be on the committee.

MS. ELLIS: Right, we're asking for everybody to send their letters to the land use department so that if it looks like there is an underrepresentation from a certain parts of the County that then we could do some more advertising to get more letters or recruit more people from those areas.

COMMISSIONER DURAN: That will take up a lot more time.

MS. ELLIS: Right; but, it's all going to have to happen very quickly. I think on the 27th if we haven't received enough letters by that point and you're not ready to

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appoint all 25 we could at least begin the appointments to the extent that we're capable.

COMMISSIONER DURAN: I'd like to see it, Mr. Chairman, that we all have five appointments to this committee. I'm just throwing that out for some discussion. I just think -- I know that I can come up with five people and I'm sure that the other commissioners can and have people already interested. It's like the Highway Corridor Committee, we all have two appointees and we had to decide within our district.

MS. ELLIS: My only comment to that and I certainly think that that is a good way to do a committee, but my comment is that based on the feed back that we've received from everybody and unanimously from the business community or community planning groups or residents that they are very concerned about this committee being too political and they really want to see it being fair and representative and there's a diversity of interest represented and that it doesn't -- it's not set up in a way so that it's unfair or there are conflicts of interest. That's one reason for doing it this way so you all have to decide on all of the members who are on the committee.

Jack just brought a copy of the general plan up here and it says, "Create a public committee of residents and property owners from the north, south and central parts of the county which would be comprised of subcommittees for each area for the purpose of creating a county-wide open space for the areas outside of the community districts...." So it is directly addressing the general plan policies as well.

CHAIRMAN TRUJILLO: What is the size of the committee?

MS. ELLIS: It's 25.

CHAIRMAN TRUJILLO: And you're saying it's going to be a selection process where people of interest submit a resume, if you will, a letter.

MS. ELLIS: Just a short letter of interest explaining why they wish to serve on the committee. We've actually received some already from people and some are two lines long saying that they would like to be on the committee where others are more in depth with all the reasons and background that they have. It varies on the person.

CHAIRMAN TRUJILLO: What's the criteria that we're going to use?

MS. ELLIS: The criteria is mostly based on geographic regions, that the first criteria that we want a balance from different parts of the county and then responding to number four in the resolution that says the committee members will also represent a diverse interest of the county including the following things. We'd like to get some committee members that have some knowledge related to planning or acquisition programs so that they've got some concrete foundation on this committee. But it's basically calling for a diversity of interest including property owners, conservation organizations, farmers, ranchers, community representatives.

CHAIRMAN TRUJILLO: It would seem that each one of us has a prolific network of contacts within our districts, within our communities of people that would be able to serve in this capacity on this council.

I deal with Native Americans, traditional community residents, with the northwest

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sector, with a diverse set of residents in the county so I would be in the best position to identify those people that are most sensitive and can identify the open spaces or the areas that they want to designate for open space. Because I deal with those people on a daily basis.

So it would seem that if each one of us would get five slots that would comprise of this total committee I think that would be egalitarian, that would be fair and that would represent the perspective of the community.

JACK KOLKMEYER (Planning Director): Mr. Chairman, I'm going to jump in for just a second if I may. Two things to bear in mind: one that Lesli referred to before. You have an adopted policy in the general plan that said this would be set up in a certain way so I'm not sure how we would change that policy at this point. The problem here was as you remember back onto the discussions that we had with particularly people from Estancia and the Pojoaque Valley that they wanted representation guaranteed to them when we came back to create this open space committee so that's why we said that it's the seven/eleven/seven idea in the north/central/south. That doesn't mean you couldn't make five recommendations or five appointments. The point being what you're saying, Mr. Chairman, is that we firmly believe that this process needs seven people from the north and seven from the south and eleven from the central but it doesn't mean that you couldn't make recommendations and appointments because in a sense you have to vote on all 25.

In other words, you could come up with five names from your district and that would be primarily in the central portion where there are eleven members then there's six remaining that could be divided among the other commissioners.

My point is that you have an adopted policy and we've gone through this -- this is from the Open Space Section of the Growth Management Plan adopted December 17, 1997, "...create a public committee of residents and property owners from the north, south and central parts of the County which would be comprised of subcommittees from each area for the purpose of creating the county-wide open space plan for areas outside the community districts which are covered by the community and district planning process. The committee will assist communities with planning, acquisition and management of open space and trails and oversee the preparation of the county-side open space plan...."

COMMISSIONER ANAYA: Mr. Chairman.

CHAIRMAN TRUJILLO: Yes, Commissioner Anaya, then Commissioner Duran.

COMMISSIONER ANAYA: Mr. Chairman, in effect the way the resolution is presented right here you would have an advantage selecting seven from the north, Commissioner Griñé would have an advantage of selecting seven from the south portion which is his district and then Commissioner Gonzales would probably have a little bit into that. But I think the distribution is adequate. If you recall when this came up before us I supported this notion and I also stated and we heard this in Portland, Oregon that before it goes to ballot -- we're going to project what that particular obligation bond would be stated before the election. The distribution and representation of this is okay and plenty fair the

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way that it is written.

CHAIRMAN TRUJILLO: Thank you, Commissioner Anaya. I see where you're coming from in that if there are seven from the south, seven representatives from the north and then in the central district there is overlap in commission districts so we get an opportunity to identify who will serve on this committee so it seems that I would have more than seven selections. Okay, that's fine.

MR. KOLKMEYER: As long as this is clear because the problem that we have when we go and talk in various communities is that there isn't going to be equality and somebody is going to get more than someone else and we've heard that from Estancia and I was in Arroyo Seco where this came up the other day. That's what is at issue so we want to try and keep it as fairly outlined on paper as we can.

CHAIRMAN TRUJILLO: There was an article in the paper that talked about the open space committee and the phone numbers of the Commissioners were published and we've been getting a lot of calls and I told people to send me or send the county the document, the memo of interest delineating why they want to serve and their qualifications. Some of those might have gotten lost or misplaced, why don't we just start from scratch and have everybody submit to the land use department their communications of interest so that even if they submitted anything in the past -- I don't know if I received it or not.

MR. KOLKMEYER: We'd be happy to take on that responsibility but relative to that too, one thing that is helpful to us is that we can always use more information particularly from the communities out there about what open space projects they might have in mind and what's of importance to them. In which case if they do call you with that information, it would be helpful for us to get that back from you as well. We would be happy to take on the responsibility of getting the applicants' names.

CHAIRMAN TRUJILLO: And if you would publish that.

MR. KOLKMEYER: Yes, we can do that.

CHAIRMAN TRUJILLO: Commissioner Duran.

COMMISSIONER DURAN: Mr. Chairman, Jack, you're going to publish that the County is now accepting recommendations for open space -- for properties to be considered for open space acquisition program?

MR. KOLKMEYER: We're going to publish an ad for seeking members to the committee. Regarding the properties to be considered how would that be accommodated?

MR. GARCIA: People will come forward and then we'll have a list of all the properties and they'll be recorded.

MR. KOLKMEYER: And we're still working on that list. Is it your question -- is it if we want additions to that list?

COMMISSIONER DURAN: Right or if there are some people out there who have a particular property to be considered.

MR. KOLKMEYER: Let me make sure I have this question right. We have a list that has already been partially developed of potential projects. Your question is if we

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want to add to that list how do people know how to do that essentially.

COMMISSIONER DURAN: How would someone get a piece of property that say they owed that they don't want it to be developed, how would they get us to consider it?

MR. KOLKMEYER: They would have to submit that to this committee.

COMMISSIONER DURAN: Is there some process that you're going to follow that will inform the public that this opportunity is available to them? Maybe it's not an opportunity but we are accepting recommendations.

MR. KOLKMEYER: Yes, we already have a list and we have some material that has gone out already but we we'll make sure that people understand that other candidate projects can be added to the list, yes.

COMMISSIONER DURAN: For that matter, like Pop's Convenience Center someone may have gotten word that it's going to be developed and rather than it be a gas station maybe they would like to see it as an open space.

What I'm trying to do is to make sure that the public is aware that you're available for that there is some mechanism in place to accept recommendations.

MR. KOLKMEYER: Sure, there will be more information and more publication of that process as we get to the date.

COMMISSIONER ANAYA: What I said previously referring to what was stated in Portland, the reason for their success is that the priority list was given to the public before the vote and thus that was the reason for its success. A priority say like Pop's Convenience Store might not be what the people in the north or the south would deem as what they would want and remember they're going to be voting and increasing their property taxes in November. So the more enlightenment you put out to the public the better it is. That was the success in what the people in Portland did over there.

CHAIRMAN TRUJILLO: That's exactly right and that's why the composition of the committee is very important getting that northern perspective, the southern perspective and the central perspective.

Okay, anything else, more discussions, questions?

Commissioner Anaya moved approval Resolution 1998-105 as presented. His motion was seconded by Commissioner Duran and passed by unanimous voice vote.

XI. F. PUBLIC WORKS DEPARTMENT

- 1. Request authorization to enter into a memorandum of understanding with the San Ildefonso Pueblo for maintenance of roads within Pueblo boundaries**

LARRY VELASQUEZ (Public Works Director): Mr. Chairman,

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Commissioners, we have been working with San Ildefonso Pueblo to come up with a memorandum of understanding which would allow the County to maintain and improve roads that it has been doing for numerous years within the Pueblo boundaries. There are approximately nine miles that the County maintains within what is termed as exterior boundaries of the Pueblo. We've drafted agreements and we've asked for approval on this but at this point it is my understanding that there are two items that the Pueblo has a little concern with.

We ask for your authorization to negotiate the agreement and to execute it with the chairman's signature within the next few days hopefully.

CHAIRMAN TRUJILLO: And that probably will happen the middle or the end of next week.

MR. VELASQUEZ: We are trying to schedule a meeting probably by the end of this week and see if we can have some discussion on that and see if we can come to agreement on the two issues.

CHAIRMAN TRUJILLO: Thank you, Larry. Any questions.

Commissioner Anaya moved approval of staff's request. His motion was seconded by Commissioner Griñé and passed by unanimous voice vote.

IX. F. 2. Resolution 1998-106: Resolution supporting road improvements funded by state legislature

MR. VELASQUEZ: Mr. Chairman, Commissioners, at the last meeting we presented to you a series of funding agreements for projects to be funded through the severance tax agreements from the legislature; however, in those agreements they required that we have a resolution from the Commission supporting those projects and that's what we have before you.

You've already executed the funding agreements but we just needed the resolutions that say you agree with the projects.

COMMISSIONER ANAYA: I like them, Mr. Chairman.

Commissioner Anaya moved approval of 1998-106. His motion was seconded by Commissioner Griñé and passed by unanimous voice vote.

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IX. G. UTILITIES DEPARTMENT

- 1. Request authorization to publish title and general summary of an ordinance establishing provisions for extension of sewer services; adopting operating and management procedures; setting rates; and establishing design standards for the Santa Fe County Wastewater Utility**

ESTEVAN LOPEZ (Utilities Director): Thank you, Mr. Chairman, Commissioners. The Utilities Department is requesting this authorization to publish notice and general summary of this ordinance. As you know, on July 1 we took over operation of the State Pen's wastewater treatment facility and currently we're operating that to treat wastewater from the pen, National Guard and now the County Jail. There have been a number of inquiries from potential users in that area which is beginning to undergo a development boom sort of speak, so there is a good reason to wanting to establish this ordinance.

I should note that I have not presented a draft of the ordinance however it is being modeled after an ordinance already approved by this Commission and that's 1997-07 which governs connections to the city's system but outside of the city's boundaries. That is what we are trying to model this ordinance after so that there will be some uniformity for the provision of wastewater services regardless of whether both services are being provided by the City or the County. We'll have to modify it as necessary and one of the most obvious places that modification is going to be necessary is that the rates will be established based on the cost of providing the service at the facility they we run. So that's likely to be substantially different from what the city offers.

As we develop this draft of the ordinance further, it will be made available to the Commissioners and it will not be -- there will be no notice published prior to that draft being completed.

I recommend that the Commission grant the authorization.

CHAIRMAN TRUJILLO: Any questions of Estevan?

COMMISSIONER ANAYA: No questions, Mr. Chairman. I stand in support of this. Just to provide a brief history of this: when Jim Corbin was here, one of the things that was my notion was that treatment of wastewater would always produce return flow credits and to my estimation it was putting the cart before the horse for the water company because with that we could replenish our water rights and things of this nature and protect the underground water that we have now.

Commissioner Anaya moved approval of request. Commissioner Grinë seconded the motion which passed by unanimous voice vote.

CHAIRMAN TRUJILLO: Estevan, along the lines of what Commissioner

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Anaya is saying, I attended a meeting last night on the regional liquid waste committee in Española for that region there and the issue of return flow came up and somebody said that that is an ideal term, if you will, that it has never been utilized, never been practiced and there is no place in this state where there has been a return flow credit given because of wastewater/gray water going back into the streams or water tables or things like that; is that true?

MR. LOPEZ: In my understanding I don't think that that's true. I think that there are several systems that do get return flow credits for returning treated effluent stream back to somewhere close to the source. I do believe that it's somewhat difficult to get that approval through the State Engineer but that doesn't mean it's not worth pursuing. I think in the context of the regional wastewater treatments that is being talked about the difficulty may be in that the holder of the water rights and ultimately the entity that might be applying for return flow might be two entirely different people or two entirely different entities or possibly a combination of entities so that just complicates the issue somewhat.

Another complication in the regional context is that much of the water that is being supplied to the region being considered is being taken from say individual wells or small systems in a -- if it's collected into a large wastewater treatment system it might be returned to some area that is not anywhere close to the source or something along those lines and that complicates that issue very considerably.

But there are to my knowledge systems that do have return flow credits that have been approved by the State Engineer. One example is the Via Vista Utility.

CHAIRMAN TRUJILLO: It's an enigmatic issue to say the least. But that's why we have the pundits.

COMMISSIONER DURAN: Estevan, could you stick around a little bit. I have a matter to bring up that I'd like you to be here for.

MR. LOPEZ: Sure, I'll be here.

IX. H. MATTERS FROM THE COUNTY MANAGER

- 1. Request authorization to enter into a contract with Cornell Corrections to operate the new Santa Fe County Detention Facility.**

MR. WOLF: Mr. Chairman, Commissioners, at the second or final Commission meeting in August, staff recommended that a contract be awarded to Cornell Corrections to operate the new detention facility. The Commission at that time took that action and had staff negotiate the contract. Since then County staff and Cornell Correction staff has been working hard to get the final details in terms of the contract worked out.

We ran into a problem that slowed and bogged us down and we just resolved it before the Commission meeting. That is we had to structure the compensation portion of the contract so that it fit within the IRS requirements and the IRS requirements are somewhat

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long and confusing but in summary what they require is that a private operator wouldn't have the opportunity for all profits and all losses that could be generated from a government owned and financed facility with tax exempt bonds. So we had to structure an agreement that didn't jeopardize our tax exempt status of the bonds. In order to do that we contracted with Hawkins Law Firm out of New York that helped us structure this agreement and like I said, we just got that done a little bit ago before lunch. Denice has reviewed it and Cornell Correction's attorney reviewed it and legal counsel that we have on retainer from Hawkins reviewed it and has agreed with what we've come up with.

COMMISSIONER DURAN: Excuse me, Mr. Chairman.

CHAIRMAN TRUJILLO: Commissioner Duran.

COMMISSIONER DURAN: What portion of the contract is that?

MR. WOLF: It's the compensation portion, Mr. Chairman, Commissioner Duran, and that is section 5 on page ten. Let me walk you through this piece of it starting with paragraph 5.1, these are some of the things that have changed. When we came before you at the end of August we said that we are presenting to you the conceptual outline of the agreement between Santa Fe County and Cornell Correction. One of the things that Tom Rathgen and I had agreed to just before the Commission meeting that day and we wrote that on the bottom of the offer and I'm reading it from what we had written, "The contract will be based on the concepts of this letter but be structured to meet the federal tax regulations for the County's tax exempt bonds." These are some of the things that we now have to do to make sure that we comply with the IRS requirements. Under paragraph 5.1, what that paragraph basically says is that all the contract with all the governmental entities that will utilize the County's facility will be agreement with Santa Fe County subject to review and consent of Cornell Corrections. So they won't actually be contracts with Cornell Corrections they'll be with Santa Fe County.

We say that the fee may be renegotiated in good faith where there's no stipulated time frame for the fee to be renegotiated. It's still a three year contract and subject to terminated by Santa Fe County after two years and the way it would work is we picked a point in time which was yesterday, we used the population that was there yesterday and we figured out what the paying customers were over and above what the County's inmate allowance was for free inmates and figured out how much revenues could be generated from those inmates and came up with a per diem rate that would be paid to Cornell Corrections and it still works the same way as to what we agreed to. In essence the County still gets the free beds that were agreed to and Cornell for the most part gets the revenues that are generated from the facility. However, we had to come up with the language as it is in this agreement to make sure that we comply with the IRS requirements and this took a lot of time and effort. Pretty much the entire time between now and August to come up with this page. There were a lot of different scenarios that we came up with and we ran it by the legal counsel and we had to keep going back and forth to get here.

One important factor that I need to point out is that under the original of what was

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presented to you the end of August is that Cornell would provide Santa Fe County 275 free beds the first year, 225 free beds the second year and 200 free beds the third year. This declining scale caused a lot of confusion and complicated the deal. So what we looked at what the average of those free beds over the three year time period and worked with that. The average is 233.3 beds so that's what we structured the compensation around was the average of the beds instead of those exact amounts on an annual basis.

I think that covers the main part of the compensation clause; are there any questions? And staff recommends that the Commission adopt this contract as presented.

CHAIRMAN TRUJILLO: This is final, David, it's ready to be properly executed and it's binding and now it conforms with all the regulations from IRS and the like?

MR. WOLF: Mr. Chairman, that is correct. Things came down to the wire and we're still working on it a little bit right before one o'clock -- but we did get the blessing from the law firm saying it meets the IRS requirements. Denice reviewed the contract and we had some final legal issues regarding the County being completely indemnified by Cornell regarding the operations that they're conducting within our facility. We are still working those out between one and one-thirty but they agreed with Denice.

CHAIRMAN TRUJILLO: Thanks for all the hard work, David, staff, Denice and the Sheriff's Department, Benji and Ray. Thanks a lot.

COMMISSIONER DURAN: Congratulations.

MR. WOLF: Thank you. I want to thank Tom Rathgen with Cornell he's really made a difference. He's made an effort to come out here and help us because it's really tough for us to pack up and go out to Houston. We really appreciate that effort.

COMMISSIONER ANAYA: We were 233 beds will make the budgeting efforts easier in the future.

MR. WOLF: Yes, Mr. Chairman, that is correct. We have a specific number that we can work around and it stays the same throughout.

Commissioner Anaya moved approval of the contract with Cornell Corrections. His motion was seconded by Commissioner Duran and passed by unanimous voice vote.

COMMISSIONER DURAN: I'd just like to commend Denice one more time for all the hard work she's put in this.

COMMISSIONER ANAYA: Here, here.

MR. WOLF: She drafted the entire agreement.

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IX. H. 2. Request authorization to enter into an agreement with the Santa Fe Boys and Girls Club for operation of the youth facilities in the County Public Housing

MR. WOLF: Mr. Chairman, Santa Fe Boys and Girls Club under the proposed agreement that is before you will operate youth programs at the Jacona, Santa Cruz and Via Vista sites for an amount not to exceed \$50,000. The contract term will be for the entire fiscal year of 1999.

Staff recommends that the contract be approved for an amount not to exceed \$50,000.

Commissioner Duran moved approval of the agreement as presented. His motion was seconded by Commissioner Griné and passed by unanimous voice vote.

MR. WOLF: Mr. Chairman, one of the things we'd like to start doing if it would be okay with the commission is under matters from the County Manager, I'd like to that opportunity to follow up on some of the directives that you gave us at priors. So what I'll do is Deborah will keep track of those and then I'll go back to the staff meeting get those items delegated to the appropriate department heads and then I'll report back to you at the next commission meeting and let you know what the status of those are.

CHAIRMAN TRUJILLO: All right, David.

MR. WOLF: So I had a number of things that I wanted to let you know about.

CHAIRMAN TRUJILLO: Do you have anything today?

MR. WOLF: Yes, a couple of things.

- **Vehicle Policy**

MR. WOLF: Commissioner Gonzales had requested a vehicle policy. That policy has been drafted and he recommended that we just wait to bring that forward to the Commission at the next administrative meeting when he is here. Just to let you know that staff has prepared that and we will bring that forward.

- **Community Forums**

MR. WOLF: Another issue, the Commission had given us direction to set up community forum meetings and it wasn't clear first of all if all the Commissioners wanted to hold those forums and what the agenda items should be. We didn't really realize that was an issue until Deborah started to set up the meetings and realized we needed to get further direction from the Commission to determine what should be included on the agenda and where we should actually have these meetings. So I'm asking for further direction on that.

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CHAIRMAN TRUJILLO: In the past, we've already had these community meetings and essentially what takes place is that the county engineer, county manager, other elected officials, the county clerk, county assessor have gone out to the community and essentially represented the status of activities, programs, and be available to answer questions maybe represent a project or activity that is taking place in that specific area. It's a fluid and dynamic sort of process. The community gets involved and we're there to answer any questions and represent the direction that the County is heading in regarding taxes, road improvements, recreation the whole gamut of solid waste activities and services that the County provides. It's about a one to two hour meeting out in the community.

MR. WOLF: Is it the direction then to set up one of these forums in each of the Commissioners' districts or should we coordinate with each one separately; how do you want us to handle that?

COMMISSIONER GRIÑÉ: Mr. Chairman.

CHAIRMAN TRUJILLO: Commissioner Griñé.

COMMISSIONER GRIÑÉ: I didn't realize that Commissioner Gonzales had requested that we take it out to the community and our districts to have these meetings within a certain time for the wish list for the legislators and he also mentioned solid waste which I didn't catch and I don't think that solid waste should be brought up because I think we have addressed the issue with the community because solid waste was not acceptable in certain areas so we kind of backed off of that area. Then the other one that he also threw out there was the general plan and I don't see any reason to go out to the community for the general plan since we're in the middle part of it for the mapping and then the third part which will be the ordinances. I think we've already involved the community in these processes but it's fine for the wish list if some commissioners wish to take it to the community -- I don't think that we have to go for a meeting. As a matter of fact, my constituents stay in touch with me as to what their wish list is what roads they would like to have on a priority list or any other events that might be happening in our community, but I didn't realize Commissioner Gonzales was raising all these issues to retake them back out there to the community for public input.

I don't know how the other commissioners feel about this.

COMMISSIONER DURAN: I've had a meeting every week with my constituents. I'm in touch with my constituents already and I don't mind letting them know I'm available for any meeting.

COMMISSIONER GRIÑÉ: I might add that I practically make all my monthly meetings in Eldorado, Edgewood, Soleda -- and with the Highway 285 Coalition which is also conducted out there in Eldorado so I'm in contact with my constituents on a daily and monthly basis for sure.

COMMISSIONER ANAYA: Mr. Chairman, I agree with both of them.

CHAIRMAN TRUJILLO: I think that where we were coming from with the community meetings is that I'm also available to my constituents and have meetings on a

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regular basis but the community forums is an opportunity for the community to have accessibility to the their public officials. Not only the County Commissioners but we've got assessor there, the public works director there, we've got the manager there, the County Clerk, the County Treasurer and that's providing information as to what's happening in the county; it's a fluid

and dynamic communication whereby we're accessible to the community and we represent what is happening in the County specific to that area. It's not getting into a debate on solid waste or debate on property taxes or getting into any sort of debate for discussion in these areas but to educate the community and convey information on what's happening in Santa Fe County. That was the essence of those community forums. That's what they were called.

COMMISSIONER DURAN: Mr. Chairman.

CHAIRMAN TRUJILLO: Commissioner Duran.

COMMISSIONER DURAN: What if we gave staff direction to set these meetings up on a quarterly basis.

CHAIRMAN TRUJILLO: That's fine.

COMMISSIONER DURAN: And then we could all be there if we can get the other elected officials to be there with us. I'm not sure that we can convince them to be with us but I wouldn't mind going out and having a quarterly meeting with my constituents. What happens though is I meet with the Agua Fria people and then I have other parts of my district -- then I would have three or four different districts.

CHAIRMAN TRUJILLO: The first year that we did it we started on the northern part of the district and went to Chimayo, Pojoaque, La Cienega, Edgewood, Eldorado -- all of us went and we circulated the county. It's not every quarter but once a year just go around and try to reach as many residents of Santa Fe County as we can. Just make an appearance and conduct a forum in Chimayo. Then Pojoaque, then La Cienega, Eldorado, Edgewood --

COMMISSIONER GRINÉ: Mr. Chairman.

CHAIRMAN TRUJILLO: Yes.

COMMISSIONER GRINÉ: Also I may add that every time that I go out to these meetings I pretty much know what their concerns are out there in those areas and I ask staff to go with me and I do that on a continuous basis. Like last week I went to the Eldorado monthly meeting and their concerns were -- because if we weren't repaving certain roads out there and those are my areas so I visit with Robert Martinez because Larry wasn't available. And Rosanna, one of our county attorneys who has been working with the roads out in Eldorado, she went with me and we addressed all those concerns out there and left everybody happy.

So I usually know what their concerns are and I take stuff out there and I make arrangements to make sure I'm available.

CHAIRMAN TRUJILLO: That's our job to address concerns. What these

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forums are all about is to educate communities: to make ourselves available; to orientate on specific projects. That's what it is all about. It's not about getting into discussions and address concerns it's to be accessible and answer questions and be available. Not as one individual, one commissioner but as staff and elected officials and everybody being out in the community once a year to hold a forum.

On a daily basis we're addressing concerns but once a year to meet with the community.

COMMISSIONER ANAYA: Mr. Chairman. At one time there was an idea to hold the actual County Commission meeting at least one in Edgewood and move them around the county and I don't remember, recall why exactly that didn't materialize and I'm not sure if that idea is still viable or not but that idea was set forth, say, maybe one of the administrative meetings and rotate it from Edgewood to Pojoaque, Eldorado another time, just localities for accessibility in those particular districts. And I don't remember why, whether we were obligated to stay here in the hallowed halls of County government, so to speak, and we were addressing, say the administrative portion of the County Commission meetings and hold them in that way, that might be able to --

MS. BROWN: Mr. Chairman, if I may, Commissioner Anaya, we had checked into that. There's a state law that requires that Commission meetings be held within the County seat.

COMMISSIONER ANAYA: So we have to stay within the hallowed halls.

COMMISSIONER GRIÑÉ: Mr. Chairman, if I may add, we still haven't sent direction to David here. I think David the way I feel on behalf is if a certain Commissioner wants to have this forum in his district, then he can deal with you on a personal basis. I feel that there's no reason for me to hold one in Edgewood or Eldorado which have of my constituents are at, so it's pretty difficult in my situation. If some Commissioners, like Commissioner Trujillo wants to hold one up north, I think he can work with staff to arrange that for his own particular district.

MR. WOLF: Mr. Chairman, Commissioner Griñé, that's fine. That's why I brought up the issue. We're happy to coordinate these meetings for the Commission. Staff will be available to attend these meetings. It's just when we started to set them up it was obvious that we needed more direction to figure out exactly what was the desire of the Commission for these meetings. So that would be fine. We'll coordinate with each one of you then and take it from there.

COMMISSIONER DURAN: I agree with Commissioner Griñé and I'd also like to say that if you had a forum that you'd like for me to attend, I'd be glad to do that.

COMMISSIONER ANAYA: Ditto, Mr. Chairman.

MR. WOLF: Okay, thank you.

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- **General Plan Study Sessions**

MR. WOLF: There's just one other brief item. Some time back we were given direction to set up a study session on the second part of the General Plan, on Part II. Just a reminder, that study session is scheduled for October 20 at 1:30.

CHAIRMAN TRUJILLO: Thank you, David.

COMMISSIONER ANAYA: Mr. Chairman, may I ask a question? How many people would like to address the Commission under Public Concerns? Oh, we have quite a few.

CHAIRMAN TRUJILLO: So we're going to take a ten-minute break.

COMMISSIONER ANAYA: I thought maybe there was one.

[The Commission recessed from 4:00 to 4:15.]

CHAIRMAN TRUJILLO: Okay, we'll come back to order.

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

IVAN BAROS: Good afternoon, Mr. Chairman, Commissioners. First I'd like to introduce myself. As you can see, I'm in the National Guard. I'm here as a spokesman for the people and my neighbors on Calle Victoriano in Stanley in the county. They're also my neighbors. I'm here to ask that the Commission consider my road, our road, the first road to be accepted under the policy, a verbal policy of acceptance of non-County roads to be maintained by the County Road Department. It was a verbal policy that I recently heard about.

The justification for this request, number one, is that we have some elderly gentlemen that live out on this road that are home-bound, both of these two gentlemen. The road is in disarray. It hasn't been maintained since 1988 from the research that Mr. Martinez did for me in Public Works. Both of these gentlemen are on medication, have therapists that go down to their houses periodically and during the winter months they can't be reached. Twice the county has been declared a disaster area and both times it's been declared a disaster area we've never had any County maintenance people go down that road to maintain it.

God forbid that one of these two gentlemen die out there on that road because they froze to death without propane. That's another issue is the propane trucks won't go down our road. The fire department in Stanley has also told us that during the winter months they can't even reach us down that road which is four miles long. During the winter months two years ago, if you recall, we had twelve-foot snow drifts out there and last year it was just as bad. We got snow-bound. On that road we have a total of eleven families. We have 22

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adults, 28 children, three active duty National Guard and one State Police officer that lives on that road to include those two elderly gentlemen.

Another item that I feel is justification for this road to be maintained is that it is one of the only main arteries in that area that is not maintained. If I could please approach. I have a large scale map that shows you all the way from Stanley to Golden to Madrid. I've also drawn the location of the families that live out in that area and if you notice that road is tied in from Highway 472 to Simmons Road. We feel that this could also save fuel to the Public Works Department by cutting their travel from the fire department where they just recently put a transition point for all the equipment for the state out there in that area. Instead of going all the way to Stanley, around, all the way up to Simmons Road to get to those northern roads, they could cut straight across down that road.

The people in this area, a lot of us have called different agencies to include the County Works Department, the Highway Department, I've even talked to the Highway Department, the crew that's out there. They can't help me because it's a private drive. We've done some research, me and Mr. Martinez. I want to thank Mr. Griñe also for directing me to Mr. Martinez who has been very helpful in doing the research. We found that it actually was a private road since it hadn't been maintained since 1988. There's 17 legal lots out there. The minimum County standards are 22 feet of driving surface with fourteen feet of bar ditches. And it also requires six inches of basecourse.

Obviously, myself and the neighbors cannot afford to do the maintenance on this road. It's just incredible, the numbers that Mr. Martinez put together for me, just the basecourse alone is going to take \$184,565. What are goals are for this year, sir, gentlemen, is that we the neighbors are going to try to get the road bladed and crowned to meet minimum County standards, the blading portion of it. We can't afford the culverts and we can't afford the basecourse.

We would like to ask the Commission if we could get some engineers to go out there and get an estimate of what the road would cost to get maintained and put on the County road map. We'd also ask that after it has been estimated, the cost that it be taken to legislation for funding. Again, it's one of the main arteries in that area that is not maintained and if you look at the map that I've presented to you in front there, you can see that it's not.

But I'd also like to show you [inaudible] point nine-nine miles. It's nearly a mile long. It goes to one house. One house. The bottom section of the map [inaudible] There is already an extension to the north and the south to County Road 21. [inaudible]

COMMISSIONER DURAN: Mr. Baros, is your community, although it's a private road, do most of the residents of your community use it?

MR. BAROS: Sir, we drive that road --

COMMISSIONER DURAN: I know you drive on it because you live on it.

MR. BAROS: Sir, there are eleven families and all eleven families drive up and down that road at least four or five times a day.

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COMMISSIONER DURAN: But my question is, are there other people in the community that use it.

MR. BAROS: No sir. Not that I'm aware of, except for the people -- this is a section-line road. It's an easement road.

COMMISSIONER DURAN: So people would travel on 472, don't use that road to get to Simmons Road?

MR. BAROS: No sir. If they could, they'd sure cut a lot of time off on their travel.

COMMISSIONER DURAN: Thank you Mr. Baros. Robert, do you mind giving us a synopsis of the issues here, and what research you have done and possibly any guidance or recommendations that you have.

MR. MARTINEZ: Mr. Chairman, Commissioners, this is typical of several roads down in the southern part of the county. Mr. Baros is correct that it's a section-line easement. But typical of other roads in that area, there was never a need to maintain a continuous road. It never served any purpose. Where Mr. Baros' property is, that was basically ranch, pasture land. There was never a need to maintain that road years ago.

Mr. Baros stated that this road hasn't been maintained since 1988, well the fact of the matter is, that's as far as the resolutions that I could trace. This road was never maintained by the County, even prior to 1988 according to our documentation. It is a section-line easement, but the County is not responsible for maintaining section-line easements. There was never a need to in the past and Mr. Baros' family and his neighbors have been there, I believe, for a period of what? Two to three years. Three years.

COMMISSIONER ANAYA: Mr. Chairman, Robert, perhaps just to give some direction here, if you can go and come back with some estimates perhaps with the basecourse, which would be one of the basics or even paved and come back to us and perhaps we might steer this in the direction of an assessment type of situation assisted by the County. And maybe that might help resolve the conditions of the road over there. Of course that would mean that the people out there would have to participate in payment, but that's one option that might go forward.

MR. MARTINEZ: Mr. Chairman, Commissioner Anaya, Mr. Baros and I went to Land Use and met with Roman, and the minimum standards for a road serving that many residences was 24-foot wide with six inches of basecourse. The road is four miles in length and I think my calculations came up to about \$185,000, just for basecourse along.

COMMISSIONER ANAYA: I believe that.

MR. MARTINEZ: And that's to serve, I believe fourteen residences. Legal lots of record, I believe there are about 17 legal lots of residents.

COMMISSIONER GRINÉ: How many residents are out there now? Eleven?

MR. MARTINEZ: I believe there are about eleven residences. But there are 17 legal lots of record.

COMMISSIONER ANAYA: Well, that might be one option that could come

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forward in the future.

CHAIRMAN TRUJILLO: The community would have to understand that an assessment district, it's an out of pocket expense for the community to buy the material --

COMMISSIONER DURAN: Mr. Chairman, why is it, it seems to me that all these people want is to be bladed once in a while. I don't think they're asking for -- I'm not sure that we can give them everything that they may want or that your department would like to see on that, but what's wrong with us going down there once in a while. We've agreed to adopt x-number of miles of road in the next year, or every year, but why does it have to be a full-blown job? Can't we just take this particular road and blade it once in a while when we're out in that area. Just blade it so that at least it's available, it's passable.

MR. MARTINEZ: If the Commission chooses to accept this road for maintenance, it's up to you. I understand the policy still hasn't been adopted. I believe it will come before you in October.

COMMISSIONER DURAN: But my question is rather with the policy. If we adopt the road, does that mean that we have to basecourse it? Do we have to take it to minimum standards that the regs require? Or is it possible to go in there and take care of it for the neighbors once in a while?

MR. MARTINEZ: It's up to the Commission to accept the road in whatever condition you would require. From our standpoint, it would be easier to maintain.

COMMISSIONER DURAN: It would be easier to maintain if what?

MR. MARTINEZ: If it was brought up to minimal County standards.

COMMISSIONER DURAN: We don't have the money in a special assessment district for these particular families. It's going to cost a lot of money.

MR. MARTINEZ: True.

COMMISSIONER DURAN: All I'm saying is why can't we do something less than what you would like to see, or the department would like to see?

MR. VELASQUEZ: Mr. Chairman, Commissioners, I think it's a policy issue because our concern is that if we accept something that's substandard, basically, we're making an exemption in saying, well, the County's willing to require, the exemption in a subdivision says this is what we require for a subdivision to have a County road standard. And if we exempt something that doesn't meet that, then we're having to make exceptions for that. And the potential exposure here is, as I mentioned about the exception policy, there's about 1700 miles in the county, 600 of them are our responsibility right now. Many of them are in very poor shape where there's nothing but rock to blade or down in the Stanley area, sometimes in the staff meeting I ask, what are you guys working on this week. And they say removing mud. Basically what they do is when they come to all that caliche and the clay and stuff, they plow it to one side so they can get to dry dirt and then bring it back when it dries.

And those are the issues. They become very intense maintenance issues from an operational standpoint. So I think the issue is one of policy. If we do something, if we

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accept something that's less than County standard, that requires an exception, and number two, it requires more, it has greater demands operationally from us.

CHAIRMAN TRUJILLO: I guess I'm totally sensitive to this issue. I've got ten miles, about ten miles in my district that are not County roads that people are petitioning and asking for maintenance on a regular basis. And this is because of health and safety issues. They can't cross the arroyo when the arroyo runs to get to their houses. Emergency vehicles cannot cross that arroyo when it rains. It's a situation of a policy.

It's also an anti-donation. These are roads that are not dedicated to the County, and it's against the law for Santa Fe County to maintain those roads. It's an anti-donation issue. The situation that you're talking about, grade it every once in a while. That's fine. But then, you know, my residents are going to say, help me out. I need to have my roads graded every once in a while, even though they're not County roads.

MR. VELASQUEZ: And that's our concern, it's the potential liability. I guess the worst position is that we start maintaining 1700 miles worth of road. And then you got to add more equipment.

COMMISSIONER DURAN: I'm not saying that at all. I'm just saying that there are situations out there. I don't think everybody is going to come up and petition us to take care of their roads, but those people that come up with legitimate concerns, I think we should consider that. And we have agreed to adopt x-number of miles of road, and I don't think that they all have to be brought up to County standards. I don't see why we can't take care of or deal with people's concerns.

MR. VELASQUEZ: I think what we can do on this, we intend to bring the policy forward to you at the October 27 meeting I believe, and we can certainly bring this forward under that policy and with the criteria, maintenance costs and that type of thing and you can make the decision on that. But I think that there will be a lot of requests that will also come forward under that because we already have several, several roads that have been requested to be brought forth.

CHAIRMAN TRUJILLO: In fact I'm trying to set up a meeting with you, Larry, for the next couple of weeks to meet with the community of Cuyumungue to talk about an assessment district for maintenance on the Arroyo Cuyumungue area. That's not a County road.

MR. VELASQUEZ: It's a big decision. It's a policy issue, but it has potentially tremendous impact.

COMMISSIONER ANAYA: Really. Seventeen hundred miles, that's a lot.

COMMISSIONER DURAN: I don't see why we can't take of them, or help these people. Or if that's the case, how do we let someone even come before us if the answer is always going to be, yes, we listened to you, but sorry, we can't do anything.

COMMISSIONER ANAYA: The solution, Mr. Chairman, if I might, might be economic participation on the part of the private landowners out there. It's as simple as that. Otherwise we fall under the anti-donation restrictions.

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MR. VELASQUEZ: Mr. Chairman, Commissioners, the reason that we brought that policy forth is exactly this, and the intention with the policy is that you have a level table on which to consider all of the requests that come before you. So hopefully that will help because we recognize that you guys get a lot of requests from constituents but hopefully the policy will give us a basis on which to consider them and make the best judgement on them.

CHAIRMAN TRUJILLO: I think that from my perspective, in my district, I've got Gold Lane, I've got Velasquez Road, I've got Cuyumungue Road, we've got Cowboy Lane. We've got all these roads that are non-County roads that are not dedicated to the County. These people are knocking on my door. They're calling me every day. Get a grader out here. Help me. It's a health and safety. And if we do it for one, we have to do it for all of them. There's a state statute which is the anti-donation clause of the state of New Mexico that does not let -- if it's not a County road, we can't maintain it.

We have to be sensitive to issues like Commissioner Duran is talking about, and that's why you're proposing, on a given set of criteria to what are we going to designate? What roads do we want that are in the worst shape that we prioritize as the County should maintain.

COMMISSIONER DURAN: Just one last thing. Why don't we get a list of roads that are in your district, the other roads that people are concerned about, put them -- have this list and then figure out how many of these we can take care of in a twelve-month period. Put them on a rotational basis. And expend some of the money that we are going to allocate to improve these roads. Put them on the list and then work through that list on a rotational basis. At least that's helping them out as much as we can at this point.

COMMISSIONER GRINÉ: I'd just like to add, Paul, have you ever been to the Road Advisory Committee? Those are County Roads and they're trying to prioritize them with the resources that are available. Now, we're talking about non-County roads here now. Now, you're bringing in a non-County roads to compete with the County roads that are already dealt with in the Road Advisory Committee which they're having a heck of a time prioritizing that list. You're adding a basket of big things here into a basket that we have to deal with already. Attend one of those meetings. You'll find out what it's like. I've never seen you there.

COMMISSIONER DURAN: I go to them all the time.

COMMISSIONER ANAYA: There's 1700 miles of road out there. We're only able to handle 600 and of that prioritization from the Road Advisory, you're looking at maybe triple, maybe four or five times the budget that he's already allocated now. And budget restraints are such, you see.

COMMISSIONER DURAN: What I'm saying is within the budget restraints that we have. I'm not asking the County to take on more than what we've been budgeted. I'm trying to stretch that budget so the County can get -- stretch those resources over the amount that we've been budgeted for.

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CHAIRMAN TRUJILLO: We have a schedule in place that Larry came up with, where maintenance should occur on a County road once a week, sometimes every two weeks. It's even hard to keep up with that schedule because of all the special projects. They need pruning here, a culvert needs to be cleaned, emergency situation. There's potholes. Those roads are not getting maintained on that schedule that we tried very hard to comply with. And those are just the roads that are dedicated to the County now.

COMMISSIONER ANAYA: Your intents are honorable, Commissioner Duran. There's only one solution and that's citizens' monetary participation in this effort. That's the only solution.

CHAIRMAN TRUJILLO: Can we -- this situation is a bad situation. The situation now, as it exists is dire. Can we go in there once a year, once a year, fix it, clean it up, grade it, cover the potholes or the ruts or whatever it is, and then bail out? Once a year.

COMMISSIONER ANAYA: We can do that if we don't tell the others. There's 1100 miles left.

MR. VELASQUEZ: What I think is if we start maintaining, if we start accepting the liability of whatever that road is so we become totally liable for it.

MS. BROWN: Once we go in and maintain the road, if there's an accident on the road, there's either going to be a charge that our maintenance caused the accident or contributed to it, or that are lack of continuing to maintain it caused or contributed to the accident. Once we touch a road, we're pretty much going to be on the hook for any liability that occurs through that.

COMMISSIONER DURAN: That's what we have the Legal Department for, to take care of the needs. If we start worrying about being sued for everything that we do, we're in a lot of trouble.

MS. BROWN: Mr. Chairman, Commissioner Duran, it's not that we wouldn't zealously argue out case, it's that if there were a problem, a pothole in the road or something, and it was around month eleven and we're only going out once a year, then we wouldn't have much of a defense if that were the cause.

CHAIRMAN TRUJILLO: But if we don't do something, and in the winter time, an emergency vehicle cannot access those old people are there, if something happens, then it would be on our conscience.

MR. VELASQUEZ: Not this last year, but the prior year, which was my first experience with snow drifts in Edgewood, was we were actually on this particular road, I remember specifically driving that road while the grader was plowing it, so we have in the events when disaster declarations have been made, have provided that assistance, not only to this road, but to other roads as well.

COMMISSIONER ANAYA: Well, that's through Bud Lake and people like that, emergency --

MR. VELASQUEZ: Actually, there were two separate issues. One is the

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state declaration did not allow us to provide assistance to private roads. I don't know if you remember the article we gave you, in Torrance County where they actually had to go back and charge the guy for plowing his private road. There was a subsequent declaration that has been made by this board declaring a secondary disaster that allows us to provide that assistance.

CHAIRMAN TRUJILLO: Thank you, Larry, Mr. Baros.

MR. BAROS: Just real quick, we're not asking for charity from anyone, okay? What we're asking for is just for the County to go out there and crown that road once a year. We'll be willing to sign a memorandum of agreement that says we will not hold you liable for anything that happens on that road after you've graded it once. We will take responsibility monetarily to maintain it the rest of the year. All we want is one time a year. We would be totally happy with that. All I'm saying sir, gentlemen, is that either one of those two gentlemen did freeze to death because they didn't have propane or because the medication can't get to them, or because they can't get oxygen, there's going to be a liability suit on the County.

COMMISSIONER GRINÉ: Mr. Chairman, I disagree with you, mira, mira, Mr. Baros. You know, you people realized when you moved out there was circumstances you're moving into.

MR. BAROS: Well, people are starting to move out there, so it's your business. That's what they told us, sir. Do you think that's a fair answer from the Highway Department or from the County Works Department? People are starting to move out there, so it's your responsibility. That's not a good answer. All I'm asking for is one time a year to blade that thing, help us crown it, we'll get some equipment out there. We'll maintain it for the whole year. We'll sign a memorandum of agreement that says that we will not hold anyone liable for that road. Please. That's all I have to say.

COMMISSIONER DURAN: Mr. Chairman, I think that's a reasonable solution to the problem. I think that our job is to find reasonable solutions. I'm not asking and I don't think Mr. Baros is asking for you to expend all the money that we have in the County coffers to pay for his road. All he's asking for is a reasonable effort to find a reasonable solution.

CHAIRMAN TRUJILLO: Okay. We'll take it under consideration. Thank you, Mr. Baros. Thank you Robert. And we'll continue with the public portion of the meeting.

INA TIDWELL: My name is Ina Tidwell and I'm the president of Tierra de Oro Homeowner Association. And I gave you some documents earlier. The first three are for background, and I would like to commend Commissioner Duran for recommending that the Arterial Road Task Force recommendations be adopted and for Chairman Trujillo directing the City and County to get together and to get these things adopted. And the reason I gave you those three letters is because citizens are trying to get the City and the County to work together on the road issues.

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City Councilors will tell you that 95% of their calls have to do with roads. I had a meeting with Mayor Delgado in June about a request at the interchange at Buckman, which we were under the impression was designed and on the way to being built. We asked for a requirement that the two lanes be over and the four lanes be depressed and the Mayor said he would submit that during the period of public hearing and it has not been. He suggested that I write Pete Rahn of the Highway Department, and I did, and Mr. Rahn wrote back, I'm sorry Mr. Tidwell; it is decided. The road is as it's going to be.

And this was after they had announced the public meeting. So this is the kind of responsiveness a small homeowner association is getting from the City. I am very happy to see that you are encouraging the City and the County to work together because we do have a joint problem here, of access. And I have some really large, major points that I'd like to make that you all have. There are, at the moment, probably 2000 people that would be cut off except for one route in and out if Buckman Road were closed. And when that issue first came up I tried to get the City Council to set up a meeting with Casa Solana and the Santa Fe Northwest Advisory Committee to talk about it. Cris Moore said he would try to table it, but it didn't happen that way.

We would love to sit down and talk. We feel like this is again setting up a problem with access for emergency vehicles. If you only have one road in and one road out, and something happens on one of those bridges, then you're not going to have emergency service. And we feel like, we in the County feel like we are part of Santa Fe and we really are alarmed to see this so-called Berlin Wall dividing the City and the County. We feel like we have joint interests. In fact, those people that are in the County are actually doing a lot of things for the City.

The drop-out rate is hopefully being addressed by groups that have started mentoring programs. People that are on that other side of the Berlin Wall. We feel like there is a lot that the County can offer to the City and vice versa. And anything that we can do to encourage dialogue we would like to see happen. Our homeowner association does support that Buckman interchange and we're going to testify tonight, this is an all-day session for lots of you. We would like to see more access, not less. There are a lot of cars, and there will be more cars because there's more development out there that has been approved.

So traffic is going to get worse, not better. There are not very many, if you'll look at those maps that you all have access to, there are not very many east-west roads. One has now been cut off and North Ephraim was a road that had been under consideration and I don't know what would happen to that. It's problem is that it goes across city and county lines both, so there again, the City and the County have to talk.

I would just encourage you to pursue the start of what I saw today, a dialogue. I think we really need that. And I think that the people in the county really need the support of you on the County, when we're dealing with City issues. Because the truth is the City makes decisions that impact us in the county and we have no recourse. We're appealing to you to start a dialogue because we feel like you are our representatives and we need a

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dialogue with the City. Thank you for your time.

CHAIRMAN TRUJILLO: David, how soon can we get that meeting set up? Hopefully in the next couple of weeks. There has been some legislation that was approved last year for \$650,000 on a road between Tano and Camino La Tierra through Santa Fe Estates. Santa Fe County donated \$87,500 to that effort. City of Santa Fe donated \$87,500 to that effort. I think that's part and parcel of this whole arterial road distribution, or traffic distribution plan in that area and it's imperative that we open the lines of communication, because I'm getting a lot of phone calls from that area.

MS. TIDWELL: I'd like to say one more thing. The last piece of paper I gave you is my preliminary schedule. I am trying to set up a field trip with the City, with the City Councilors and the Mayor. The Mayor has approved this, and I'm not really getting anywhere very fast. I have three people that have given me possible dates and other people do not return my calls. We want to drive them down Nopal so they can see what Nopal looks like and what these various roads are like. Obviously I'm only a citizen and I don't vote in the city and I'm getting the kind of response you might expect. So that's just another reason why I'm appealing to you.

CHAIRMAN TRUJILLO: When is that scheduled for?

MS. TIDWELL: I haven't got it scheduled yet. I think we'll do it in a couple of parts when people can do it. But hopefully in the next two weeks.

CHAIRMAN TRUJILLO: We'll get invited too, right?

MS. TIDWELL: We thought we'd start with the City because the City is making the decision on this Buckman. If I could get commitments from you, we'd love to drive you through too.

CHAIRMAN TRUJILLO: I'd like to do.

MS. TIDWELL: I'll send a sign-up sheet around.

CHAIRMAN TRUJILLO: Commissioner Duran would like to do it too.

MS. TIDWELL: Give me your dates when you can.

MR. WOLF: Mr. Chairman, you asked my a question about when we could set up this meeting? We'll get started on it right away. There's a lot of schedules to coordinate, but I'll ask Deborah to start coordinating that tomorrow. And if you guys do wish to go on a field trip and review the road, we've got that big van in General Services that I know you use for some land use type issues. We could do something like that again too.

CHAIRMAN TRUJILLO: That'd be good if you could set it up. Okay, we'll continue with the public portion of the meeting.

VICTOR HICKMAN: Good afternoon. My name is Victor Hickman. I'm a member of district 1199 of the National Federation of Hospital and Healthcare Employees and also an employee of St. Vincents Hospital here in town. My associate, Vonda Osborne are here today representing members of the nursing and technical bargaining unit at St. Vincents Hospital and we have some concerns about changes that are taking place at St.

Vincent's Hospital, orchestrated between the hospital and the various organization and corporations around that are the payors for the healthcare system.

These changes that are taking place right now are going to directly and dramatically affect the way that citizens of the county receive healthcare in the county and also are going to affect the status of St. Vincent's as an employer in the county. And we're very concerned that the changes that are taking place are of such a broad base and are happening so rapidly and there has been really no input from citizens into this process.

We're here today specifically to discover the process by which we can be placed on an agenda for a future Commission meeting whereby we can make a presentation from members of the nursing and bargaining units to present facts that we have concerning what we know now about these changes and how we feel they're going to affect the community at large.

CHAIRMAN TRUJILLO: St. Vincent's Hospital is a private, non-profit organization?

MR. HICKMAN: Yes. And they do receive money from the County, specifically via the indigent fund.

CHAIRMAN TRUJILLO: And what sort of influence do you want the County, off the top of your head, to give impetus to?

MR. HICKMAN: At the present time, one of our main concerns that we're finding out in our dealings with the hospital is that really there is very little information in the community. We really want to use this as a vehicle to inform the community, first and foremost about the changes that are happening, which is something that the hospital itself is not doing. Then possibly once we express our concerns, then we can go from there as to what the Commission's input might be.

CHAIRMAN TRUJILLO: Have you talked to David to schedule a time when you could come and make a presentation to the board at the next meeting or the next couple of meetings, that will be okay.

COMMISSIONER DURAN: I have a question of David, after you have this meeting, I would like to know whether it's appropriate for us to have this presentation made to us. St. Vincent's is a private industry. Our capacity for funding it is strictly through the indigent fund which is set up by the legislature. I'm just not sure it's appropriate and I'm going to leave that up to our County Manager to make that decision when they meet with you.

MR. WOLF: Okay.

VONDA OSBORNE: My name is Vonda Osborne and I'm a registered nurse. I work night shift. I'm one of those folks that goes around at night in and out of rooms and take care of patients. One of the things that we do know is that the healthcare industry is changing dramatically. Our union has repeatedly asked St. Vincent's what their plan is. What will St. Vincent's look like in two years or five years? And basically, they come back and they tell us, we have no plan. We know a business this size does have a plan. We

think St. Vincents Hospital is too important in the healthcare of the community for the community not to know what their plan is.

A few years back, maybe three years ago, one of the vice presidents told a group of our nurses that in maybe five years, St. Vincents would be an A-bed hospital, possibly. We know that the trend in the industry is for hospitals to down-size. We know in some places hospitals have been bought by for-profits. We know in other places that hospitals are becoming like relay stations into the larger communities. The important thing is that nobody knows what the plan is. Maybe you guys do, but we have asked and we have visited with other knowledgeable people in the healthcare industry and nobody knows what the plan is. I think it's just too important for the community and the role that St. Vincents plays in the healthcare of the community, for someone not to know what the plan is and what we might expect in the future.

Already we know that the hospital has downsized considerably. I've worked at St. Vincents for about ten years. When I started working there they had about 225 beds. Today we're cram packed, every single bed taken if we have 185 beds. They keep downsizing. We also know and we're hearing this more and more from the community members that more and more of our people are being sent to Albuquerque because of their healthcare plans. St. Vincents is even being bypassed.

Our president, Ron Winger, acknowledges that funding changes have put St. Vincents in a bind. It seems to me that again, it's just too important. This is the capital city of New Mexico and I think that at some point in time we may be in danger of actually having to get a lot of our healthcare in Albuquerque, rather than in Santa Fe just because of the nature of the system. It does seem to us that there needs to be some sort of community input and we thought that the County would be the place to initially start.

CHAIRMAN TRUJILLO: We don't -- the only way that we get involved through St. Vincents Hospital is through the indigent program. We make recommendations to approve or disapprove the payment of hospital stays, hospital bills. We don't get involved, and we're not astute in the business portion of how they run a business. Business and necessity, how they make decisions and what the impact of those decisions is on the community. We don't get involved in those areas. And I don't know how we could influence those sorts of decisions that they make from a business necessity standpoint regardless of the impact on the workforce or the community.

MS. OSBORNE: I understand that they are a private business, a private not-for-profit. And maybe you don't have too much to do. But maybe you can help us to figure out the forum. Maybe only five people know what the real healthcare plan is for the county and for northern New Mexico as far as St. Vincents. Two years ago now, three years ago, they had a consultant company, Erskine Young come in, to make recommendations. We tried to find out what those recommendations were and we even went as far and the National Labor Relations Board and all the avenues that we could go to to find out what those recommendations were.

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We finally made a settlement with St. Vincents that they were supposed to tell us the changes that we're going to be implemented that had to do with the recommendations. At the time we asked who does know the plan. And at the time, there were five vice presidents who knew what the plan was. Nobody else knew what the plan was. And I think the situation is still that same today. I just think our healthcare is too important not to at least figure out some way to have some input. When you think about it, when you're attracting business and that kind of thing to the community, they always look at the schools and the healthcare system and that kind of thing. I think it's a detriment to the county and even further in northern New Mexico.

St. Vincents used to be more of a full-service hospital, but it's becoming just a partial service hospital now. We would love to entertain any suggestions from the County, avenues that we can take.

CHAIRMAN TRUJILLO: If you would meet with David and we'll schedule at his discretion to a meeting in the future to discuss, get more detail on the issues. Thank you. Okay, anybody else, any other public comments?

REBECCA FRANKEL: I'll try to do this in one minute so you guys can be out of here at 5:00. My name is Rebecca Frankel and I'm with the League of Women Voters of Santa Fe County. I'm going to be leaving in the County Manager's office a proposal for you regarding the Open Space bond. The League of Women Voters has had a position since 1970 of obtaining open space for our future generations and we know how important it is, but we're concerned about the proposal which is being put forth, because it lacks an implementation plan.

On the material which I will leave in the County Manager's office is a suggestion of an implementation plan which we urge the Board of County Commissioners to make before the November 3 election because we're concerned about the reception of this open space issue by many people in the community. I hope that you will read the material and see if you can't come up with something. I know the Planning Department already has a lot of material along this, but one of the items which we're urging you to pass is a truth in bonding ordinance. We hope you'll look at that seriously. Thanks.

CHAIRMAN TRUJILLO: Thank you very much.

IX. J. MATTERS FROM THE COMMISSION

COMMISSIONER DURAN: I just have one. I would like for the Commission to consider getting together to have some discussion about what the County plan is relative to our water. You know that we're pretty much maxed out on our wheeling agreement with the City. We're out there trying to acquire new water rights which cost lots of money and we don't even have the rights with the City to wheel those water rights through their system. I've heard just recently that the City would like to acquire our

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northern water service area and they may want to negotiate with us pretty tough on the number of water rights or the amount of water that's being wheeled through their system.

So all I'm really asking for is I think at some point real soon we need to get together and have this discussion on the direction that we want to take with them. My feeling is that they're going to use this wheeling agreement as a way to control our development out in the county. I'm not saying that's bad. I'm not saying that's good but at some point we need to sit down and establish a policy that we're going to set take when we sit down and talk with them.

CHAIRMAN TRUJILLO: What's our legal recourse in that area? Can they stifle Santa Fe County from bringing water through their pipes?

MS. BROWN: Mr. Chairman, I haven't read the wheeling agreement, but they own the pipe. So yes, they can determine the terms for us to wheel our water through that. I don't know if there's anybody here that has a more definitive answer, but I can't answer that question.

COMMISSIONER DURAN: One of the concerns I have is that if they use this wheeling agreement as a way of limiting growth out in the county, both people that are considering developing, if they meet the criteria right now will just go ahead and drill their own wells, deplete the water table and those are things that we at the Commission have decided that we wanted to prevent. And in addition to that, it promotes sprawl. So all I'm really trying to say is that I think that some time real soon we need to sit down at the Commission and have some dialogue with the City so that we can collectively figure out how we're going to deal with it.

MR. WOLF: Mr. Chairman, Commissioner Duran, I agree with you, Commissioner. I think we need to do this. This water issue brings in a lot of other bigger issues. It's land use issues, it's regional planning, all these things we're going to need to consider that revolve around this specific issue and whether or not -- how we're going to handle this wheeling agreement, whether or not we should choose to sell them or work out some kind of deal on this northwest sector. It maybe an opportunity to discuss this. We have a work session with staff that will be scheduled for the 15th and 16th of October.

The morning of the 15th, which is Thursday, I think would be a good opportunity if the Commissioners would like to attend, we can identify some of these major issues that we need to work with and then during the next day and half remaining, staff can then, we can pick what the priorities are, the priority issues and come up with like an implementation plan on how to move forward with some of these concerns of the Commission or issues.

COMMISSIONER DURAN: That would be great.

Commissioner Anaya moved to go into executive session to discuss pending and threatened litigation and purchase or acquisition of real property or water rights. Commissioner Griñé seconded the motion. Upon unanimous roll call vote with Commissioners Griñé, Anaya and Duran all voting to go into executive session.

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IX. K. MATTERS FROM THE COUNTY ATTORNEY

1. Executive Session

- a. Pending or threatened litigation**
- b. Purchase of acquisition of real property or water rights**

[The Commission went into executive session from 5:05 to 5:30.]

Commissioner Anaya moved to come back into regular session, stating the only issues discussed were pending or threatened litigation and purchase or acquisition of real property or water rights. Commissioner Griñé seconded the motion, which passed by unanimous voice vote.

ADJOURNMENT

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

Approved by:

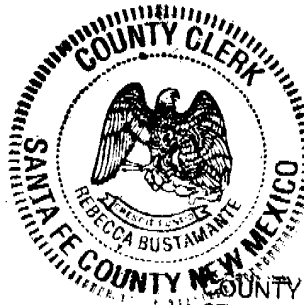
Marcos P. Trujillo
Board of County Commissioners
Marcos Trujillo, Chairman

Respectfully submitted:

Karen Farrell
Karen Farrell, Commission Reporter

ATTEST TO:

Rebecca Bustamante
REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK



1046.597
COUNTY OF SANTA FE)SS
STATE OF NEW MEXICO)
I hereby certify that this instrument was filed
for record on the 28 day of Oct. A.D.
19 98, at 9:07 o'clock a. m.
and was duly recorded in book 1557
page 304 of the records of
Santa Fe County.

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

Marcella Salazar
Deputy