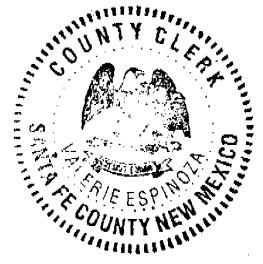


SANTA FE COUNTY 11/08/2005
SANTA FE COUNTY 11/10/2005

SANTA FE
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

September 27, 2005

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



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 88

I Hereby Certify That This Instrument Was Filed for
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Of The Records Of Santa Fe County

Deputy Valerie Espinoza)
County Clerk, Santa Fe, NM

SANTA FE COUNTY 11/08/2005
SANTA FE COUNTY 11/10/2005

SANTA FE BOARD OF COUNTY COMMISSIONERS

COMMISSION CHAMBERS

COUNTY ADMINISTRATION BUILDING



**REGULAR MEETING
(Administrative Items)
September 27, 2005 - 10:00 a.m.**

Please turn off cellular telephones during the meeting.

Agenda

- I. Call to Order**
- II. Roll Call**
- III. Pledge of Allegiance**
- IV. State Pledge**
- V. Invocation**
- VI. Approval of Agenda**
 - A. Amendments**
 - B. Tabled or Withdrawn Items**
 - C. Consent Calendar: Withdrawals**
- VII. Approval of Minutes**
 - A. August 22, 2005** - *approved with corrections*
 - B. August 30, 2005**
- VIII. Matters of Public Concern – Non-Action Items**
- IX. Matters from the Commission**
 - A. Adoption of New Mexico First State Wide Town Hall Forums Joint City County Resolution (Commissioner Vigil)**
 - B. Discussion on Demonstration of Biomass Heating Project for the Santa Fe County Jail (Commissioner Campos & Commissioner Montoya)**
 - C. Presentation, Discussion and Direction by Pojoaque Pueblo Concerning Pojoaque Valley Wastewater System (Commissioner Montoya)**
 - D. Resolution 2005 ¹⁴⁶ A Resolution Setting Priorities for Water Allocation of the 375 Acre Feet of Temporary Wholesale Water Delivery Identified in Part 2 of the Water Resources Agreement Between the City of Santa Fe and Santa Fe County Dated January 11, 2005 (Commissioner Sullivan)**
- X. Presentations**
 - A. Employee of the Quarter**
 - B. The Mobile Health Fair Van: The First Three Months**
 - C. Presentation and Update on Juvenile Detention Facility by Corrections Department Staff**
 - D. Economic Development Update**
 - E. Discussion on Santa Fe County Staff's Position Regarding the Regional Planning Authority**

- F. Update on Santa Fe County Economic Development Park**
- XI. Committee Appointments/Reappointments and Resignations**
 - A. Road Advisory Committee Reappointment**
- XII. Consent Calendar**
 - A. Budget Adjustments**
 - 1. Resolution 2005- A Resolution Requesting a Budget Adjustment to the Fire Protection Fund (209). All Fire Districts to Budget Actual Allotment of FY 2006 Fire Fund Distribution and Available FY 2005 Cash Balances for Expenditure in Fiscal Year 2006 (Fire Department)**
 - 2. Resolution No. 2005 - A Resolution Requesting a Budget Increase to the EMS Fund (232) / Forestry Grant (232-0809-422) for Use by the Fire Prevention Division to Budget FY-05 Cash Balances for Expenditure in Fiscal Year 2006 (Fire Department)**
 - 3. Resolution No. 2005 - A Resolution Requesting Authorization to Increase the HSSD/Home for Good Program Budget by \$40,309.00 for the Second Year Federal Grant Funding that was Estimated for fiscal Year 2006 (Health & Human Services Department)**
 - 4. Resolution No. 2005- A Resolution Requesting an Increase in Fund 101 to Budget \$88,066.00 from the U.S. Department of Justice, Justice Assistance Grant for Fiscal Year 2006 (Health & Human Services Department)**
 - 5. Resolution No. 2005 – A Resolution Requesting a Decrease to the Operating Transfer from the General Fund (101) to the Jail Operations Fund (518) to Transfer an HR Assistant Position from the Youth Development Facility to the County Manager/Human Resources Division to be Funded by the General Fund (Manager’s Office)**
 - 6. Resolution No. 2005 – A Resolution Requesting a Budget Increase to the Water Enterprise Fund (505) for a Grant Awarded by the New Mexico Environment Department for a Regional Water and Wastewater System in Pojoaque Valley for Fiscal Year 2006 / \$1,070,000 (Project & Facilities Management Department)**
 - 7. Resolution No. 2005 – A Resolution Requesting an Increase to the State Special Appropriations’ Fund (318) to Budget Special Appropriation Projects’ (SAP) Grants Received from the NM 2005 Legislature for Expenditure in Fiscal Year 2006 (Project & Facilities Management Department)**
 - 8. Resolution No. 2005 – A Resolution Requesting an Operating Transfer from the Capital Outlay GRT Fund (213) to the State Special Appropriations Fund (318) for the Glorieta/Eldorado Senior Center /\$200,000 (Project & Facilities Management Department)**
 - 9. Resolution No. 2005 – A Resolution Requesting an Increase to the Road Projects Fund (311)/ Various Projects to Budget grants Awarded Through the New Mexico Department of Transportation for Expenditure in Fiscal Year 2006 (Public Works Department)**
 - 10. Resolution No. 2005 – A Resolution Requesting a Budget Increase to the General Fund (101) / Region III Grant Program for a Grant Awarded by the Justice Assistance Grant Program Through the**

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New Mexico Department of Public Safety for Expenditure in Fiscal Year 2006 (Sheriff's Office)

B. Professional Service Agreements

- 1. Request Authorization to Execute an Amendment to Professional Services Agreement No. 26-18-04-ADF/KD to Correct Rx Pharmacy Services, Inc., to Provide Pharmaceutical Supplies and Services for the Santa Fe County Adult Detention Facility Population, from the Date of Execution to June 30, 2006 \$200,000 (Corrections Department)**
- 2. Request Authorization to Execute and Ratify Amendment #6 to Contract # 24-0107-YDP for Food Services with Compass Group USA to Continue to Provide Food Services for the Youth Development Program for a Period up to 6 Months Ending December 31,2005, for an Amount not to Exceed \$120,000.00 (Corrections Department)**
- 3. Request Authorization to Accept and Award Professional Services Agreement #26-0302-FI/RH Based Upon an Existing State Price Agreement with the New Mexico State Transportation Department to Ernst and Young, LLP, for Arbitrage Calculation Analysis Services (Finance Department)**
- 4. Request Authorization to Amend Contract #25-0062-HSGP with Iris Toledo for Therapist Services in the Amount of \$7,000.00 (Health & Human Services Department)**
- 5. Request Authorization to Award Professional Services Agreement No. 26-0104-MG/FS to Weston Solutions, Inc., to Provide an Enterprise Geographic Information System for Santa Fe County, Pursuant to NMSA 13-1-126, Sole Source Procurement from the Date of Execution to September 30, 2006 for an Amount not to Exceed \$20,000 (Manager's Office)**
- 6. Request Authorization to Enter Amendment # 3 for Agreement #25-0042-SD/MV with Santa Fe Animal Shelter & Humane Society for Animal Care services from the Date of Execution to October 31, 2005 for a Total Compensation not to Exceed \$7,229.40 (Sheriff's Office)**
- 7. Request Authorization to Execute and Award a Contract to the Lowest Bidder Responding to Invitation for Bids #26-1203-SD/MV Inmate Transport Services form the Date of Execution to September 30, 2006, for an Amount not to Exceed \$68,597 (Sheriff's Office)**
- 8. Request Authorization to Execute Amendment #3 to Professional Services Agreement No. 24-067-UT "Legal Services for Santa Fe County" to Sheehan & Sheehan and Stelzner, P.A., Increasing the Compensation by \$100,000, Bringing the Total Compensation Amount to \$320,000 (Water Resources Department)**

C. Grant Agreements

- 1. Request Acceptance and Ratification of a U.S. Department of Justice "Justice Assistance Grant" in the Amount of \$88,066.00 (Health & Human Services Department)**
- 2. Request Approval of Fiscal Year 2006 Region III Grant Agreement with the U.S. Department of Justice, Justice Assistance Grant**

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Program through the New Mexico Department of Public Safety for \$240,000 (Sheriff's Office)

D. Misc.

1. Resolution 2005- A Resolution Authorizing Publication of a Notice of Sale of \$20,000,000 Santa Fe County, New Mexico General Obligation Bonds (Road/Public Works Facility/Water Improvements), Series 2005 (Finance Department)
2. Request Authorization to Accept and Award a Contract for Invitations to Bid 26-1803-ADF/RH-Indefinite Quantity Price Agreement for Correctional Staff Uniforms for the Santa Fe County Adult Detention Center to the Lowest Bidder, Neves Uniforms and Kaufmans West from the Date of Execution to September 30, 2006 for an Amount not Exceed Budget Amounts (Corrections Department)
3. Request Authorization to Execute Amendment #2 to the Construction Agreement #25-0076-HO, "Modernization of Multiple Housing Units for Santa Fe County Housing Services Division" with Sol Systems, Increasing Compensation in the Amount of \$24,000.00, and an Increase in the Construction Time (Housing Department)
4. Resolution No. 2005 - A Resolution Authorizing the County Manager to Execute Documents and Agreements Related to Adult Detention Facility Transition and Operation (Legal Department)
5. Resolution No. 2005 - A Resolution Authorizing County Manager to Resolve Employment Matter (Legal Department)
6. Resolution No. 2005 - A Resolution Authorizing County Manager to Settle Litigation Matter (Legal Department)
7. Request Authorization to Award Construction Agreement No. 26-07-7-PFMD/KD to the Lowest Bidder Responding to the Invitation for Bids, "Agua Fria Community Center Phase I" for 120 Days from the Date of Notice to proceed for an Amount not to Exceed the Budgeted Amount (Project & Facilities Management Department)
8. Request Authorization to Approve the 2005 Project Grant Appropriations-Department of Finance & Administration: Non-Construction Projects (4) \$160,000.00; Construction Projects (25) \$3,670,000.00 (Project & Facilities Management Department)
9. Resolution No. 2005- A Resolution Supporting an Application to the Bureau of Land Management for a Change of Use or Uses on Patented Lands; A Request from the Greater Chimayo Mutual domestic Water Consumers Association for Placement and Operation of a Booster Pump Building and Water Storage Tank' and Support of a Fill Station on to be Located on County Land (Project & Facilities Management Department)
10. Resolution No. 2005 - A Resolution Allowing Santa Fe County to Proceed Forward With Application to Acquire Land From BLM for Phase III- Marcos P. Trujillo Teen Center within the Arroyo Seco Area, Santa Fe County, New Mexico (Project & Facilities Management Department)
11. Request for Approval and Execution of the 2005 Capital Cooperative Severance Tax Agreements for Various Road Projects

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From the New Mexico Department of Transportation (NMDOT) - \$515,000 (Public Works Department)

12. Requesting Authorization to Execute a Memorandum of Understanding #26-1204-SD/MV with the Administrative Office of the Courts, for the Sheriff's Office to Serve Magistrate Court Bench Warrants from the Date of Execution to December 31, 2005. The Administrative Office of the Courts agrees to Reimburse the Sheriff's Department Overtime Expenses up to a Total of \$20,000.00 (Sheriff's Office)

XIII. Staff and Elected Officials' Items

- A. Finance Department
 1. Resolution No. 2005 – A Resolution Requesting Authorization and Approval for Submission of an Application for Financial Assistance to the New Mexico Finance Authority for Partial Financing of the Paramount Property Purchase
 2. Resolution No. 2005 – A Resolution Requesting Authorization to Reimburse County for Funds Advanced for the Paramount Property Purchase with Proceeds of a Loan Agreement with the New Mexico Finance Authority
- B. Land Use Department
 1. Update on Galisteo Watershed Planning Initiative and Rural District Planning
- C. Public Works Department
 1. Request for Approval of the FY 2006 Revised New Mexico Clean & Beautiful Grant From the New Mexico Tourism Department - \$7,000
 2. Request for Approval and Execution of the 2005 Capital Cooperative Severance Tax Agreement for the County Road 84 Low Water Crossing Project From the New Mexico Department of Transportation (NMDOT) - \$166,271.66
- D. Matters from the County Manager
 1. Update on Various Issues
 2. Request for Ratification of Application to New Mexico Environment Department for Homewise Green Building Project
 3. Continuity of the Special Board of County Commission Affordable Housing Study Session
- E. Matters from the County Attorney
 1. Executive Session
 - a. Discussion of Pending or Threatened Litigation
 - b. Limited Personnel Issues
 - c. Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights

XIV. ADJOURNMENT

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

SANTA FE COUNTY 11/08/2005
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SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

September 27, 2005

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 10:30 a.m. by Chairman Mike Anaya, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Following the Pledge of Allegiance, roll was called by County Clerk Valerie Espinoza and indicated the presence of a quorum as follows:

Members Present:

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

Members Absent:

[None]

V. Invocation

An invocation was given by Larry Martinez.

VI. Approval of the Agenda

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

ROMAN ABEYTA (Deputy County Manager): Thank you, Mr. Chairman. We have several amendments. The first being under VII. Approval of Minutes. We added C, which was page 50 of the August 9, 2005 minutes because that was tabled from September 13, 2005. Then, under IX. A, that item's been withdrawn. And we added an item E, which will be update on the Eldorado Senior Center project.

Then, under X, Presentations, we corrected X.C to read update on County takeover of

the adult detention facility. The original facility said juvenile facility. The item X.D Economic development update has been tabled. And Mr. Chairman, item X. F, we were directed by the Commission to add it to this agenda at our last meeting. We were still gathering information. We are prepared to make a presentation on that if that's still the wishes of the Commission but if not, like I said, we're still gathering information and we can provide something to you in your in-boxes in that matter.

CHAIRMAN ANAYA: So would it be appropriate to table that now?

MR. ABEYTA: Yes, Mr. Chairman, if that's okay with the Commission.

CHAIRMAN ANAYA: Okay. Go ahead.

MR. ABEYTA: Under XII. Consent items, XII.A. 6, that's a non-consent item case that will need the Board to take a separate vote on. Under XII.B 8, we changed the amounts to \$150,000, bringing the total compensation amount to \$370,000. Then under item XII. D. Miscellaneous, item number 1, that also is going to require a separate Commission vote. So that's non-consent. Then item D. 5, the resolution has been withdrawn. Under D. 6 we added the case number, and under D. 11, that also is going to require a separate Commission vote, so that's been withdrawn from the Consent Calendar for that purpose.

Under XIII. Staff and Elected Official items, XIII.D. 4 was added, which is discussion and possible direction to publish title and general summary of an affordable housing ordinance for Santa Fe County. And finally, Mr. Chairman, we added an item XIII. E. from the Assessor's office which is approval of the certificate of tax rate.

And one more thing, Mr. Chairman, I'm sorry, but under the Consent Calendar, item D. 1 which was withdrawn from the Consent as a non-consent item, we have a request that the Board take action on that after 5 pm today because the financial adviser would like to come and address the Board at that time and give the Board more information regarding this item.

CHAIRMAN ANAYA: You said D, not B.

MR. ABEYTA: D.1.

CHAIRMAN ANAYA: After 5:00.

MR. ABEYTA: After 5:00.

CHAIRMAN ANAYA: Okay.

MR. ABEYTA: Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Roman, where do we want to add further discussion on the St. Vincent's?

STEVE ROSS (County Attorney): Mr. Chairman, I think you'd take that -

CHAIRMAN ANAYA: After we adjourn?

MR. ROSS: Yes, after we adjourn this meeting. Just pick up the Indigent Board meeting.

CHAIRMAN ANAYA: Okay. Is there any other changes to the agenda?

COMMISSIONER VIGIL: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Item IX. E, the update on Eldorado Senior Center, is that also related to item XII. 8, which is a resolution requesting transfer of GRT for the

Glorieta Eldorado Senior Center? Are those two related?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I can respond to that. I asked them, Commissioner, to put that on the agenda, E, prior to seeing this item XII. A. 8 on the Consent Agenda. So that XII. A. 8 handled the major issues and concerns I had. If the Board feels they want to go ahead and discuss either of those, that would be fine.

COMMISSIONER VIGIL: Mr. Chairman, in that case I think I'd recommend that we remove item IX. E and include any updates when we discuss – well, we could set aside item XII. A. 8.

COMMISSIONER SULLIVAN: What I'm saying, Commissioner, is that everyone is okay with item XII. A. 8 then there's no need to go through item IX. E.

COMMISSIONER VIGIL: And that's what I'm saying also.

COMMISSIONER SULLIVAN: Oh, is that what you're saying?

CHAIRMAN ANAYA: So there's a motion or there's a suggestion to remove item IX. E from the agenda.

COMMISSIONER VIGIL: Yes.

COMMISSIONER SULLIVAN: Yes.

CHAIRMAN ANAYA: All right. Any other changes?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: On your other Consent withdrawals, I'd like to remove item D.4 and then there are two others that I want to remove for a separate vote, only because I need to recuse myself on those two.

CHAIRMAN ANAYA: Which two?

COMMISSIONER SULLIVAN: Those are A.9 and D.11. And those two items involve a long list of road projects that have been funded by the state legislature and that we're putting into our capital program. In looking those over one of those many streets that are on that long list is a street that I live on.

CHAIRMAN ANAYA: Okay.

COMMISSIONER SULLIVAN: So I felt it would be appropriate to recuse myself on those two resolutions. That's all I have.

CHAIRMAN ANAYA: Any other changes?

COMMISSIONER MONTROYA: Move for approval as amended.

COMMISSIONER CAMPOS: Second.

CHAIRMAN ANAYA: There's a motion as approval to amend. Any more discussion?

COMMISSIONER VIGIL: Mr. Chairman, under Matters from the County Manager, item D.4, discussion and possible direction to publish title and general summary of an affordable housing ordinance for Santa Fe County, was that just placed on the agenda? It was my understanding after our meeting this morning that we were going to continue to discuss

and perhaps even consider some study sessions.

MR. ABEYTA: Mr. Chairman, Commissioner Vigil, yes we have to make changes to the agenda within 24 hours so it was on there as of yesterday, just in case the Board would have been ready.

COMMISSIONER VIGIL: I'm not too sure how the Commissioners feel but my understanding of the discussion we had this morning is that we were going to continue discussion and we weren't going to necessarily consider taking action on publishing title and general summary on this. Was that the Commissioners' understanding?

CHAIRMAN ANAYA: I believe so, but Gerald had a concern on maybe the direction.

GERALD GONZALEZ (County Manager): Mr. Chairman, Commissioners, what I indicated was I was going to speak to staff and then get back to you just to try to get a little bit more clarity in terms of direction. The issue there after speaking to them is that in terms of the regulations and the ordinance, one is sort of the cart and the other is the donkey, or the other way around, depending on which way you look at it. Staff believes that it would be important to take one more step with respect to the ordinance so that then the task force can start working on the regulations with a little bit more clarity. So the recommendation I think from the staff level would be that we have one more study session and then, at that point, we start working immediately on the regs and finalizing the ordinance.

COMMISSIONER VIGIL: With that in mind, Mr. Chairman, I would just recommend that we remove item D.4 and schedule a working session with staff.

CHAIRMAN ANAYA: Are there any other changes? Would you accept that to your motion?

COMMISSIONER MONTOYA: That's fine.

CHAIRMAN ANAYA: How about the seconder?

COMMISSIONER CAMPOS: That's fine.

CHAIRMAN ANAYA: Okay. Any more discussion?

The motion to approve the agenda as amended passed by unanimous [5-0] voice vote.

VII. APPROVAL OF MINUTES

A. August 22, 2005

CHAIRMAN ANAYA: Is there a motion?

COMMISSIONER VIGIL: Move to approve. I do have some clerical corrections.

CHAIRMAN ANAYA: Approve with amendments.

COMMISSIONER SULLIVAN: I have some as well, Mr. Chairman.

COMMISSIONER MONTOYA: Second.

CHAIRMAN ANAYA: There's a second. Any more discussion?

The motion to approve the August 22nd minutes as amended passed by unanimous [5-0] voice vote.

VII. B. August 30, 2005

CHAIRMAN ANAYA: Is there a motion?

COMMISSIONER VIGIL: Move to approve with some clerical changes.

CHAIRMAN ANAYA: There's a motion. Is there a second?

COMMISSIONER SULLIVAN: Second.

CHAIRMAN ANAYA: And a second. Any more discussion?

The motion to approve the August 30th minutes as amended passed by unanimous [5-0] voice vote.

VII. C. Page 50 of August 9, 2005 Minutes (Tabled from September 13, 2005 Meeting)

CHAIRMAN ANAYA: Is there a motion?

COMMISSIONER VIGIL: Move to approve page 50 of the August 9, 2005 and include them in the recorded minutes.

CHAIRMAN ANAYA: Is there a second?

COMMISSIONER CAMPOS: Second.

CHAIRMAN ANAYA: Any more discussion?

The motion to approve page 50 of the August 9th minutes passed by unanimous [5-0] voice vote.

VIII. MATTERS OF PUBLIC CONCERN - NON-ACTION ITEMS

CHAIRMAN ANAYA: Is there anybody from the public that would like to come forward? Sir. Both of you go ahead and come up to the front row. Go ahead, sir. If you would just state your name.

TOM DABBS: Good morning, Commissioners, Mr. Chairman. My name is Tim Dabbs. I live on North El Rancho Road here in Santa Fe. My family and I have lived there for 29 years. El Rancho Road falls off of West Alameda. We are between Camino Alire and Calle Nopal. I'm here this morning to just ask the Commission to seriously consider working closely with the City on developing a thoroughfare of bridges that allow access to people that live off of West Alameda and as growth and development continues up by the bypass

thoroughfares, north and south thoroughfares, across and into Santa Fe. Right now, in order for us to go Target, for example, we must either go north on West Alameda to Camino Alire, then south on Agua Fria down to Siler or Henry Lynch, then cross, get on Cerrillos Road and it takes us on quite a long, unnecessarily long, circuitous route just to get to the south side of town.

Another alternative is to get on St. Francis, which is already congested any weekday from 7:00 am to 7:00 pm. Sometimes it's impossible to even change lanes because of the traffic. Camino Alire is already congested. Baca Street is congested. It's just very difficult for us. We're almost like land-locked, like Los Alamos where you have to go around a big canyon just to get from our side of town back around to the commercial side of town. I've noted with pleasure that there's talk of extending Siler Road up from Agua Fria to West Alameda but again, I would like to see more thoroughfare type bridges between the two, both sides of the river. Something that can take you across town without further congesting Agua Fria, without further congesting Cerrillos Road and the little neighborhood streets like Baca and then Hickox and all of those streets that run up and down.

I know that there's a jurisdictional issue also with the City, trying to get the City interested in providing north-south routes is also challenging. My two councilors in District 1 show surprisingly little interest in doing anything. Councilor Pfeffer is unaware even of the problem in speaking with him and he basically said, well, maybe they can find money out there somewhere. And Councilor Bushee told me there's nothing that can be done.

So I do believe there's lots of things that can be done. I know that there's potential for routes that can go through Avenida Cristobal Colon, Henry Lynch, Richards, Osage. There's a lot of potential there, but I am hoping that the Commission would step up and work with the City on trying to develop these routes. So I appreciate your time. Thank you.

CHAIRMAN ANAYA: Thank you, Tim, for coming forward. James, do you have any updates? I know there has been talk about doing a bridge or thoroughfare from Agua Fria to Alameda. Could you just kind of update us on where that is?

JAMES LUJAN (Public Works Director): Mr. Chairman, members of the Commission, yes, last week at the RPA it was directed that we work with the City on developing the plans. It's under design right now for Siler Road extension to Alameda. Just the design phase. And we are going to work closely with them. Commissioner Vigil has asked us to look into it and put it on the STIF or TIF, one of the programs. We're also looking at other connections. We're working with them. They're going to redo the bridge at Camino Alire and we're going to work with them on trying to provide some access to the other side. Hopefully we'll have Camino Carlos Rael complete by then. I think we're about 35 days away. I think November 20th is completion date. So it might be a little bit longer than that but we are working with them on that and we will continue working on the other accesses.

CHAIRMAN ANAYA: Thank you, James. Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chairman, I was at the MPO meeting and I just want to state what I saw. I think the City does want to work closely with the County to coordinate the crossings and the construction scheduling. That's pretty clear. So I think there's

hope that we will work together, sir.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Mr. Chairman, I'd just to thank Tim Dabbs for bringing this to the attention of the BCC. I've been working on this issue with the Regional Planning Authority since I became a member of it and I always feel it's more profound when it comes from an unsolicited constituent who actually has to experience this. And there is more inertia behind this now. I think one of the things that the residents in that area might be able to help with is looking to our legislature for funding for that Siler Road crossing. It is on the TIF. It is on the TAC. The Metropolitan Transportation Policy Board did include it in its capital improvement plan. The City Council is requesting why it wasn't a priority after I brought it up and it really should be and should have been some time ago. So my sense is the other issue that I wanted to bring forth is that if we continue working with the constituents, with the legislature and with both governments something can happen.

I did request from the Metropolitan Transportation Policy Board that they include in the Highway 599 corridor a river crossing study and to my knowledge, that's going to be part of the scope of work for that highway corridor study so that we'll be able to get some better data on those crossing. But I would just direct Tim and the neighborhood association over there to talk to our state legislators about funding for that particular Siler Road crossing. Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Thank you, Commissioner Vigil and Tim, thanks for coming forward and bringing that up and I'm glad to hear that the RPA is talking about it again and working together with City and County. Thank you, James. Go ahead and come up.

TOM BLOG: Mr. Chairman, Commissioners, thank you for the opportunity to speak to you. My name is Tom Blog and I live at 43 Vuelta Maria. I'm speaking to you today as a representative of the Santa Fe Domestic Well Owners Association. I'm here to inform you of something you probably already know, and to ask you to do something we hope you are already doing. On September 15th and Suerte del Sur published their first legal notice dealing with the transfer of out of basin water rights to the 2000-foot well within the Santa Fe Basin. This starts the clock on any protest with the Office of the State Engineer. I'm here to ask Santa Fe County to join us and others, either working together or independently, in protesting this transfer at the State Engineer.

To date the County has done little to take the initiative in protecting water or managing water use within our basin. This is a clear opportunity for the County to take the lead and establish the framework for good water use and future planning. Legally, I am told this is not a slam-dunk either way. Similar water moves have been tried before. Some were successful; some not. This is a complex issue, but failure of the County to act and define what role the County plans in water use would be disastrous for all residents and future water planning.

If unopposed by the County at OSE, this would send a strong, clear signal to other developers with semi-deep pockets and a well that cheap, out of basin water rights are all that is needed to circumvent what water requirements exist. If unopposed by the County this would send a strong, clear signal to several hundred well owners already reeling under the County's

reversal and its belief that it has no ability to regulate water use to a quarter acre-foot, that they have been abandoned. If unopposed by the County, this well will fly in the face of the County's general plan and the 40-year water plan. This well is not remotely close to sustainable use.

We know that the County itself will need wells. We are not anti-growth and we are not opposed to large, sensibly located regulated wells with proper rights. The Suerte well meets none of your goals, none of our goals, nor any common sense goals. The County has ten days from today to step up to the plate and show its citizens and its developers that it protects its right to govern and manage water use. Please do not let this opportunity slip by. Act today in an already announced executive session. Decide to file a protest and to protect your citizens and the County's right to govern its water. Thank you very much.

CHAIRMAN ANAYA: Thank you, Mr. Blog. Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chairman, a question for Legal. Attorney Ross, is this something we could discuss in executive today?

MR. ROSS: I believe so, Commissioner. Mr. Utton will be here on another topic and he'd be the person to address this issues to.

COMMISSIONER CAMPOS: Okay. Thank you.

CHAIRMAN ANAYA: Thank you, Mr. Blog. Is there anybody else that would like to come up and address the Commission on any matter. Thank you.

IX. MATTERS FROM THE COMMISSION

- B. Discussion on Demonstration of Biomass Heating Project for the Santa Fe County Jail (Commissioner Campos & Commissioner Montoya)**
[Exhibit 1: Local Energy Presentation; Exhibit 2: Economic Impacts; Exhibit 3: Deficits at County Jail]

COMMISSIONER CAMPOS: Mr. Chairman, staff is proposing a biomass project at our jail. I think this is a good idea. We're talking about an alternative fuel source. We're talking about an energy crisis. We're talking about rate shock. Our electrical rates, our heating rates, are all going to shoot through the roof this winter, next year and probably in the next three to five years. And we've got to take the leadership. Commissioner Montoya and I have taken the lead on this particular project. I'd like to hear from Commissioner Montoya.

COMMISSIONER MONTOYA: Yes, I think, Mr. Chairman, Commissioners, this is certainly one of the things that I would like to see us as we've discussed in the past in terms of any new construction that the County enters into, be it facilities or renovations or whatever the case may be, even retrofitting some of our facilities, that we take a look at alternative means of energy, exactly for the reasons that Commissioner Campos has stated. I have been reading in newspapers and getting articles from different sources that natural gas prices are going to go up about 60 percent or so this year. That's almost double what we were paying last year, so we're going to see significant

increases in terms of our utility bills. So this is something that I think we should look at in terms of cost, cost-effectiveness, and in the long term, how we're going to use alternative sources for County buildings, and encourage possibly even homeowners to look at this as an alternative means for heating for themselves as well.

COMMISSIONER CAMPOS: Mr. Chairman, I'd like to ask Mr. Kolkmeier and Mr. Mark Sardella to make a brief presentation as far as the County jail is concerned.

JACK KOLKMEYER (Planning Director): Good morning, Mr. Chairman, Commissioners. Thank you very much and I appreciate the comments and the contact from Commissioners Campos and Montoya. As staff, we believe this is an extremely important item also. In fact it goes back to our growth management plan that you adopted in 1999 where really one of the considerable actions under the utility section of that strategic plan for the County is to look at renewable energy resources as we look at growth management and new development in the county over the next 20 years. So we immediately got on that in the growth management strategy.

Secondly and more recently, a couple of - we've had a number of conversations with you during the summer and with a lot of other staff members about how we could actually go about starting to look at this. Back in August you may recall that you all adopted and approved a memorandum of understanding to create the center for community sustainability, which you passed in August, and it was also at that time that Commissioner Campos gave \$5,000 along with the \$5,000 from Land Use and Planning to begin to fund a study, a specific study for the Center for Community Sustainability. In case you don't recollect all of the things that were there, there were four basic principle items that were laid out in that memorandum of understanding. One was to provide a venue, which would be the Community College for the development of community based water conservation, renewable energy and other technologies. Secondly, to identify and support businesses that development these technologies. Third, to provide comprehensive workforce training and education, also at this facility, and to contribute to the development of an overall economy that would in fact become based on renewable energy and efficient water use.

That then for us, and at that last meeting when we had that discussion with you, prompted the question of well, what can we do? What could we focus on? What steps could we take that would actually move us forward in this direction in some way that would be manageable to us, and in fact have some results. I suggested to you a couple or meetings back that one of the things that we might look at would be this idea of a demonstration project at the adult detention center. The jail. Just to see if that's feasible, number one, and secondly, because that's a project which has huge fiscal impacts for us right now, would this have an effect? Would this actually do something for us, not only in the short term but in the long run? Maybe that's not exactly the right one to start with but it certainly is one where we have a lot of challenges and if we could look at that, see what happens. Maybe it's the Public Safety Complex that's next. Maybe then, by starting small and looking to see if this works, it leads us to the possibility of alternative energy for entire

communities that we develop in the Community College over time.

So in response to that, and then in some conversations that I've had with Commissioner Campos, we decided to ask Mark Sardella, who's with us this morning, he's the executive director of Local Energy, to actually take a look at this. On his own time he went out to the jail, looked around, he's put together a really brief little presentation for you this morning. So I'd like to turn it over to Mr. Sardella, and when he's finished we'll be happy to entertain any questions that you might have. And again, thank you Commissioner Campos and Commissioner Montoya for bringing this forward.

COMMISSIONER MONTOYA: Thank you, Jack.

MARK SARDELLA: Morning, Mr. Chairman, Commissioners. It's good to have the opportunity to speak to you again. I did bring you a short, seven-page presentation, that I'm going to just go through very quickly. And then I'd really like to have some time to discuss this instead of me presenting the whole time. We did go over the adult detention facility last Wednesday and I found a very receptive staff over there to this idea by the way.

On the first page in, page number 2 there, I have a slide called natural gas prices are rising sharply. I want you to see on the very end of that graph, this one-year increase that Commissioner Montoya made reference to. Last year, the cost of gas from PNM was under \$7 a million BTU for the season. This season it will be over \$10. That increase alone, this one-year increase, will take \$12.5 million out of the Santa Fe County consumer economy. The homes that heat with natural gas, about 12,000 homes in the county, are considered low income. That is less than twice the poverty threshold. So those homes, 12,000 homes of your constituents, will see their energy burden this year be in excess of ten percent of their income. That's considered a serious burden. Anything over six percent is considered unaffordable. So this problem is obviously bad and getting worse as Commissioner Campos and Commissioner Montoya referred to it.

On the next page in I have something a little bit scarier. I'm not going to spend too much time on this but I did a search string yesterday in Google on "natural gas shortage" and found 25 articles on it including the number one that you see there: PNM says natural gas shortage possible. Note that these statements were made before Hurricane Rita. It's significant to know that there were a high concentration of natural gas offshore platforms and rigs destroyed by both Hurricanes Katrina and Rita, as well as many onshore processing facilities and pipelines. So this is a very real concern. As you look down just these four titles that I put here, Officials concerned, Officials predict natural gas shortage this winter. The price of course goes out of control entirely as you face the possibility of losing pressure in the national pipeline.

On the next page I have technology selection for SFCC. We have a big biomass project going at SFCC, but we also have a much smaller one that's very similar to the one that we're proposing at the adult detention facility. It's about a \$40,000 project. We're really developing this as part of a vocational training program at the college. We want to teach students about the vocations of biomass and particularly, these low technology

applications. The big system I'm proposing for downtown that we drew up the engineering for, \$23 million. The big system at the Community College, \$1.4 million. This is a \$40,000 system that has the potential to crank out \$10,000 to \$12,000 to \$15,000 worth of heat from biomass every year.

Of course it all depends upon the cost of labor to feed this boiler. It's a hand-load boiler, but again, there's jobs and vocations and it depends on where you get the fuel. Right now there's a lot of scrap biomass fuel in the County and I think we need to start looking at utilizing that for our economic development.

So that's the system. To the right is a picture of the boiler. The only thing I want to point out is where the notes are E and F on the inside of the boiler, this is the GARN 1450 wood heating system that we've selected for the Community College. E is the primary combustion chamber; F is the secondary combustion chamber. The important thing to note there is by having secondary combustion at very high temperature, this device achieves about 84 to 87 percent thermal efficiency. It's very, very clean. This is not a wood stove. There's no smoke coming out of this unit. And very low pollutants.

On the next page, the results of my visit to the adult detention facility, we would propose a slightly larger system. I'm guessing, very preliminary, \$100,000 is all it would cost. The potential of this system to reduce heating costs, again, depends on the cost of labor, which I think will be free, as long as it runs in the course of business, for what the staff is already doing over there to watch over the members of the correctional facility there to load the boiler. And it also depends on where you get your wood and what you pay for wood. But scrap pallets can certainly go in this, nails and all, you can throw them right in the door and incinerate them at very high temperature without any problem with pollution.

So that's a little bit on the technology. On the next page, I took a couple of photographs of the unit that we're building for the Santa Fe Community College. You can see how simple it is, how small it is. It fits in a 20-foot cargo container. A tow truck comes up and drops this on the ground. You pay a plumber to hook it into the existing hot water facility. This would be at the detention facility. We'd hook it into the hot water heater system that heats the water for the laundry and the kitchen and I think you'd find significant use, probably at least eight to ten hours a day of operation of this boiler. All that time saving money on your natural gas bill.

So that's I think all I have in this presentation. I think there was a second handout that I calculated some first order and second order economic impacts of natural gas and motor gasoline rises in the county. But I think you are all already well aware that we have a significant economic problem rising out of this increased cost.

We are here to help. We're a non-profit. Please let me know what I can do to help you create an action plan and develop some implementation on this vocation training, and I think an important new resource and new technology for the county. Thank you.

CHAIRMAN ANAYA: Thank you, Mark. Is there any questions?
Commissioner Campos.

COMMISSIONER CAMPOS: Quick question for Mr. Sardella. You've emphasized the fact that as energy costs rise, money moves out of our community.

MR. SARDELLA: That's right.

COMMISSIONER CAMPOS: So do you think this reverses that trend? If we start developing more of our energy locally?

MR. SARDELLA: Yes, the calculation we did shows that for every dollar that you spend on an investor owned utility bill, which as you know from the calculation I just did will be an additional \$12.5 million this year. Every dollar you hand to an investor owned utility, about \$.79 of that dollar leaves town in the first round of trade, and that goes to the Wall Street investors that back the utility. We calculated for our downtown system that if that's locally owned and financed, it would be about the opposite. About \$.80 of every dollar you spent would stay in the community, recirculate in the local economy and create economic development. So, yes, it's clear, as you move to local energy resources, owned by local businesses, operated and managed by local businesses, you get a tremendous benefit in the second order multiplier in fact. No question.

COMMISSIONER CAMPOS: Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Thank you, Mark. Thank you, Jack. I support this kind of alternative energy, and I'd really like to direct staff to continue giving us some information on this. The \$100,000 sounds really low to me and if I'm understanding correctly, it doesn't include the purchase of the woodchips, so this is just for the infrastructure itself. And the hook-up? Would that also include the hook-up?

MR. SARDELLA: Yes, I think we could get a system in there and hook it up for \$100,000. It's a very, very off-the-cuff. I've been one visit to there and I don't want you to hang your hat on that number, but the capital cost of a hand-load boiler is much, much lower than like what we're proposing at the college and downtown. Very, very low capital cost.

COMMISSIONER VIGIL: Okay. I'd like to see staff continue to work on this. I'd like a concrete proposal as to how Santa Fe County could look into this as an alternative to the jail and I think it would be a good starting place. It would be a model. We're looking at the judicial complex. We're looking at a Public Works building in the future. Perhaps this could be the model for future energy savings for the County. Thanks, Mr. Chairman.

CHAIRMAN ANAYA: You're welcome. Any other comments?

COMMISSIONER CAMPOS: I'd just like to thank Mark and Jack for the presentation and for their energy and focus, all the time they're spending. It's great. This is what the community needs right now.

CHAIRMAN ANAYA: Thank you, Mark. Thank you, Jack for the presentation. It was very informative.

IX. C. Presentation, Discussion and Direction by Pojoaque Pueblo Concerning Pojoaque Valley Wastewater System (Commissioner Montoya)

COMMISSIONER MONTOYA: Thank you, Mr. Chairman. We have some representatives from Pojoaque Pueblo that I'd like to ask to come forward as well. Mr. Chairman, Commissioners, one of the things that we've been working on, we have Governor Rivera. Thank you, Governor for being here this morning. We've been negotiating and I want to keep the Commission updated on the developments around the wastewater system, the delivery system that we're working on in the Pojoaque Valley so that we make sure that we're all on the same page in terms of what's going on. We are currently in the process, and I believe, Steve, we're almost with the JPA complete. Is that correct?

MR. ROSS: Mr. Chairman, Commissioner Montoya, I have the most recent draft here. I haven't looked at it yet. It's a product of some changes that I suggested to the Pueblo representatives and they have taken my proposed changes and the changes of the Pojoaque School District's lawyer and incorporated them in this draft, which I haven't looked at yet. But you're welcome to take a look at it if you want. I think it's getting very close. Both the documents are getting very close.

COMMISSIONER MONTOYA: Okay. Thank you, Steve. Steve has put a lot of time into this, as well as I'd like to recognize the Pojoaque Pueblo attorney, Jana Warner, who's been very helpful in getting us to the point where we're almost with a JPA between the Pojoaque Pueblo, Pojoaque Valley Schools and Patrick Medina is here from the schools. Patrick, thanks for being here, as well as the County of Santa Fe. So that's where we are with the JPA right now. Prior to us approving it as a whole.

COMMISSIONER VIGIL: Commissioner Montoya, is this item also in relation to item XII. A. 6? And if so did you want to just lump them together? Or separately?

COMMISSIONER MONTOYA: Well, it's actually – this one is actually different. This is authorizing the funding for this project.

COMMISSIONER VIGIL: But it is the same project?

COMMISSIONER MONTOYA: It's the same project, yes.

COMMISSIONER VIGIL: Okay, so this is just an update on that project and you want to act on the funding separately. Is that what I'm hearing?

COMMISSIONER MONTOYA: Yes. Yes.

COMMISSIONER VIGIL: Thank you.

COMMISSIONER MONTOYA: Exactly. So that's where we are with the JPA. What we've come up with is a plan, and Al Martinez, who is the engineer for the Pueblo has give us a plan. Do you have some of that information, Alyn? So that we could take a look at it? And I guess at this point I would ask that maybe Governor Rivera explain to us where we're at. Essentially, we're at the point where we want to use the money that has been allocated by the legislature and just make sure that everyone's up to speed with where we're at. Governor.

GEORGE RIVERA: Mr. Chairman, Commissioners, thanks for having us here today. Do you all have a copy of this plan? We did do a copy. I first want to go the map that's

in the back, which lays out all the proposed wastewater lines within the Pueblo of Pojoaque, connecting the Pueblo's wastewater and the non-tribal wastewater. And I think that in the valley we've come to a point where if something isn't done on the wastewater issue we're headed for a lot of contamination in the valley with the septic tanks, as well as there's a lot of water being wasted because it's not being reused. So a couple years ago, Commissioner Montoya, myself and Speaker Ben Lujan talked about moving this project forward and since then, the engineers have come up with a plan to move forward on and we have obtained some funding through the legislature. We're at a point where need to spend the first portion of the legislative funds. I think it's approximately \$2 million, a little more than \$2 million. And it would take care of three of the most critical components, two of the components being hooking up the Pojoaque Valley School District to the Pueblo's existing wastewater facility.

The current facility is an evaporative pond. So there is no reuse of the wastewater at this point. The third component of this first phase would be to treat some of the water and run an effluent line to the Pueblo's highest use, which is the golf course and reuse the effluent on there. The reason, the overall plan is to have the effluent run to the golf course, run to the ball fields. There's two areas of ball fields in the valley, at the new gymnasium, the Ben Lujan gymnasium. Is that the high school now?

COMMISSIONER MONTOYA: Yes.

GOVERNOR RIVERA: It became the high school recently. So it's the high school and then the old high school, both have fields that the effluent would run to, as well as the golf course. But if you look at the plan and the legend, it shows a \$10 million-plus project that we're anticipating, and it's gotten off to a good start with the first two million being available through the legislature. We're also lobbying the Congress for the next fiscal year for \$4 million and the Congress is well aware of the issues and the needs and the funding. So we'll use what the state has put in as leverage to get some federal funds for this.

We are also continuing to approach the legislature for more funding. The Governor has put in \$900,000 out of his own budget and then there was Speaker Lujan and several other legislators raised the rest, in excess of \$1 million. So we'll be going back again to them. They know that the project isn't complete.

The first phase that we're looking at, it's on the third page, is request of Water Trust Board funds. There's a little mix-up in the wording but there's a correction being made. But basically we have a little over \$2 million through the legislature. The \$1,070,000 goes from the trust board to the County. The other million dollars goes from the legislature to the environmental, to the County. That's not what it says on the page that you have but the changes are coming now. The point is, as you all know, the legislature looks upon projects to see if they're being implemented once the money has been set aside for them. We feel that there's three components that can be funded with this initial funding and that's what we're recommending to the County today to move ahead with the recommendations for phase 1, three components.

Number one, to hook up one school location, number two to hook up the second school location, and number three to turn around and use the wastewater through an effluent line to the

right? \$1,075,000. In addition of last year. And according to what Commissioner Sullivan is saying is that we include from last year, \$16,517,000, we went up to \$21,369,000 which is a difference of about \$5 million. I don't have the figures if it's correct. But we increased \$5 million and we've only wanted the MOA to increase \$1,075,000. Is that correct?

MR. DOXTATOR: That is not correct.

CHAIRMAN ANAYA: Why is that not correct?

MR. DOXTATOR: That's the total funding in fiscal year 05, base plus supplement, which was - Santa Fe County plus the other counties was \$21,403,000. That was the total -

CHAIRMAN ANAYA: For 2005.

MR. DOXTATOR: For fiscal 2005, was \$21,403,085.

CHAIRMAN ANAYA: Now you're including supplemental.

MR. DOXTATOR: Absolutely. Because that's what we -

MR. VALDEZ: I think he's got to include supplemental.

MR. VALDEZ: Mr. Chairman, I don't understand how you can not include supplemental, because if you don't include supplemental, it skews the presentation. It skews the presentation in that your next year's base is always going to be determined off of the total amount that you received the previous year, and that automatically includes that supplemental. If you want to exclude it and just have a discussion of base to base, you're going to always have a big gap between the two and that big gap is your supplemental. So this is the first time that I've heard a discussion put in that format. I can appreciate the Commissioners' presentation on that, but what concerns me is we will always then reflect this huge difference, this significant difference and that is the supplemental discussion.

CHAIRMAN ANAYA: Okay, what number? What number? You're including the \$21 million.

MR. VALDEZ: Now, we view, going fiscal year to fiscal year -

CHAIRMAN ANAYA: What was it last year?

MR. DOXTATOR: The total funding received via all County programs was \$21,403,085.

CHAIRMAN ANAYA: That's last year.

MR. DOXTATOR: Yes sir.

CHAIRMAN ANAYA: And what is it this year?

MR. DOXTATOR: This year what we're eligible to receive through Santa Fe County and other counties excluding any talk of any possible supplements, is \$21,945,959.

CHAIRMAN ANAYA: So you're saying that last year and this year are pretty much the same.

MR. DOXTATOR: Two and a half percent.

CHAIRMAN ANAYA: But once the supplemental is included -

MR. DOXTATOR: That's a different discussion. If you want to enter into that - I was not clear. I thought we couldn't but putting that aside, that's 2 1/2 percent.

CHAIRMAN ANAYA: So last year - we're not talking about the same thing

the one that's bigger.

COMMISSIONER CAMPOS: Governor, what about the operation and maintenance of this facility, assuming it gets funded and created. Tell me a little bit about that.

GOVERNOR RIVERA: Well, that's what the agreement between the Pueblo and the County would be. At this point we would operate and run it and we would, the agreement we have with the school is that they would pay a maintenance fee to us for not having to have their own system. They would just pay a fee for tapping into our system.

COMMISSIONER CAMPOS: Would the County have a role in the operation and maintenance of this facility?

GOVERNOR RIVERA: I think that's still up for a decision if the County wants to be involved in it. I think in the next phase is really where we need to sit down and talk more about that. This initial agreement we have is just with the schools because they are the only ones tapping into it but when the effluent lines become available for the rest of the non-Indians within the Pojoaque boundaries, that's when we would need to determine the role that the County would want to play.

COMMISSIONER CAMPOS: Now, as far as this entire project, I see lines all over the place, but who's the main beneficiary of the creation of this system? Is it the Pueblo or the people that live off the Pueblo or as far as users and input to the system? How would you evaluate that?

GOVERNOR RIVERA: What we've done is we've taken the desire of the northern New Mexico - it's called the Española-Pojoaque Wastewater Planning Committee. They've been at this for 20+ years, and what we've done is we've tried to make something that's do-able within our boundary without involving too many - well, not too many but without involving all the governments and all the Pueblos we felt that this was something that we could focus on and accomplish and then allow the other Pueblos or the other locations to tap into the system afterwards.

The biggest benefit to this is the groundwater contamination because there is no treatment plan in the valley and the Pueblos are the only ones that have evaporative ponds. None of them have treatment facilities. There might be a couple of small ones in a mobile home park and ours at our golf course and resort. We do have a treatment facility there right now. So we've begun that process but it doesn't cure the contamination problem throughout the whole valley. So working with the Commission and the Speaker, that's been the goal to try to get a project that everybody can tap into and everybody can benefit from. So you don't have one neighbor contaminating the other.

COMMISSIONER CAMPOS: I understand, Governor that there is a connection but what about the input and the output? Who's benefiting most?

GOVERNOR RIVERA: Oh, I believe that the Pueblo initially will. I don't have all the numbers for when the non-tribal members hook into it, but the plan is also if the water isn't being used all the time that it would be put into the acequias. So it's been thought out quite a bit in terms of how to benefit everybody.

COMMISSIONER CAMPOS: What about technology as it changes and

effluent, if we get to the point where we can convert effluent water into drinking water that we could use for the community. At that point the golf courses are still using 700,000 gallons a day. Do you have any – have you gone that far to see how that would affect the community?

GOVERNOR RIVERA: We haven't. We're just looking at it right now for irrigation. We feel that – I don't think the capacity will be there with the wastewater to ever turn it into drinking water. And once the solution of groundwater contamination is solved then I think many of the wells will be good for a long time. And if the Aamodt settlement ever goes through and there is a wastewater system, then there's more guarantees on more available clean water for drinking there. If that one doesn't go through then we're still faced with the problem of contaminated wells.

COMMISSIONER CAMPOS: Absolutely. I agree with you. I think the Pojoaque Valley has one of the biggest contamination problems and we continue to build out there and that's a big issue. Question for our County Manager. I'd like to make the argument for and against this project from the County perspective. How do we benefit, what are the ups and what are the downs?

MR. GONZALEZ: I guess that's why I get paid the big bucks. I think the pluses are fairly evident in that if you look at the map you can see the coverage that would be provided through the system. There may be some questions regarding timing of phases and who benefits from the way the phases are proposed to be implemented. I guess, so the pluses come in the form of providing services both to the school district and also to the residents in that area. The minuses of course are the challenges that we face in working with our brother Pueblo governments and making sure that we work through all of those issues jurisdictionally and in other ways that face us. That's probably a positive challenge from my standpoint because I think we need to learn to do that.

They're going to be here. We're going to be here and the sooner we begin to face those issues and begin to work our way through them the better off we're going to be. It does mean of course that we won't have direct control over the treatment facility but there may be ways of addressing that through the way we craft the agreements in the future. And I know the Pueblo has been very open minded in their discussions with us about how we work through those issues.

COMMISSIONER CAMPOS: I guess you've talked about operations and maintenance and also about rate setting and things like that.

MR. GONZALEZ: Operations and maintenance, rate setting, who has responsibility for the lines in what area, how to coordinate addressing problems that may occur in terms of delivery, those kinds of issues would need to be addressed.

COMMISSIONER CAMPOS: Okay. One issue that you didn't really raise is – I think we talked about this in the past, you said, I asked you well, why doesn't the County take a greater role? You said well, the Pueblo already has the facility and they wish to expand it with state money. Is that a pretty strong argument?

MR. GONZALEZ: Certainly from the standpoint of the what the school district is facing. Right now their EPA certification as I understand it expires very soon and this is the

only facility that they would be able to divert that wastewater into at this point.

COMMISSIONER CAMPOS: So it's the pressing nature of that issue that compels us to come to this discussion.

MR. GONZALEZ: Right. That's the immediate concern.

COMMISSIONER CAMPOS: Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Any other comments? Commissioner Montoya.

COMMISSIONER MONTOYA: I'll just add that the school districts will definitely benefit. They will be definite beneficiaries from this. Having been on the school board there in Pojoaque for eight years, one of the questions we always asked ourselves was do we want to be in the wastewater business? Well, educational institutions shouldn't be worrying about the wastewater part of the overall mission. So it was even while I was on the board at that time that we decided that we didn't want to do that and if we could find alternative ways to get rid of that effluent and then maybe have some return coming back at some point that we'd do that. And I think that's still the position that the board has taken over the years and that's why they have entered into their JPA with the Pueblos at this point. And I think ultimately, long term, this could become the stepping stone for an overall wastewater system in the entire valley, going all the way from Nambe Pueblo to San Ildefonso Pueblo. So I think what we're doing here is the beginning of that stepping stone, hopefully to get us to the point where we have an entire wastewater treatment system going from east to west or – I guess it flows east to west, huh? So hopefully, that's what we're looking at here and I think this is certainly something that, as Commissioner Campos has mentioned, we certainly need so we quit the contamination that's going on in our waters now.

So I think the direction that we're headed in with what's been presented here today is certainly something that I think we could support and I would like to encourage us to do so.

CHAIRMAN ANAYA: Thank you, Commissioner. Commissioner Vigil.

COMMISSIONER VIGIL: Thanks. Thank you, Governor, for being here. I always appreciate the presence of our tribal governments and certainly support cooperative efforts and partnerships to make something happen because I think Santa Fe County stands to benefit as a whole. Two specific questions: This actually will be located on Pueblo land, correct?

GOVERNOR RIVERA: Correct.

COMMISSIONER VIGIL: And second question is, did I hear you say that through the treatment process, if there's an overflow of treated water that it would go back to the acequias?

GOVERNOR RIVERA: That's the plan for the following phases, to work that out.

COMMISSIONER VIGIL: And have the acequia associations been a part of this process?

GOVERNOR RIVERA: It's been discussed very elementary with them but no details, other than that they would like it.

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

GOVERNOR RIVERA: I also wanted to mention, one thing I forgot to bring forward in terms of benefit and a positive is that the Pueblo's looking at this as everybody benefiting, so if Santa Fe County was to approach a non-cooperative government you would probably be looking at easement costs through that whole section right there, and I'm not sure how many miles that covers right there, but that would be tremendous and make the project undo-able. So that's probably one of the - that's been the Pueblo's commitment to offer up the easement so that we can run this thing.

CHAIRMAN ANAYA: Okay, Governor, I've got a question. Just to be clarified, the legislature has appropriated \$1,070,000 and then you have the \$900,000. Have both of these monies been given to the County to give back to the construction of this?

GOVERNOR RIVERA: Yes, Mr. Chairman. The \$900,000 is a mistake on your page. It's actually a million dollars.

CHAIRMAN ANAYA: Oh, a million. Okay.

GOVERNOR RIVERA: We lobbied the funds through the speaker and several other legislators that contributed to it. The speaker asked that the funding go through the County so originally it was written up in the Pueblo's name but we put it into the County, under the County's budget after he requested that.

CHAIRMAN ANAYA: So the legislature gave the County a million dollars to give back for this project. Was there any other money? What's the \$1,070,000 for?

GOVERNOR RIVERA: That's also for this project. That's the \$2,070,000 is what's available for this project.

CHAIRMAN ANAYA: Okay. And are you asking the Board to participate with more funding for this project at this point? Or are you just asking us to use this money to go ahead with phase 1. Start with phase 1.

GOVERNOR RIVERA: Exactly. Just to start with phase 1. There's no additional - there's no request of the Commission for funding. We're going together continue to seek funding through the legislature and through the Congress.

CHAIRMAN ANAYA: Okay. Well, I agree with this project. I think partnering is the only way that we get things done. And I wouldn't have a problem with getting our wastewater money in terms of helping this project out. The only way I would have a problem if we don't look at it at the other end of Santa Fe County. We are doing also another wastewater treatment facility that the Town of Edgewood is looking at, and it's important that we work together. So I think that I wouldn't have a problem if you would come and ask for money because we have money to give, and this would be a good project. So would the Town of Edgewood. That would be a good project. And working together we can accomplish these things. So I agree with this presentation and I feel that we should move forward. Is there any other questions or comments?

COMMISSIONER CAMPOS: Just a comment, Mr. Chairman. Generally I agree but I think it depends on how the JPA works out. I think that's critical. We need to have some say in how things are done and we need to have some say on the rates and we have to have some authority in the system. That would be my comment.

CHAIRMAN ANAYA: Okay. Any other comments? Thank you, Governor for coming forward.

GOVERNOR RIVERA: Thank you.

IX. D. Resolution 2005-146. A Resolution Setting Priorities for Water Allocation of the 375 Acre Feet of Temporary Wholesale Water Delivery Identified in Part 2 of the Water Resources Agreement Between the City of Santa Fe and Santa Fe County Dated January 11, 2005 (Commissioner Sullivan)

COMMISSIONER SULLIVAN: Mr. Chairman, this resolution has been brought before the Commission previously and it's here again. The intent is for us to, through a resolution, identify generally how we would prioritize the delivery of this temporary allocation of 375 acre-feet that we have through our agreement with the City of Santa Fe until such time as the Buckman Direct Diversion comes on line. And the reason for the resolution of the need for the resolution is that we are, as you can see today, still working our way through the jungle of the affordable housing issue. We're not sure how long that will take, but in the meantime, it's incumbent on us to, I think, make it clear in land use decisions that the priority that we would afford to applicants for the use of this water, and not every applicant of course will want to use it, but many will, should be to those who provide affordable housing.

That's the basic intent and essence of the resolution. I think it's necessary, particularly until we develop a final affordable housing agreement.

CHAIRMAN ANAYA: Okay. Any questions or comments? I'd like to see this resolution be set aside until we find out more or know more about the housing ordinance that we're working. If there's no other comments I'd like to entertain a motion.

COMMISSIONER CAMPOS: Mr. Chairman, I'd like to ask a question.

CHAIRMAN ANAYA: Go ahead.

COMMISSIONER CAMPOS: For Legal staff. Attorney Ross, this particular resolution, what is staff's position on it?

MR. ROSS: Mr. Chairman, Commissioner Campos, I'm not sure we have a position on it. As you know, we are trying to undertake a wholesale revision of the utility resolutions, the ones on the books now, and bring you back a clean one that will address the 375 issue plus hopefully simplify some of the processes that have been set up over time. This resolution, which I actually assisted Commissioner Sullivan in drafting early in the summer, kind of fits into some of the existing utility policies in that our existing policies require that applications for water service agreements be prioritized. So what this does is says we'll prioritize affordable housing but the resolution isn't really self-executing because it requires us to come back you and present a policy that makes sense, given this scheme.

So we're already doing it and we'll continue doing it and we'll try and roll it out as quickly as possible. We've gotten a little bit behind on working on that policy because of the

affordable housing ordinance that we've been all working. But we expect to get that back to you pretty soon.

COMMISSIONER CAMPOS: Is there anything negative about this that would be detrimental to our interests at this point?

MR. ROSS: No.

COMMISSIONER CAMPOS: Mr. Chairman, I would say if there's nothing detrimental as far as acting on this today, I think we should just act on it. That's my recommendation on it.

CHAIRMAN ANAYA: Okay. Commissioner Vigil.

COMMISSIONER VIGIL: Mr. Chairman, is Steve Wust not available today?

CHAIRMAN ANAYA: He's right there.

COMMISSIONER VIGIL: Oh, Steve. I'd just like your staff position on this, if you've had an opportunity to review it. I'm sorry. I didn't see you back there in the corner.

STEPHEN WUST (Water Resources Director): Mr. Chairman, Commissioner Vigil, I got a copy of this about an hour ago and I did look at it. The only thing I would note is two things. First of all, as Steve Ross mentioned, since it directs staff to come up with a policy that puts this into place, we don't have to worry about the details. The other thing I would note is an item that was discussed, I believe last time this was brought forward is that there is no mention here of the commercial end of things. And that has implications in two places. One is the economic development zones that the County currently is engaged in are not addressed, and also there are two commercial developments that are awaiting BCC action on hooking up to the County water system. They already have approved plans that require them to hook up to the County water system and they're both commercial. And I would have to talk with Legal how we sort of integrate that into this, because of course they can't do affordable housing.

So that was the only note that I would make on something that we'd have to look at in terms of developing a policy. But because it basically lays it out that that will be a priority and that we need to develop a policy on how to implement that priority as Steve mentioned. That fits in quite well with the discussions we've had and sort of the overall water allocation policy to begin with, with the notable exception that we're trying to deal with the commercial end of things as well.

COMMISSIONER VIGIL: Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Any other questions, comments?

COMMISSIONER VIGIL: Mr. Chairman, I'm not too sure, and Steve, just hang in there because something may materialize. I understand the benefit of this resolution in terms of stating it as policy. I'm not too sure as to whether or not it's benign with regard to the processes that we're actually going through through the affordable housing ordinance. In fact, I'm not real sure whether this is the appropriate place to set affordable housing as a priority. I think we can actually through our own ordinances perhaps - don't we have an ordinance that we attach points, either in our water conservation for affordable housing in allocating water?

DR. WUST: Mr. Chairman, Commissioner Vigil, that's correct. It's a fairly complicated point system but affordable housing is a piece of that and there are points allocated

for that.

COMMISSIONER VIGIL: And Steve, would you say that that's sufficiently and fairly allocates a fair distribution for affordable housing, or would this give you a different sense of direction?

DR. WUST: Mr. Chairman, Commissioner Vigil, I'm going to have to answer that a different way because when I came on board as director we were putting water service agreements on hold because of the new policy. So I don't know if it ever got done, and if so, how it got done. I don't have any personal knowledge of water service agreements that integrated that point system.

COMMISSIONER VIGIL: So it would only be through a water service agreement that the point system would be utilized. Is that what you're saying?

DR. WUST: I believe it's done and that's how we prioritize our water service agreements. I don't know the process that previous directors went through to try to figure out which water service agreements would be getting priority. I hadn't seen it happen in the ones I was associated with.

COMMISSIONER VIGIL: Okay. Thank you. Thank you, Steve.

CHAIRMAN ANAYA: Any other comments? Commissioner Montoya.

COMMISSIONER MONTOYA: I guess my only comment would be that I think we need to do something, and at the same time we do have the Affordable Housing Task Force that's looking into water as part of the incentive. We also have the hydrologic study that we're waiting to come out with in November that could potentially impact the allocation of these. I guess I'm in the position that I'd like to see that information come to fruition before acting on something that may be part or a part of the bigger picture. So that's kind of my thinking at this point.

CHAIRMAN ANAYA: Okay. Thank you, Commissioner. Any comments? Commissioner Campos.

COMMISSIONER CAMPOS: A question for Attorney Ross. How do we fit in this commercial issue so we don't exclude commercial as raised by Dr. Wust?

MR. ROSS: Mr. Chairman, Commissioner Campos, I don't think this does exclude commercial. It just says that developments that include housing get priority. So there's yet another system that has to be created or modified or worked out for commercial development.

COMMISSIONER CAMPOS: Okay. Thank you.

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

COMMISSIONER VIGIL: I have one more question, Mr. Chairman. Steve Ross, do you see this - when I first read it it looked like a really positive policy statement to make, but do you see any potential conflict with us taking action in favor of this and how that might impact our affordable housing ordinance?

MR. ROSS: Mr. Chairman, Commissioner Vigil, I believe if you enact this resolution today we'll definitely have to revisit it when the affordable housing ordinance is enacted to determine whether the two are consistent with one another. The way the affordable

housing ordinance is going as it's shaped up as of this morning, we're going to require affordable housing and incentivize things like water for those developments. So I don't know if that particular ordinance is what's finally enacted with an incentive based system on the affordable housing side, I'm not sure it makes sense to have a parallel system that's slightly different for awarding water service agreements. I'm not sure that's going to be all that easy for staff to administer because we'll have two different potentially conflicting standards.

So I would think if you do enact this resolution today we're going to have to revisit it when we look at what's finally adopted on affordable housing.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I agree. I think the intent of this is it would be revisited and perhaps done away with if necessary when we reach that point. One of the problems that we have is not only the time period that we will be involved in here to complete the affordable housing and I don't know how long that will take, but also, as you heard today, and the changes in the affordable housing ordinance proposal, that does not include developments that already have final or preliminary plan approval. So even if we were to execute the affordable housing ordinance tomorrow, we still are in limbo as to how we deal and how the staff deals with applicants that will come forward - and there's only 275 acre-feet of that 375 left, how they come forward with proposals in that interim period. Because they would be excluded from the ordinance anyway.

So we need to, I think, provide some guidance that sets that direction. As soon as we have a definitive ordinance, this is only a resolution not an ordinance, specifically for that reason, to be compatible with the other resolutions that we have having to deal with water issues and water rates. So personally, I think we need that. We are going to end up in a situation where we have competing applicants coming forward. Either ones who have passed the master plan point or ones who are coming forward before an ordinance is enacted. And this guidance, if it's missing, I think is going to cause a great deal of problem. So I certainly would advocate that we adopt it and I also would be the first to advocate that we revisit it as soon as we have an ordinance.

COMMISSIONER CAMPOS: I'll make a motion if you're ready, Mr.

Chairman.

CHAIRMAN ANAYA: I'm ready.

COMMISSIONER CAMPOS: I make a motion to adopt the resolution.

Essentially I see it as interim policy and I think we do need an interim policy that clearly states that affordable housing is our priority.

CHAIRMAN ANAYA: There's a motion to adopt Resolution 2005-146. Is there a second?

COMMISSIONER SULLIVAN: Second the motion.

CHAIRMAN ANAYA: There's a second. Any more discussion?

COMMISSIONER VIGIL: Question on the motion. Commissioner Campos, Does your motion intend to review or revisit this resolution once we've adopted an affordable housing ordinance and would you consider that a friendly amendment?

COMMISSIONER CAMPOS: I would.

COMMISSIONER VIGIL: Okay. I would like to amend it to revisit this resolution once we've adopted an affordable housing ordinance.

COMMISSIONER SULLIVAN: Secunder agrees.

CHAIRMAN ANAYA: So that your amendment was to revisit it once the ordinance is adopted?

COMMISSIONER VIGIL: Just to identify whether we need it anymore.

CHAIRMAN ANAYA: I think that if we adopt it, we're going to get ourselves into some litigation. So I'd think hard on that. There's been a motion and a second. Any more discussion?

The motion to approve Resolution 2005-146 as amended passed by majority 3-2 voice vote with Commissioners Montoya and Anaya voting against.

CHAIRMAN ANAYA: I think what I'd like to do is ask the Commission if we could go into presentation of employee of the quarter before we break for lunch, and then come back to Matters from the Commission.

COMMISSIONER CAMPOS: Mr. Chairman, I don't have a problem with that, but also, why don't we do the Consent Calendar also before lunch.

CHAIRMAN ANAYA: Okay, do you want to do employee of the quarter and then Consent, and then break?

COMMISSIONER CAMPOS: Sure.

X. PRESENTATIONS

A. Employee of the Quarter

VALERIE ESPINOZA (County Clerk): I'll make it quick. Mr. Chairman, Commissioners, while everybody in my office deserves an award for their hard work, there's one in particular. Marcella Salazar has been a lifeline for this County and the office of County Clerk for over 15 years. I'm sure you can all verify that. Since I've been doing business over the years I had always asked for Marcella. Mr. Chairman, Commissioners, at almost every one of your meetings you see her sitting by my side, right there and that's because I need her to get it right for you. She's always got a pile of work, ordinances, resolutions, you name it. She's my guide and she's my backup and that's no small chore.

Marcella worked herself up the hard way in the trenches learning every facet of the operation starting as clerk for the elections, then recording clerk, records and research clerk and years later in the position of administrator. She is now my office manager and that's a job she performs with knowledge, skill and efficiency in her usual quiet, dignified way, and always with that captivating smile and her beautiful face. She loves her job and puts in additional hours almost daily and weekends if necessary along with the other staff.

She has worked with the last three County Clerks with loyalty and dedication, always working faithfully and quietly in the background, never seeking public recognition. Her coworkers and I have nominated her for this award and what's important to me is to serve the public in a professional and efficient manner. She does this extremely well.

Marcella doesn't like me to say this but she could be the Clerk and to bolster that, and as a measure of my faith in her I say without reservation that if something were to happen to me, I feel Marcella could do my job with her eyes closed. So it is with pleasure from my heart and the hearts of her coworkers that we join with you, our Commissioners, to honor Marcella as the employee of the quarter. Thank you. I think Shirley would like to say a few things, briefly if possible.

SHIRLEY HOOPER-GARCIA (Deputy County Clerk): Mr. Chairman, Commissioners and those in attendance here, I add to what Valerie has said and I'm proud to be part of that team that serves with Marcella. In my career, I've had the occasion to work with many great employees and I consider Marcella one of those greats. I would have been privileged to have had her on my staff with Valerie when I served as Secretary of State. I admire you and appreciate you, Marcella more than you'll ever know. Thank you.

MR. ROSS: Mr. Chairman, members of the Commission, while you're reassembling, we in the Legal Department have been relying on Marcella as long as I've been there and I think for many years prior to my arrival. Every once in a while there are employees you identify in state and County government who can just get stuff done. You figure out who those people are early on and you rely on them and Marcella is one of those people. She helps us immensely. I can't tell you how much she's helped us in the last 2 1/2, 3 years, getting stuff, getting resolutions, doing research, all this stuff with almost instant response. She understands the importance of what we're doing and so in my department have to thank her for all her efforts and I know she's going to continue putting out the extra effort for everybody here in the County.

CHAIRMAN ANAYA: Thank you, Steve.

MR. GONZALEZ: And from the Manager's office standpoint she is one of the brightest smiles we have here in the County. No matter what's going on, she smiles.

COMMISSIONER VIGIL: And Mr. Chairman, I also want to say something. Marcella exemplifies something that I think is a critical component of a successful working relationship in her attitude. Marcella is always willing to help. She'll go through leaps and bounds to make something happen and her demeanor is always so dignified. I'm so impressed by her. So Marcella, you are well deserving of this and long-time deserving of this.

MARCELLA SALAZAR: Thank you, Commissioners, from the bottom of my heart, I would like to thank Valerie and Shirley and all my coworkers and I love working with all you guys and I'm proud to say I work for Santa Fe County. Thank you.

CHAIRMAN ANAYA: Thank you, Marcella for all the work that you have done in the past years and now I know who the real boss is down there. Thank you very much.

XII. CONSENT CALENDAR

A. Budget Adjustments

1. **Resolution No. 2005-147. A Resolution Requesting a Budget Adjustment to the Fire Protection Fund (209). All Fire Districts to Budget Actual Allotment of FY 2006 Fire Fund Distribution and Available FY 2005 Cash Balances for Expenditure in Fiscal Year 2006 (Fire Department)**
2. **Resolution No. 2005-148. A Resolution Requesting a Budget Increase to the EMS Fund (232) / Forestry Grant (232-0809-422) for Use by the Fire Prevention Division to Budget FY-05 Cash Balances for Expenditure in Fiscal Year 2006 (Fire Department)**
3. **Resolution No. 2005-149. A Resolution Requesting Authorization to Increase the HSSD/Home for Good Program Budget by \$40,309.00 for the Second Year Federal Grant Funding that was Estimated for Fiscal Year 2006 (Health & Human Services Department)**
4. **Resolution No. 2005-150. A Resolution Requesting an Increase in General Fund (101) to Budget \$88,066.00 from the U.S. Department of Justice, Justice Assistance Grant for Fiscal Year 2006 (Health & Human Services Department)**
5. **Resolution No. 2005-151. A Resolution Requesting a Decrease to the Operating Transfer from the General Fund (101) to the Jail Operations Fund (518) to Transfer an HR Assistant Position from the Youth Development Facility to the County Manager/ Human Resources Division to be Funded by the General Fund (Manager's Office)**
6. **Resolution No. 2005-___. A Resolution Requesting a Budget Increase to the Water Enterprise Fund (505) for a Grant Awarded by the New Mexico Environment Department for a Regional Water and Wastewater System in Pojoaque Valley for Fiscal Year 2006/\$1,070,000 (Project & Facilities Management Department) NON-CONSENT ITEM**
7. **Resolution No. 2005-152. A Resolution Requesting an Increase to the State Special Appropriations' Fund (318) to Budget Special Appropriation Projects' (SAP) Grants Received from the NM 2005 Legislature for Expenditure in Fiscal Year 2006 (Project & Facilities Management Department)**
8. **Resolution No. 2005-153. A Resolution Requesting an Operating Transfer from the Capital Outlay GRT Fund (213) to the State Special Appropriations Fund (318) for the Glorieta/Eldorado Senior Center /\$200,000 (Project & Facilities Management**

- Department)
9. Resolution No. 2005-__ . A Resolution Requesting an Increase to the Road Projects Fund (311)/ Various Projects to Budget Grants Awarded Through the New Mexico Department of Transportation for Expenditure in Fiscal Year 2006 (Public Works Department)
 10. Resolution No. 2005-154. A Resolution Requesting a Budget Increase to the General Fund (101) / Region III Grant Program for a Grant Awarded by the Justice Assistance Grant Program Through the New Mexico Department of Public Safety for Expenditure in Fiscal Year 2006 (Sheriff's Office)
- B. Professional Service Agreements
1. Request Authorization to Execute an Amendment to Professional Services Agreement No. 26-18-04-ADF/KD to Correct Rx Pharmacy Services, Inc., to Provide Pharmaceutical Supplies and Services for the Santa Fe County Adult Detention Facility Population, from the Date of Execution to June 30, 2006 \$200,000 (Corrections Department)
 2. Request Authorization to Execute and Ratify Amendment #6 to Contract # 24-0107-YDP for Food Services with Compass Group USA to Continue to Provide Food Services for the Youth Development Program for a Period up to 6 Months Ending December 31,2005, for an Amount not to Exceed \$120,000.00 (Corrections Department)
 3. Request Authorization to Accept and Award Professional Services Agreement #26-0302-FI/RH Based Upon an Existing State Price Agreement with the New Mexico State Transportation Department to Ernst and Young, LLP, for Arbitrage Calculation Analysis Services (Finance Department)
 4. Request Authorization to Amend Contract #25-0062-HSGP with Iris Toledo for Therapist Services in the Amount of \$7,000.00 (Health & Human Services Department)
 5. Request Authorization to Award Professional Services Agreement No. 26-0104-MG/FS to Weston Solutions, Inc., to Provide an Enterprise Geographic Information System for Santa Fe County, Pursuant to NMSA 13-1-126, Sole Source Procurement from the Date of Execution to September 30, 2006 for an Amount not to Exceed \$20,000 (Manager's Office)
 6. Request Authorization to Enter Amendment # 3 for Agreement #25-0042-SD/MV with Santa Fe Animal Shelter & Humane Society for Animal Care Services from the Date of Execution to

October 31, 2005 for a Total Compensation not to Exceed \$7,229.40 (Sheriff's Office)

7. Request Authorization to Execute and Award a Contract to the Lowest Bidder Responding to Invitation for Bids #26-1203-D/MV Inmate Transport Services from the Date of Execution to September 30, 2006, for an Amount not to Exceed \$68,597 (Sheriff's Office)
 8. Request Authorization to Execute Amendment #3 to Professional Services Agreement No. 24-067-UT "Legal Services for Santa Fe County" to Sheehan & Sheehan and Stelzner, P.A., Increasing the Compensation by \$150,000, Bringing the Total Compensation Amount to \$370,000 (Water Resources Department)
- C. Grant Agreements
1. Request Acceptance and Ratification of a U.S. Department of Justice "Justice Assistance Grant" in the Amount of \$88,066.00 (Health & Human Services Department)
 2. Request Approval of Fiscal Year 2006 Region III Grant Agreement with the U.S. Department of Justice, Justice Assistance Grant Program through the New Mexico Department of Public Safety for \$240,000 (Sheriff's Office)
- D. Miscellaneous
1. Resolution 2005-___. A Resolution Authorizing Publication of a Notice of Sale of \$20,000,000 Santa Fe County, New Mexico General Obligation Bonds (Road/Public Works Facility/Water Improvements), Series 2005 (Finance Department) NON-CONSENT ITEM
 2. Request Authorization to Accept and Award a Contract for Invitations to Bid 26-1803-ADF/RH-Indefinite Quantity Price Agreement for Correctional Staff Uniforms for the Santa Fe County Adult Detention Center to the Lowest Bidder, Neves Uniforms and Kaufmans West from the Date of Execution to September 30, 2006 for an Amount not Exceed Budget Amounts (Corrections Department)
 3. Request Authorization to Execute Amendment #2 to the Construction Agreement #25-0076-HO, "Modernization of Multiple Housing Units for Santa Fe County Housing Services Division" with Sol Systems, Increasing Compensation in the Amount of \$24,000.00, and an Increase in the Construction Time (Housing Department)
 4. Resolution No. 2005-___. A Resolution Authorizing the County Manager to Execute Documents and Agreements Related to

- Adult Detention Facility Transition and Operation (Legal Department)**
5. **Resolution No. 2005-___. A Resolution Authorizing County Manager to Resolve Employment Matter (Legal Department) WITHDRAWN**
 6. **Resolution No. 2005-155. A Resolution Authorizing County Manager to Settle Litigation Matter D-0101-CV-2002-D0835/ First Judicial District (Legal Department)**
 7. **Request Authorization to Award Construction Agreement No. 26-07-7-PFMD/KD to the Lowest Bidder Responding to the Invitation for Bids, "Agua Fria Community Center Phase I" for an Amount not to Exceed the Budgeted Amount (Project & Facilities Management Department)**
 8. **Request Authorization to Approve the 2005 Project Grant Appropriations-Department of Finance & Administration: Non-Construction Projects (4) \$160,000.00; Construction Projects (25) \$3,670,000.00 (Project & Facilities Management Department)**
 9. **Resolution No. 2005156.- A Resolution Supporting an Application to the Bureau of Land Management for a Change of Use or Uses on Patented Lands; A Request from the Greater Chimayo Mutual Domestic Water Consumers Association for Placement and Operation of a Booster Pump Building and Water Storage Tank' and Support of a Fill Station to be Located on County Land (Project & Facilities Management Department)**
 10. **Resolution No. 2005-157. A Resolution Allowing Santa Fe County to Proceed Forward With Application to Acquire Land From BLM for Phase III- Marcos P. Trujillo Teen Center within the Arroyo Seco Area, Santa Fe County, New Mexico (Project & Facilities Management Department)**
 11. **Request for Approval and Execution of the 2005 Capital Cooperative Severance Tax Agreements for Various Road Projects from the New Mexico Department of Transportation (NMDOT) - \$515,000 (Public Works Department) NON CONSENT ITEM**
 12. **Requesting Authorization to Execute a Memorandum of Understanding #26-1204-SD/MV with the Administrative Office of the Courts, for the Sheriff's Office to Serve Magistrate Court Bench Warrants from the Date of Execution to December 31, 2005. The Administrative Office of the Courts Agrees to Reimburse the Sheriff's Department Overtime Expenses up to a Total of \$20,000.00 (Sheriff's Office)**

COMMISSIONER CAMPOS: Mr. Chairman, I move that we approve the Consent Calendar with the changes made this morning at Approval of the Agenda.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN ANAYA: Motion and a second. Any discussion?

The motion to approve the Consent Calendar with the exceptions of XII. A. 6 and 9, D. 1, 4, 5 (withdrawn) and 11, passed by unanimous [5-0] voice vote.

CHAIRMAN ANAYA: I'd just like to thank Connie Medina and Eileen Martinez from the Greater Chimayo Mutual Domestic for waiting patiently. It's done.

MR. GONZALEZ: Mr. Chairman, Commissioners, I did want to announce that Finance has put together the information that you had requested during our Healthcare Board meeting.

CHAIRMAN ANAYA: Okay, good. So we'll bring that back up at the end of the meeting. Thank you.

[The Commission recessed from 12:00 to 1:35]

IX. OTHER MATTERS FROM THE COMMISSION

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Nothing now, Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Pass.

CHAIRMAN ANAYA: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chairman, an issue that I am concerned about is not getting the land use Code rewrite done in a timely manner. I'm concerned that perhaps we as Commissioners are making too many demands on Legal with the result that we can't get one of our main projects through. It's delayed week after week, month after month for lack of resources. Certainly this affordable housing ordinance had a great impact on that but if we don't watch ourselves and control ourselves we're gone to be doing the same thing. We're not going to get the job done, the one that we really want to do. I think the high priority here is rewrite of the Code.

So if every Commissioner is throwing things at Legal staff on different issues this is going to bog the whole system down. If we don't have a way of setting priorities among Commissioners as to what is a priority, then there will be no priorities and total disorganization and we will be ineffective. I would think that instead of Commissioners trying to work with staff directly on so many legal issues when we have so many priorities that are not being addressed, that we decide what our priorities are and then we go through our County Manager to decide when staff can spend certain amounts of time on certain issues. This is a big issue.

This is a huge issue.

Land use Code rewrite is not going well and I think we have to look at ourselves as Commissioners.

COMMISSIONER VIGIL: On that point, Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Thank you. I agree. The land use Code has to be a priority. As a matter of fact a lot of the issues that we're trying to resolve at this point in time could easily be resolved with a scrutinized land use Code and the development of it. And I would just ask Gerald if there's anything the Board of County Commission can do to support this as a priority.

MR. GONZALEZ: Mr. Chairman, Commissioner Campos, Commissioner Vigil, I'm glad you raised the issue because the quick response is we'll just add it to our list of priorities. And that's shorthand from the Manager's standpoint for saying this staff is carrying the biggest workload that I've ever seen of a staff of this size. And I know many of you have expressed frustration about well, I've been asking for this and I've been asking for that and I've been asking for the other thing. It's difficult to even track the priorities that this Commission has given staff. We're devoting a significant amount of time just to doing the tracking. And every time we get together I know it's - and I support the County wanting to be at the forefront in terms of local governmental entities in this state. That was part of my commitment when I came on board was to get us there. But at the same time, when you raise the bar by performing better it also invites additional requests for additional performance.

We're kind of caught in a cycle now where the workload from all the little special projects that keep coming up is getting to eat into staff's ability to hit the other priorities. So you've got tangling priorities going on right now. That's why I think it's going to be important for us to draft at the strategic planning retreat what our true priorities are. And it's very difficult sitting here as the Manager when I see the creativity and the energy that you all bring to your positions and I really appreciate that and I respect the energy that you bring to your positions and your willingness to look out beyond today and beyond tomorrow. That's rare in a Commission. To be able to work with that kind of dynamic for me as a Manager is really good.

At the same time I don't want to disappoint you by promising more than we can deliver. So I think it's important that we kind of hone our priorities and agree on a process that I can tell you, yes, we agree with you that that's important but we also need to jointly agree on what comes first. Because that's sort of where I'm feeling a little frustration at this point as a Manager. And I appreciate your comments. Thank you.

COMMISSIONER VIGIL: And Gerald, it seems to me that there's a process in place and I guess because I'm such a process person I really want to respect that because I know the dynamics of Santa Fe County and there are issues that come up that are unpredictable. But with regard to the many priorities that we have, it seems to me that the Manager's office has already put a process in place and perhaps you can elaborate on that.

MR. GONZALEZ: And Roman can jump in here wherever he likes. Part of the process has actually been bringing on board the constituent services representatives because that

provides a forum or a home if you will for a lot of those requests. That gives us a place to begin with. What we don't have a home for or course are the requests that come out of the Commission meetings and I'm noticing as we're going across the last 2 ½ years that I've been here in this position, Matters from the Commission keep growing longer and longer and longer and I'm wondering if there isn't a better process to address that.

Roman and I have both, with the assistance of Laura have been tracking the requests that come out at the Commission meeting. What we're having to do is prioritize those. We bring them back to staff to make sure that they're moving. So there is that formalization at the Manager's level in terms of tracking what comes up at the BCC meeting. There are other meetings of course where other priorities come up and that tracking is not quite as regularized. What comes up at RPA, what comes up at EZA and some of the other joint committees that we have. That's because staff responsibilities there are sometimes split between the City and the County and it's a little harder to track those. BDD is another, the board for BDD is another example of those kinds of issues coming up that need to be tracked.

Although we do have a process here internally, it doesn't cover everything. And it's disappointing to me personally when I hear a Commissioner saying, well, I've been asking for this for a year or two years or whatever and I know that we haven't been able to deliver because of the other priorities that have hit us. Maybe there's - two thoughts that I have is one, giving back to the Commission a list of priorities that we're tracking. I know those of you who are working with your constituent services persons have those lists on a week-by-week or bi-weekly basis, but you don't have them from the Manager's office. And the other thought I had was in terms of Matters from the Commission, if there's some way that we could address those ahead of time so that rather than having to have a give and take, back and forth, question-answer, question-answer, we could have staff give a presentation that maybe would clear up a number of the questions and not have to prolong the Matters from the Commission quite as much.

I understand that things come up and you need to raise them anyway, but I'm trying to figure out where's the balance and how do we accommodate that process.

COMMISSIONER VIGIL: Okay.

COMMISSIONER CAMPOS: Just a follow-up. To me the land use rewrite has had the highest priority for five years and I just see it bogged down. It's my priority and I want to know if it's your priority too. Because if it is, staff should know that. And then, if they start getting bogged down, our County Manager can tell us what we can do and what we cannot do. But it's a priority for me and we're losing it. That's the big battle guy, and we're losing it.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I would suggest, they say if you want to get a job done give it to a busy person. I think we're getting jobs done and I'm glad to see that. With regard to the land use Code, my suggestion is that you don't contact Legal, that you contact Penny Ellis-Green because she's the one who's putting it together. And if you have suggestions, at least what I've been doing is e-mailing them to Penny and they can look at them, think about them discuss them internally with Legal rather than going through Legal down through to Land

Use. My understanding is that responsibilities for putting the draft together is at Land Use. Or at Planning, rather, and that Legal will be reviewing that throughout for legal continuity. And we need that of course.

But from day-to-day planning, I think that's a process that will work more quickly than putting requests down to Legal.

COMMISSIONER CAMPOS: If I may respond, the document now is in Legal for review and they have not been able, they have not had the time to focus on it and I understand there are some major changes that have to be made. I want everybody to tell us if this is a priority or not. If this is our biggest priority in Land Use to get this thing done.

COMMISSIONER SULLIVAN: But it's not final. It's not even finalized out of staff and planning.

COMMISSIONER CAMPOS: Anybody else want to take a stab at that.

CHAIRMAN ANAYA: I think it is a priority. And I don't think we give staff enough to do.

COMMISSIONER SULLIVAN: They've been asking for things to do.

CHAIRMAN ANAYA: That was a joke, Gerald.

MR. GONZALEZ: Thank you. I feel relieved. I wasn't sure how I was going to respond to that.

CHAIRMAN ANAYA: I think that's an important issue that you brought up and maybe we need to relook at how we direct staff in giving them jobs or assignments because it is getting piled up and then we forget about things like the Code rewrite. And maybe Gerald you could put a list together and bring it to the Commission and we could prioritize it. Do you have anything else, Commissioner Campos?

COMMISSIONER CAMPOS: That's it.

COMMISSIONER VIGIL: I do.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Thank you. I think Gerald alluded to a very good suggestion here that I think we as Commissioners need to heed, because my bottom line on this is I think we're really spreading our staff too thin. And that isn't good, because ultimately what we're operating on is an "autocratic" state: Staff do this. Staff do that. And when you live and you operate in an autocratic state, you get things done but you make the people around you miserable. So my sense is that Gerald made a reference to a process and that is as Commissioners, I guess if we have projects that may not necessarily need to be brought up under Matters from the Commission, that they go through the County Manager and perhaps be assigned to constituency services whereby they assign it to the appropriate division. And that's my understanding of the way the process actually works. And I think that's appropriate. I think we've come to a place where we're dividing constituency services and even them in some cases may be somewhat overworked. But if they actually would participate in the process we wouldn't have the disconnect, I think that staff sometimes feels occurs when they receive a request from an "autocrat".

So I would just plead to the Commission that we respect that process and as we need

things done, and we all do, and I think we all support the things that we need done, that we try to get more process oriented about it and identify it through the Manager's office so that the prioritization can actually be done perhaps in a way, the timing of the requests, or some kind of a prioritization, But I do think the Manager's office has worked had to put that process in place and I'd like to respect it and I hope my colleagues will too.

CHAIRMAN ANAYA: We have to remember – you've got to see where we're coming from as Commissioners. We are there to represent the public and when they come to us for an issue, we bring it up because they've asked us to. And how do you go back to that constituent and say, you know what? That wasn't a big issue. To the County, that's not a big issue. But to me, it's a big issue. To that constituent, to that certain area it might be a big issue, but to this Board it might not be a big issue. So we've got to look at that too. We can't just look at all the big pictures all the time. We have our constituents out there and we represent them and when they come to us they expect us to bring those issues up at the meeting.
Commissioner Campos.

COMMISSIONER CAMPOS: I'd like to respond. The danger is, Mr. Chairman, when you get all these little issues and they pile up and they eat up all our time and energy and we don't have the time and energy and resources to deal with the big picture issues. That's what's happening.

COMMISSIONER VIGIL: And I think, Mr. Chairman, as I stated earlier, we support the needs of everyone's constituents here. I think the problem that we're currently having is that we don't know what a priority is. And I think the way to resolve that is by really abiding by the process. If a constituent comes to me of course I want to represent their position, but I don't want to hand it over to staff and say, get this done and get it done right away. I think there's an appropriate way to do it and I think constituents will be responded to appropriately and perhaps even from a more diligent process if we actually bring the issues to the attention of the County Manager and let him distribute it.

This is not about not serving our constituents. I think it's about serving our constituents in a more appropriate manner.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Chairman, I think the priority now is that whatever comes from a Commissioner is priority. I think that's the interpretation anyway from staff and I think that we need to get to that understanding of what is a priority and how do we prioritize our priorities. I think that's where we're falling a little bit short and I think that's been human nature and natural reaction over the years that if a Commission calls or somebody calls on behalf of the Commissioner that they want it done now and they want it done with no questions asked. And I think we really need to evaluate and see how we prioritize and what message we send and how we send that message.

As far as Commissioner Campos' comments I really resemble them and I will try to temper them so I don't put undue pressure on staff either. Because I think that's certainly something that I have been guilty of and think I need to make sure we do things in a way where's there's not going to be undue burden and pressure on staff. And that's really – I think

Gerald hit it on the head. We really need to come away with some processes from our next retreat that we have.

Mr. Chairman, just a couple of questions. One is when are we scheduled to meet again as the Board of Finance?

MR. ABEYTA: Mr. Chairman, Commissioner Montoya, our second meeting in October we will have the Board of Finance meeting then.

COMMISSIONER MONTOYA: Okay. Thank you. And then I'd like to ask the County Clerk just to give us an update on what's occurred yesterday as a result of signatures. If you don't mind please. And I don't know if you know any time lines or -

MS. ESPINOZA: Thank you. I'm sure you've already the *Journal* and the *New Mexican*. They both did a precise account of the referendum petition drive effort. At this time we have set up the petition modules in our office and have begun the validation process. As soon as we determine if there is or is not going to be an election, I will notify you and the public via a press release. It will, in answer to your question, Commissioner Montoya, it is going to take a good chunk of time to eliminate or accept. Now, my answer, I would like to say it's going to happen very soon, but we have to calculate each signature one by one. So we're working hard to accomplish that and we'll let you know, like I said, soon, what the status is. Does anyone have any other questions?

COMMISSIONER MONTOYA: Thank you.

MS. ESPINOZA: Thank you.

COMMISSIONER MONTOYA: Then, Mr. Chairman, the last thing, I want to thank Larry Martinez and ask people out there and here for their continued prayers for the Montalvo family for Chris and I want to thank the Commission also putting together that nice letter of sympathy that we're sending to the family.

CHAIRMAN ANAYA: Okay, and I'd like to, in regards to the 1/16 percent, I know that Kent Kirbal and John Onstedt and a lot of people from the southern part of Santa Fe County, even Joe Maestas, the councilor from Española, I know they worked hard on gathering signatures and I just want to commend them for working hard on trying to get this out to a vote. So we'll just wait to see how things turn out and move forward from there. That's all I had.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Just one thing. Since we took the affordable housing discussion off the agenda, when are we going to meet for the work session for the affordable housing?

CHAIRMAN ANAYA: Do we have a time frame?

MR. GONZALEZ: Mr. Chairman, Commissioners, I would probably suggest in the next week or so that we set another study session to finish the process that we've been going through at the Commission level so that then they can begin moving forward. I think we have a framework for the ordinances but they can start filling in the framework based on the direction that you give. So as soon as you feel comfortable coming back together, I think staff can probably provide some responses to the questions that you raised this morning and

additional input within a week or two. Then we could come together again within a week or two, get some additional guidance from you and I know that we've already started to move forward on the regulations part of it.

COMMISSIONER SULLIVAN: There's a Buckman Board meeting the 5th of October from 3:00 to 5:00. Would we want to do it before that? Just trying to consolidate meetings.

CHAIRMAN ANAYA: I'll be out of town until the 7th.

COMMISSIONER SULLIVAN: Out of town that week of the 3rd? Okay, how about October 12th?

COMMISSIONER CAMPOS: Mr. Chairman, could we – maybe the best way to do this would be to talk to staff and they can let us know when they would be best prepared to make a presentation. Then we could get a polling from staff so that we know staff is ready and we're not –

COMMISSIONER SULLIVAN: He said one or two weeks and staff was pretty well prepared in my judgment today. I thought they laid the issues solidly in front of us. The problem is if we don't decide on it now what happens is they're constantly e-mailing and e-mailing back and forth to us and it goes on and on and on and in some cases meetings are held when some of us can't even make it. So I just feel we ought to get a target date. If the staff can't make the target date then they can tell us that they're not ready. And two weeks ought to be enough, don't you think? Or 2 ½ weeks?

COMMISSIONER CAMPOS: Well, we have a BCC meeting on the second Tuesday, right?

COMMISSIONER SULLIVAN: Yes.

COMMISSIONER CAMPOS: What about the week of the 17th? Because we don't have a BCC meeting that week.

COMMISSIONER SULLIVAN: Whatever. I'm just saying, pick a day. I think we need to have a target date. Do you want to do it the 18th of October? Is that the RPA? Okay. RPA starts at 5:15? 5:00? Do you want to do it at 3:00 that day? Does that work?

COMMISSIONER CAMPOS: We're going to have a lot of people that want to speak from the public.

COMMISSIONER SULLIVAN: That's my question. I know that people are going to speak but are we doing public hearings when we haven't even published title and general summary.

COMMISSIONER CAMPOS: No, but it's important to have public input.

COMMISSIONER SULLIVAN: The public has been having input at these forums for six months and that's fine. I'm supportive of that and I've been to them, but if we want to set up a public hearing process, isn't that a part of our ordinance process? I think we can have public hearings as long as we need them. I think it's a great idea. But shouldn't that be a part of the ordinance process?

CHAIRMAN ANAYA: What do you recommend?

MR. GONZALEZ: Mr. Chairman, Commissioners, there was an interesting

suggestion that perhaps the affordable housing task force might take additional input from the other stakeholders. Mike Loftin isn't here but I certainly would be glad to put that question to him and see if we couldn't funnel some of that input into the affordable housing task force, which I think will be meeting before that week of the 18th. So we could do it that way to see if we couldn't funnel their input into the affordable housing task force and use that as a vehicle for incorporating what appear to be the important parts of their comments into what comes forward from the staff level.

CHAIRMAN ANAYA: I'd like to see that. And then we could pick a date. Let that go through, get those things up to speed, and in the meantime we're not letting it fall through the cracks. We're still moving forward.

COMMISSIONER SULLIVAN: We are. We are letting it fall through the cracks. We're not moving forward. We're not doing anything. If we don't set a date then nothing happens. That's what happens. If we set a target date then we either meet it or we revise it. But when we don't set a target date it does slip through the cracks. I don't see anything wrong with the 18th. That's three weeks.

COMMISSIONER VIGIL: Mr. Chairman, I think the 18th fine from 3:00 to 5:00. The RPA can meet at 5:15. That would give us two hours. One of the problems that this process has with regard to public input is that we don't know what the final recommendations are until right before the meeting. So perhaps those recommendations could be distributed, because what's happening is we're getting recommendations based on the memorandum we've received at the time of the meeting and those who do want to respond to the current drafts of it don't feel they've had the appropriate time to review it so my sense is if we are going to set a meeting date, I'd like staff input to know whether or not the 18th is appropriate and I'd also like to know if all of the recommendations can be distributed early to the Board of County Commission and to any interested parties.

CHAIRMAN ANAYA: Okay, so how does the Board feel about being polled for the next meeting? Commissioner Vigil?

COMMISSIONER VIGIL: That's fine.

CHAIRMAN ANAYA: Commissioner Campos.

COMMISSIONER CAMPOS: I'm fine with the 18th at 3:00 right now. If the information is not ready before the meeting so we can actually review it let's change it.

CHAIRMAN ANAYA: So are we okay with being polled or set it for the 18th and then if it doesn't work out we'll change it. From 2:00 to 4:00?

COMMISSIONER VIGIL: Three to five.

CHAIRMAN ANAYA: Got it.

MR. GONZALEZ: And we'll make our best efforts to get materials to you ahead of time so you don't have them drop in your lap at the last minute.

X. PRESENTATIONS

B. The Mobile Health Fair Van: The First Three Months

LARRY MARTINEZ: Good afternoon, Mr. Chairman, members of the Commission, before I turn it over to people who really do the work I'd like to thank the Commission for their support, for making the mobile health fair van a reality. I'd also like to thank a couple of very hard working Santa Fe County employees for devoting a lot of time, effort and attention to the start-up of the mobile health fair van and that's Steve Shepherd, who's the director of the Human Services Department for County as well as Greg Smith who is now in charge of the Healthcare Assistance Program. They have been very supportive in their efforts.

I know it seems like we had an interminably long time before we got the mobile health fair going. We ran into quite a number of obstacles but we were fortunate enough in June of this year to unveil the mobile health fair van and I'd like to recognize Carol McFall who is the administrator of the Santa Fe Community Guidance Center who is overseeing the supervision of the van, and also Angela Thorndyke who is the registered nurse who is on board the mobile health fair van and is certainly making it a reality and she's going to provide a presentation for you.

CHAIRMAN ANAYA: Thank you, Mr. Martinez.

ANGELA THORNDYKE: Mr. Chairman, Commissioners, thank you very much for letting me be here today to tell you about the van. We got on board with the van July 11th. That was our first week out and you should all have that on your screens. As you know we're supported by Presbyterian Medical Services, Santa Fe County, and St. Vincent's. Our mission is to increase access to comprehensive screening, preventative care, health education and primary and behavioral health services. And also to increase the number of successful primary care and behavioral health referrals.

We find if we go to where people are they're more likely to be able to access these services and that's been one of the benefits of the van. Our vision has been to find – this always sounds a little strange to me – but a medical home. But it's truly what we're trying to do for the residents of Santa Fe County, provide health education that's free, accessible and useful. We've been doing some classes at the senior centers. So far all the seniors seem to like exercise but we're going to try to incorporate more diabetes prevention. Work with local employers to provide onsite screenings and healthcare referrals. We're going to be at Walmart in November. It's National Diabetes Month, and I'm also looking forward to us being at some of our larger hotels where many of our residents have two jobs, don't have time to go to the doctor, often don't have any benefits.

The history of the van was initiated by Santa Fe County, St. Vincent's, PMS, the Executive Leadership Council, and a private individual who actually donated the van. The van was retrofitted in Florida. It's quite a story. I won't go into all of that. Delivered to Santa Fe in the spring of 2005 and we developed a partnership to expedite appointments, and it was initiated with La Familia, PMS Clinics, and Health Centers of Northern New

Mexico. Each time we go into a community we try to connect with that clinic. When we were in Pecos last month we talked to the Pecos Valley Clinic. When I'm down in Edgewood, we work closely with First Choices Community Clinic. So they always know when we are in the area, so that if a patient comes on the van and needs to be seen, I can give them a call from the van; they know who I am.

Services: blood pressure screening, blood glucose checks. We're just starting to get that on board. I'm hoping we can get a machine that actually will do their glucose and cholesterol, the total cholesterol test. And I'm hoping that we can get this going for November which is National Diabetes Prevention Month. Basic needs assessment. This is probably the thing I've noticed is most important. If residents don't have their utilities paid for or they don't have food, the healthcare is going to be last on the list. So we make sure we talk to them about what's available to them if they have low-income needs. We do have utility assistance available. We have low income phone assistance available. So definitely this is one of the areas right now that seems to be most important.

Depression screening. Pretty soon we're going to start to do those. Again, with any screening you have to make sure that you are able to refer people and do the proper education necessary. So some of these things have taken a little bit longer to get going, only just because we want to make sure people are followed up.

Healthcare needs assessment. Again, do you have a provider? Do you have insurance? Are you eligible for Medicaid? These are all important issues. I will say that probably most of the people that I come in contact with, the Housing Authorities and some of the places I've gone do not have health insurance. So it's important to ask this question every time we see someone.

So we also do a lot of referral, case management, trying to find people a physician, a dentist – dental care is a big issue here. I'm sure a lot of you know this, but when I go out into the communities, most people do not have a dentist, don't have any dental care, so this is something we work with them to provide. Mental health, substance abuse. We were in Edgewood last week and someone was discharged from St. Vincent's with no follow-up care for a drug addiction. So we were able to get an appointment with the CARE Connection.

Income Support Division. We're going to try to work closely with them to get, first of all we do referrals to income support from the van, but also I'd like to spend some time at the Income Support Division where people are lined up trying to get Medicaid and food stamps and offer them some healthcare assistance while they're there at the office, so that's a place where actually going to be. The Housing Authorities. People are not aware of low income housing options and how to go about getting on the list, where to apply, etc. Insurance, Medicare, MOSA. Medicare Part B, the drug card is coming out, but people have to apply for it. A lot of our seniors don't know that they actually have to send the form back in in order to get drug assistance. So that's one of the things that we do, help them get Medicaid access.

How to read their insurance forms. That's always a challenge. Crisis, domestic

abuse, we see patients on the van, clients that need help now. We get them in. Indigent care. Trying to work closely with the County and the Indigent Care fund, get people covered. Legal assistance. Certainly refer people for that. We have some - I've referred some seniors to legal assistance through the MEG Center, the Mary Esther Gonzales Center where they have an advocate there from 8:00 to 5:00 every day, working with seniors.

Domestic financial counseling. I say this comes up every single day. They come, they bring their paperwork, they don't know where to go to get food and utility assistance and that's just a start. And of course the food and utility assistance. Education. We've been providing some health education classes, hoping pretty soon we can provide some classes about how to navigate the healthcare system. That's probably a ten-week class. Medicare drug cards, also again one of those things our seniors need to apply for and they don't know that. They tend to throw things away that come from Medicare in the mail. So make sure you talk to the seniors you know that if they want to get those Medicare drug discounts they need to apply.

Diabetes education. Community based education. I was at Open Hands on Friday. That's a senior daycare program. We provided a chair exercise class. Eventually we want to do some CPR instruction. One of the goals was to do immunization. Have a mobile flu clinic. Some of our communities - Chimayo would be a great place to do flu injections, just because it's a drive to get to Espanola and some of the other clinics. And I hope we can do both flu and pneumonia vaccines.

We serve Santa Fe County, which as you know is quite large. We go to all five County districts. We've been in every single one. We've been to the Housing Authorities, senior centers, supermarkets, we're going to be at the food depot. We've been to several health fairs, the County Fair, which was a real success and I got to meet I think almost all of you there. And even a tavern, the Mineshaft in Madrid. That was quite an experience.

We see approximately 40 to 80 people per week, and we saw over 150 people at the fair. I had two 911 calls from the van at the fair, so I'm glad we were there. Since we began service in July, we've seen about 550 residents of Santa Fe County. And if you can see what kind of needs they have. Prescription drugs - big one. Dental care. Many of our immigrants aren't aware that there is healthcare assistance available to them. I don't know how many stories I've heard that have been quite tragic of local immigrants not accessing healthcare and so this is something we need to do as a community is educate people that there are many programs available. Through St. Vincent's especially, they have Project Access which is a program of specialist physicians who do surgery, provide specialist services for our immigrant population as well.

Many residents use the emergency room for all medical needs. I'm sure you're aware of that. Mostly, a lot of times people don't know the difference between urgent care and emergent care. They don't really know what a true emergency is and they need to know when they need to be seen. So a lot of it is education. We try to do that on the van, just when we're taking someone's blood pressure. Many residents want onsite care services

but they don't know about what is available. I usually can try and make them appointments on the van, which is really convenient.

A lot of our residents are illiterate. I have people coming on to the van who bring me their paperwork and when I talk to them further, tell me what they can't read. So I think this is actually a good way to reach that population. We make referrals to local healthcare providers, we perform blood pressure checks. We make referrals to the Lions Club vision program. We assist clients with health insurance information, Medicaid eligibility, and Medicare questions. We assist in helping them attain low income utility, phone and food assistance through the Income Support Division. I think one of the things that makes this van work is we're very casual. I don't wear a white coat. That's kind of a rule I think on the van. No white coats. We're huge. You can't miss us. We have time to sit and listen. I have lots of people come on and we kind of take the place of the old country doctor that used to sit there and be able to really listen and the residents have a lot of interesting things to say and have a lot of needs. We come to your community. Our services are free. I always emphasize that. People get real nervous when they come on the van. They think they're going to have to whip out their checkbooks and it really puts them at ease knowing that we do provide these services.

We make an appointment from the van, unless we're - let's see in Madrid, we didn't have cell phone service. We take the time to learn about each community and certainly each community is very different and has different needs. And I also call patients back several days later to make sure that they got followed up with and so that we can keep track of these people.

We respect our clients in Santa Fe County. It's just been a pleasure to be able to go out and be a part of this community. Our director is Larry Martinez, Presbyterian Medical Services, Administrator is Carol McFall, also Presbyterian Medical Services, myself. And I'd like to thank Greg Smith, who's been helping us with the van itself. Without him that van probably would not be running. And Steve Shepherd also from Santa Fe County Health and Human Services Department. Thank you very much.

CHAIRMAN ANAYA: Thank you, Angela. Are there any questions or comments? Commissioner Vigil.

COMMISSIONER VIGIL: Thank you for the update on this. Thank you, Larry, thank PMS, St. Vincent's and all the people who have staffed it. I'm glad to see we're on a role with this. Just some real specific questions, Angela. Do you actually do Medicaid registrations?

MS. THORNDIKE: Yes, Commissioner Vigil. I am a registered MOSA. I can do Medicaid registration from the van.

COMMISSIONER VIGIL: How many have you captured for that registration, would you say?

MS. THORNDYKE: Probably between ten and twenty. What happens is it's more complicated registration, if the person may have several things that I'm unsure about, I do refer them to Income Services Division because they can help with food assistance and

utility assistance. So we try to do that. But we could do basic Medicaid – are you eligible? Are you not? And sign them up.

COMMISSIONER VIGIL: Okay. Also, this Commission supported a prescription discount card that was brought forth by Commissioner Montoya. Is that something that could be distributed or connected with the clients you serve?

MS. THORNDYKE: Are you referring to the Medbank?

COMMISSIONER VIGIL: I'm not sure. Commissioner Montoya, maybe you can elaborate that.

COMMISSIONER MONTOYA: It's the NACo prescription drug card and it allows for discount drugs to be purchased at participating pharmacies. So that will hopefully be coming here. Any word on that, Gerald? I know that our Legal is working on finalizing that. So we had discussed it, as Commissioner Vigil suggested.

MS. THORNDYKE: Commissioner Montoya and Commissioner Vigil, I am familiar with this program and I've actually contacted them about getting training so that we could actually do from the van, help our local residents with assistance with prescription drugs. So I am familiar but I've been notified that it was part of Medbank as well. I'm not quite sure. I'm sure we're talking about the same program. It's brand new, correct?

COMMISSIONER MONTOYA: Yes.

COMMISSIONER VIGIL: And it sounds to me like you've put some work on it and perhaps that's something we could incorporate into the services, which I think would create a huge benefit. One of the things I'd like to see, and I know the big plus about this van is that it actually goes out into the rural areas. I don't want really the urban areas to be sacrificed and I know that in fact you have been trying to address that. I'd like to see the schedule and I'd like to see that the van is scheduled in District 2 and I would just suggest to you that you contact the Casa Solana Shopping Center area and that would be a good location for that. I know the Presbyterian Health van and the dental services actually go out to Agua Fria School. If there were some way – do you have an update on that?

MS. THORNDYKE: I do, actually. The month of November, every Monday we're going to be in a Santa Fe supermarket doing assessments and screening. And my other goal is to get us to the food distribution site and we've got several. But as far as being in town, we've contacted a few of the churches that are providing food assistance and we probably will be at St. John's Catholic Church. We also have some of the hotels that we have yet to contact where we have several people working two jobs and need to be seen. So we, for the month of November we're going to be in Santa Fe quite a bit. Usually, we're in Santa Fe most of the time and I'd be happy to give you our schedule. We'll be at Ft. Marcy tomorrow, by the way, if anyone needs their blood pressure checked.

COMMISSIONER VIGIL: Okay. And you might look into the possibility of parking during the legislature. That might be a wonderful opportunity to provide services

to a mass of people that are there. It's a 30-day session and you'll have a bulk of people. I don't know what your criteria is to identify sites, but that would be good. On the illiterate population, do you have a referral for them?

MS. THORNDYKE: As far as seeking literacy services? Yes, I can refer them to a literacy counsel. A lot of the residents that I've seen that have been illiterate have been living in the Housing Authority. So we try to notify the people at the Housing Authority offices that this is occurring because obviously, they need assistance with bill paying and regular services. A lot of residents in the Housing Authorities are afraid to seek assistance from the Housing Authority offices, concerned that they'll lose their house. So there needs to be a better bridge between the office and its residents to feel comfortable asking questions and notifying them when they have needs.

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

MS. THORNDYKE: Thank you, Commissioner Vigil.

CHAIRMAN ANAYA: Okay. Any other comments?

MR. GONZALEZ: Mr. Chairman, just a quick response to Commissioner Montoya. We have sent a letter to NMAC. If they accept the changes that we suggested we should have a contract signed as soon as we get a response back from them and start distributing the cards.

CHAIRMAN ANAYA: Thank you, Angela. Carol, did you want to say anything? I want to thank you all for working very hard on this and our staff, Steve and Greg, the people at St. Vincent's, PMS, the Leadership Council and the private individuals for getting this thing done. This is very, very important for Santa Fe County and I think we've taken a big step forward just by going out to the community and providing health services and getting those people lined up with physicians. That is a positive, that is a plus. And I want to commend you on it. You're doing a great job. As a matter of fact I was coming from Madrid, the day I passed you taking that van out there and I was happy to see that. I don't - I understand Commissioner Vigil's concerns about keeping it in Santa Fe. I agree with that but I don't want it to be constantly bogged down here in the Santa Fe area. We've got to continue moving it out to the rural areas to get to those people who can't get to the healthcare as easy as it is for the people here in Santa Fe. So we've got to keep that in mind and let's not lose sight of that. But I do agree with bringing it into the Santa Fe, Espanola areas to continue those services. So thanks again.

COMMISSIONER MONTROYA: Mr. Chairman, I agree on that point only because I think if you see the numbers that I've taken a cursory look at, the big numbers are coming from the rural areas where they're camping out over there and I really appreciate that. Thank you.

CHAIRMAN ANAYA: Thank you.

X. C. Update on County Takeover of the Adult Detention Facility

MR. ABEYTA: Thank you, Mr. Chairman. I have a brief presentation. It's a continuation of the overview that was provided to the BCC on the 13th. On the screen you'll see a list of numerous tasks that the County was faced with in this takeover of the facility where we'd meet on a weekly basis with the different members of staff at the juvenile facility. We call that our jail team. And like I said, the point of this slide is just to give you an idea of the number of tasks that we've assigned a different department.

So these three represent the existing tasks that we're still working on. This next slide is a list of completed tasks since we started meeting, actually six months to a year ago. The major tasks that we're still faced with is one, staffing. Out of 206 positions, 133 have been filled. Out of 140 security staff, we hired 100. Additional security which is non-custodial, out of the required 10, we have four people hired in administration. We have 18 positions; we filled 15 of those. Out of 5 case manager positions we've got four that have been hired. Medical staff of 22, we've got 4. Program managers, we have two vacancies; we haven't hired anybody yet. Two teacher positions, we have one hired. Two therapist positions, one hired. Two classification supervisors, one has been hired. Training coordinator, we have one which has been filled. Same with the volunteer services coordinator and the investigator.

Medical services program - staffing. As I stated we have one medical director, two part-time psychiatrists have been hired. We're currently negotiating with a dentist. A nurse practitioner has been offered a position. Health services administrator interviews are next week. Registered nurses, we have none hired at this time. LVNs, we have one hired, one scheduled for an interview today.

In case we don't fill all of those positions, we do have a back-up plan. The two nursing placement agencies who currently provide services to MRC have been contacted to provide proposals for temporary placement. The contracts will have to be reviewed by Finance.

Supplies and services, a resolution has been submitted for the BCC's consideration today to allow the County Manager to execute contracts related to the County's takeover of the adult detention facility. This is the last BCC meeting prior to the County takeover of the facility and many purchases and services are still outstanding. All contracts or other documents approved by the County Manager pursuant to the authority given in the resolution will be presented to the BCC for ratification within 45 days.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Let me ask a question, Roman, because the item I had taken off of the Consent Calendar had to do with that and I noticed that they had a higher level of authorization for the County Manager. I forget the level. \$125,000 or something like that? \$150,000.

MR. ABEYTA: \$150,000.

COMMISSIONER SULLIVAN: And my only concern with that was that I didn't see any time limitation on that. Is there a recommended time limitation on it?

MR. ABEYTA: Mr. Chairman, Commissioner Sullivan, I don't know if Greg or Steve have that answer but I thought we were talking three to six months and we would again continue to provide updates to the Board and when we felt that we were pretty much through a lot of the emergency stuff we need to purchase then we would rescind that resolution. But I don't know if I'm right in stating that.

MR. GONZALEZ: Mr. Chairman, Commissioner Sullivan, those items that fall outside the Manager's authority would be brought back anyway to the Commission for ratification. It's difficult to predict exactly how long we would be needing this so we didn't put an envelope on it but I think I understand fairly well that we're talking about transition and not operations on the long term basis.

COMMISSIONER SULLIVAN: I just have a problem with having no specific period of time on it and again, maybe it would fall through the cracks and it's an issue that doesn't come back and ends up being policy rather than an interim policy. But we can discuss it further. Your understanding was that you may need it for three to six months.

MR. ABEYTA: Right, and possibly longer but we've always intended to continue coming back to the Board, even after the takeover date and let the Board know where we are as far as the transition and how things are going since we've taken it over. That could be revisited at that time.

COMMISSIONER SULLIVAN: Okay. Thank you.

MR. ABEYTA: Mr. Chairman, our employee compensation plan is something else that we've had to spend a lot of time working on. We've determined that employees at the adult detention facility will receive comparable compensation as to what they received from MTC. The last meeting we had we went over the budget in detail and I provided the salaries that the employees would be receiving. Security personnel will be designated as 207-K exempt employees, and as a result, there was an issue with the amount of overtime that the employees would be losing as a result of coming over and working for the County, so to compensate for that we've increased the base salary for these employees by five percent to try to offset that. They'll still be bringing home a little less in their paychecks but I think we've done what we could within budgetary constraints to help offset that impact to the new employees.

COMMISSIONER MONTOYA: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Roman, how do the employees down here compare to all of our other employees across the County?

MR. ABEYTA: Mr. Chairman, Commissioner Montoya, maybe - you're talking about the employees in different departments like Land Use. Maybe somebody from Human Resources could answer that question because I'm not familiar with all of the salaries.

COMMISSIONER MONTOYA: And then the second part to that question is how do they compare with the employees at the Youth Development Facility?

BERNADETTE SALAZAR (Human Resources): Mr. Chairman, Commissioner Montoya, in looking at the overall compensation with the rest of County employees. We're comparable. I believe that the employees at the youth facility received an

increase this fiscal year to be up to par with the adult facility employees.

COMMISSIONER MONTOYA: Oh, okay. So we actually had to give the youth employees increases.

MS. SALAZAR: To be comparable with the adults.

GREG PARRISH (Corrections Director): Mr. Chairman, Commissioner Montoya, in July of this year you approved an increase for some of the lower level employees, pay-wise lower level employees at the youth facility, and they received a 10 percent increase from \$9.50 putting them to \$10.40 something and they are now comparable with MTC salaries at that time.

COMMISSIONER MONTOYA: Okay. Thank you.

MR. ABEYTA: So our next step, Mr. Chairman, members of the Commission is employee orientation. We've started that actually this morning at 6:00 in morning. We were down at the facility. Myself, the County Manager, members from the Corrections Department, HR, and we talked to them about the different benefits that the County is offering now that they're County employees. Their retirement plan, how often they'll accrue leave, the insurance options, and that's going to be ongoing between today and tomorrow. We plan on meeting with all of the shifts so there will be another meeting at 6:00 at the facility. Tomorrow again at 6:00 in the morning and then 6:00 pm tomorrow evening also.

And the facility takeover again is set for October 11th, which is a couple of weeks from now.

COMMISSIONER MONTOYA: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: Roman, what's been the retention so far in terms of soon to be former MTC employees and soon to be new County employees?

MR. ABEYTA: Mr. Chairman, Commissioner Montoya, a previous slide had that information but Greg probably could say it right off the top of his head so I won't have to flip back to that.

COMMISSIONER MONTOYA: Okay. Sorry about that.

MR. PARRISH: Mr. Chairman, Commissioner Montoya, we have about approximately 170 employees and probably ten to fifteen percent were not retained. Either they weren't qualified, didn't meet our requirements or just chose to seek employment elsewhere.

CHAIRMAN ANAYA: I'd like to recognize that Judge Hall is in the audience. Judge, thanks for being here. Did you want to speak on behalf of the jail? Thanks for being here, Judge. Go ahead, Roman.

MR. ABEYTA: Mr. Chairman, that concludes the presentation. I do have the slides we went over last time if we need to refer back to them. If you have any questions, there are the budget slides that we went over and staff is also available to answer any questions you may have at this time.

CHAIRMAN ANAYA: Okay. Thank you, Roman. Any questions of staff?
Commissioner Vigil.

COMMISSIONER VIGIL: Thank you. Roman, and going back to the slide that

has the structure, I'd seen some earlier structural information and it seemed to me that at one point in time, the Sheriff was head of the Department of Corrections. Is that still the case and this is just within the jail or could you explain that?

MR. ABEYTA: Mr. Chairman, Commissioner Vigil, as I understand the structure, we have a department of corrections who will interact with the Sheriff on approximately a daily basis. But the Department of Corrections Director will answer to the County Manager and not the Sheriff. But the Sheriff will be part of the structure and will definitely be in the loop.

COMMISSIONER VIGIL: Okay. So he's a daily adviser, is that -

MR. ABEYTA: Yes.

COMMISSIONER VIGIL: Okay.

MR. GONZALEZ: Mr. Chairman, Commissioner Vigil, he also has responsibilities with respect to security in the event we have an incident at the facility.

COMMISSIONER VIGIL: Thank you, Mr. Chairman.

CHAIRMAN ANAYA: You're welcome. Any other comments? Okay, thanks for the presentation and we'll try to make it to the October 11th. What time? Midnight?

MR. GONZALEZ: Actually, the 12th at midnight.

MR. PARRISH: Midnight at the 11th, 12:01 am on the 12th is when we take over operational responsibilities.

MR. GONZALEZ: We'd be glad to see any of you there.

COMMISSIONER MONTROYA: It will be the County howl.

MR. GONZALEZ: One of our attorneys recently suggested that we need to come out with a County fight song, so maybe by then we'll have a rendition prepared in draft form.

CHAIRMAN ANAYA: Thank you, Roman. Thank you, staff. Bernadette, thank you.

X. E. Discussion on Santa Fe County Staff's Position Regarding the Regional Planning Authority

MR. ABEYTA: Mr. Chairman, I'll be brief. I provided at the last BCC meeting a memorandum with staff's position regarding the RPA. That was distributed to all the Commissioners. Subsequently, the RPA had a discussion regarding staff's position and the direction that came out of the RPA was to conduct a facilitated workshop for the purpose of developing a work program as outlined by the County staff. Therefore a scope of work for a request for qualifications to conduct a facilitated work shop will be prepared with input from both City and County planning staff, a meeting with the RPA chairman will follow once a draft of the scope of work has been completed. The RFP will then be advertised. County and City staff will select a facilitator and assist in the development of the agenda for the RPA workshop. Staff will try to have everything in place to accommodate a workshop some time in October.

Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Thank you.

XI. COMMITTEE APPOINTMENTS/REAPPOINTMENTS, RESIGNATIONS

A. Road Advisory Committee Reappointment

ROBERT MARTINEZ (Deputy Public Works Director): Mr. Chairman, Commissioners, Area 3 of the Road Advisory Committee encompasses the Tano Road and La Tierra areas. Ms. Barbara Jeffe has represented this area for the last six years and her appointment expires this month. Ms. Jeffe has volunteered to serve for an additional term. This area is in Commission District 2 and Public Works is recommending the reappointment of Ms. Barbara Jeffe.

COMMISSIONER VIGIL: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Move to approve this recommendation by staff.

CHAIRMAN ANAYA: There's a motion. Is there a second?

COMMISSIONER CAMPOS: Second.

CHAIRMAN ANAYA: Any more discussion?

The motion to reappoint Ms. Barbara Jeffe to the Road Advisory Committee passed by unanimous [5-0] voice vote.

CHAIRMAN ANAYA: Thank you, Robert, and thank the Road Advisory Committee for all their hard work. Appreciate it.

MR. MARTINEZ: I'll do that.

XII. A. 6. Resolution No. 2005-158. A Resolution Requesting a Budget Increase to the Water Enterprise Fund (505) for a Grant Awarded by the New Mexico Environment Department for a Regional Water and Wastewater System in Pojoaque Valley for Fiscal Year 2006/\$1,070,000 (Project & Facilities Management Department) NON-CONSENT ITEM

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Before we start, I'd like to have the record indicate that I'm recusing myself from participation in the consideration of this item as I have in this past and will continue to do so on similar items in the future. I want to let the Commission know that my engineering firm has had a contract with the Pojoaque Valley School District for

more than four years and under this contract our firm performs a variety of services for the school district. One current project involves the disposal of liquid waste generated at the district's Jacona campus by piping the waste to sewage lagoons maintained by the Pueblo of Pojoaque.

This project has been partially funded by the New Mexico legislature directly to the school district and my firm's fees are paid from that appropriation. However, I understand that the district intends to ask that the County participate and partially construct, not design, through a memorandum of understanding, which I believe Mr. Ross made reference to earlier in the meeting. The County has a sizable appropriation from the legislature that can be used to help the district finish the project. I understand that the district would like the Board of County Commissioners to approve the memorandum of understanding and also approve a joint powers agreement to fund further liquid waste treatment projects in the valley.

I should emphasize that the school district will not be a participant in that JPA, but to avoid any appearance of impropriety and to avoid any claim that I might have any financial interest in these matters I will continue to recuse myself from participating in both these matters until further notice and hope the Board of County Commissioners will approve of this decision.

CHAIRMAN ANAYA: Thank you, Commissioner Sullivan, and Roman, did we pull this off the agenda because of that reason? Or were there other concerns that the Commission had?

MR. ABEYTA: No, Mr. Chairman, that was the primary reason. We just needed the Commission to take a vote individually.

CHAIRMAN ANAYA: Is there a motion?

COMMISSIONER VIGIL: I have a question, Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: This is grant money, Joseph, directly from the New Mexico Mortgage Finance Authority. Is there any portion of this that's a loan?

JOSEPH GUTIERREZ (PFMD Director): Mr. Chairman, Commissioner Vigil, these funds are actually funds that came from the legislature. They were appropriated out of the 2005 legislature. They appropriated to Santa Fe County. They go through the Department of Environment. Actually, in the last BCC admin meeting in late September the Commission adopted to accept the grant. This step is only budgeting these monies, not making an allocation to any entity but just budgeting the funds at this point.

COMMISSIONER VIGIL: Has this project received funding or - it seems to me we've also discussed the possibility of funding through the New Mexico Mortgage Finance Authority. Have we for this particular project?

MR. GUTIERREZ: Mr. Chairman, Commissioner Vigil, I'm not aware of any discussions with the Mortgage Finance Authority but I am aware of the million dollars that is with the Water Trust Board.

COMMISSIONER VIGIL: Right. Okay. Very good. Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Campos,

COMMISSIONER CAMPOS: Mr. Gutierrez, is this budgeting project specific?
MR. GUTIERREZ: The way the appropriation reads, let me read it to you: It's for a regional water and wastewater system in Pojoaque Valley.
COMMISSIONER CAMPOS: And that's how we're accepting it?
MR. GUTIERREZ: That's how we're accepting it.
COMMISSIONER CAMPOS: It's not being committed to any particular -
MR. GUTIERREZ: Not at this point. No.
CHAIRMAN ANAYA: Is there a motion?
COMMISSIONER MONTOYA: So moved.
CHAIRMAN ANAYA: Is there a second?
COMMISSIONER CAMPOS: Second.
CHAIRMAN ANAYA: an
CHAIRMAN ANAYA: Any more discussion?

The motion to approve Resolution 2005-158 passed by unanimous [4-0] voice vote with Commissioner Sullivan recusing himself.

XII. A. 10. Resolution No. 2005-159. A Resolution Requesting an Increase to the Road Projects Fund (311)/Various Projects to Budget Grants Awarded Through the New Mexico Department of Transportation for Expenditure in Fiscal Year 2006 (Public Works Department)

CHAIRMAN ANAYA: Do we need to hear from Commissioner Sullivan. Commissioner, you pulled this off.

COMMISSIONER SULLIVAN: Mr. Chairman, as I said earlier in the agenda discussions, this and one other I requested be pulled from the agenda because they are part of a list of a number of street projects throughout the county that were funded all or in part by the state legislature and one of those happens to be the street I live on. So I felt it would be appropriate to recuse myself from this particular issue. Other than that, there's nothing.

CHAIRMAN ANAYA: Any other comments?

COMMISSIONER MONTOYA: Mr. Chairman, move for approval.

CHAIRMAN ANAYA: Is there a second?

COMMISSIONER CAMPOS: Second.

CHAIRMAN ANAYA: Any discussion?

The motion to approve Resolution 2005-159 passed by unanimous 4-0 voice vote with Commissioner Sullivan recusing himself.

XII. D. 4. Resolution No. 2005-160. A Resolution Authorizing the County Manager to Execute Documents and Agreements Related to Adult Detention Facility Transition and Operation (Legal Department)

COMMISSIONER VIGIL: Move to approve.

COMMISSIONER MONTOYA: Second.

CHAIRMAN ANAYA: There's a motion and a second. Commissioner Sullivan.

COMMISSIONER MONTOYA: Mr. Chairman, I actually had a question on that one also and I believe it had to do with the authorization on the jail. Any transactions, something of that nature. And I guess my only request -- it's not even a question; it's just a request is that if there's anything that you see that may be controversial or significant that we should know about that we just be notified. That's the only request I've got.

MR. GONZALEZ: Mr. Chairman, Commissioner Montoya, I have no problem with that. Absolutely.

CHAIRMAN ANAYA: Thank you, Commissioner Montoya. Anything else?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: As I mentioned earlier, I think any resolution like this where we go over our existing authorization, I think our authorization now for County Manager's approvals is \$25,000, isn't it? Does somebody know what that is?

MR. ROSS: Mr. Chairman, Commissioner Sullivan, we think it's \$20,000 at this point.

COMMISSIONER SULLIVAN: You think it's \$20,000. It should have a time frame and if three to six months is what we see this as being an emergency then pick a time, either three, four, five or six months, but I just don't feel comfortable writing a blank check and I know that the staff will continue to keep us apprised but I just feel that that's a good accounting practice to keep in place. So I would ask that the maker of the motion amend the motion to indicate a time frame of six months.

COMMISSIONER VIGIL: I am the maker of the motion. Gerald, is that a reasonable amount of time or do you feel you need more?

MR. GONZALEZ: Mr. Chairman, Commissioner Vigil and Commissioner Sullivan, 180 days works fine for me. I have no problem with that as a limitation.

COMMISSIONER VIGIL: Okay, I will amend my motion to include a six-month termination on this.

CHAIRMAN ANAYA: Commissioner Montoya?

COMMISSIONER MONTOYA: Yes.

CHAIRMAN ANAYA: Okay, there's a friendly amendment. Any more discussion?

The motion to approve Resolution 2005-160 as amended passed by unanimous [5-0] voice vote.

XII. D. 11. Request for Approval and Execution of the 2005 Capital Cooperative Severance Tax Agreements for Various Road Projects from the New Mexico Department of Transportation (NMDOT) - \$515,000 (Public Works Department) NON CONSENT ITEM

COMMISSIONER SULLIVAN: Mr. Chairman, this is the same listing of projects that I recused myself from on item XII. A. 9, and this has to do I believe with the actual agreement. But it's the same project and so I would recuse myself for the same reason and that's why I asked that it be removed from the agenda.

CHAIRMAN ANAYA: Thank you, Commissioner. What's the pleasure of the Board, or is there any other questions?

COMMISSIONER VIGIL: I have a question.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: I can't find my notes on this but Gerald, with regard to some of the projects, they're not projects that we actually prioritized for lobbying. Some of them - well, I guess this goes to --

JAMES LUJAN (Public Works Director): Mr. Chairman, members of the Commission, if I may. I think I know where you're headed. Do you want me to answer?

CHAIRMAN ANAYA: Yes. Go ahead.

MR. LUJAN: Commissioner Vigil, these are projects from our ICIP plan. These were, some of them were led by certain legislators and also our last year's ICIP plan, what was granted to us from last year's legislation.

COMMISSIONER MONTOYA: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: James, which is the road that Commissioner Sullivan said he was -

MR. LUJAN: His is Churchill Road, number two on the list, under item 11. Churchill Road.

COMMISSIONER MONTOYA: Can we just take it off the list?

MR. LUJAN: I'd be more than glad to, but I have a problem with his wife. She might not be too friendly.

CHAIRMAN ANAYA: Any other comments?

COMMISSIONER VIGIL: Mr. Chairman, and perhaps this isn't in reference to particular roads but in general. As I said, there are some roads that we don't lobby for. I think it's really critical that staff and everyone who works with the New Mexico legislature know that the roads that we actually will receive funding for and do lobby for are County roads and that

they're not private roads. Because in fact what happens through the process is there are requests that go to them and I think that clarity needs to be there when we do go to the legislature. Because I noticed with some of the capital improvement projects, the actual structural buildings that we're looking at too, there are some projects there that Santa Fe County, that I'm not even familiar with.

And of course that happens in the road situation. And I know, James, that when you're at the legislature you make that clarification but I think the public needs to know that private roads, there is a process within the County that we can actually identify a private road and go through the Road Advisory Committee to dedicate those to the County. But in fact if the legislature gets started and that process hasn't started for the County then in effect, they're funding a road that we probably at some point in time will have to reject the funding for unless it comes to us through our process. Is that accurate, James?

MR. LUJAN: Mr. Chairman, Commissioner Vigil, it is accurate to some point. We have tried that in the past to stop some people but they go to their legislators themselves and they get a certain portion of funding. If the funding is, let's say, \$25,000, it's a mile of road, we will come back to the Commission and let them know we can only take in \$25,000 worth of road and improve those because they got funding for it. So that's how it's worked in the past. But a lot of times it's just pretty well impossible to stop people from going to their legislator and asking them for money. And it does benefit us in a way because they're not County roads, but if we take them in, at least they're getting some funding to make the improvements. And we don't take them in until those improvements have been made and there's funding in place. But we'll only take in a portion of that road. Whatever the dollars can fund.

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

CHAIRMAN ANAYA: Commissioner Campos.

COMMISSIONER CAMPOS: Question for Mr. Lujan. You're saying that if the legislator gives money for a particular road and it's not a County road, we'll still do the road and then have it dedicated?

MR. LUJAN: Mr. Chairman, Commissioner Campos, no. What we do is we'll come and present. We'll tell you, this is not a County road, there's a certain dollar amount that these people have gotten a request for. It's up to you guys to decide if you still want to take it in. But there is funding in place through that legislator to do a portion of it. Not the whole thing. Sometimes it might be the whole thing. Sometimes it's a very small portion of it. It's not very much funding. So we would only come back as staff and recommend that you take in 2/10, for instance, if it's only \$25,000. That's all we can do for the \$25,000. But it's your decision. We just make a recommendation so we don't lose the funding.

COMMISSIONER CAMPOS: Mr. Lujan is that causing a problem as far as comprehensive planning and projects, priorities, etc.?

MR. LUJAN: There's a lot of problems. Sometimes it's a problem. Sometimes it's not. If we can fit it in and we can do it in-house, it works out. I look at some of these subdivisions from the past have not been developed properly with the roads and it becomes an issue. There's times for emergency that we have to go out there and take care of them anyway

in times of emergency, so I see it as a benefit also in some instances. Unless it's a structure that has to cross an arroyo and we can't afford it, then it's not a benefit to us. But it can work both ways. But most of the time we're getting requests, how can we - especially during inclement weather.

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

CHAIRMAN ANAYA: You're welcome. A lot of my constituents in my area have roads that aren't County roads; they're private roads. And when they come to the Commission or to myself and ask for assistance, I can't just send James and put the grader on that road. We've got to give them some options. And one of the options is for them to go the state legislature to get funds for that road, but it still would have to come before the Commission in order to adopt it to use that money for that road. It's just not going out and saying, no, we can't help you. And I'm the kind of guy that tried to look for other ways. So some of the roads that are on this list are residents that went to the legislative delegation and asked for funding for their private road. But we'll continue to go through the process and bring it to the Commission and see if the Commission wants to adopt it to use to repair that. Otherwise, the constituents don't have any other way and they can't afford to fix their roads on their own community.

MR. LUJAN: Mr. Chairman, Commissioners, the chairman is right. A lot of these roads are mostly from older subdivisions. Currently, there's a process in place where newer subdivisions, they're having to make their improvements prior to getting accepted. So these are mostly older subdivisions.

COMMISSIONER CAMPOS: Don't we have a policy on road acceptance? They've got to do x, y, z?

MR. LUJAN: Yes, we do.

COMMISSIONER CAMPOS: Otherwise we can't accept them unless they go through all the hoops.

MR. LUJAN: Yes. And these do go through the process.

CHAIRMAN ANAYA: Any more comments, questions? What's the pleasure of the Board?

COMMISSIONER MONTROYA: Move for approval.

CHAIRMAN ANAYA: There's a motion.

COMMISSIONER CAMPOS: Second.

CHAIRMAN ANAYA: And a second. Any more discussion?

The motion to approve the severance tax agreement passed by unanimous [4-0] voice vote with Commissioner Sullivan recusing himself.

XIII. STAFF AND ELECTED OFFICIALS' ITEMS

A. Finance Department

1. Resolution No. 2005-161 A Resolution Requesting Authorization and Approval for Submission of an Application for Financial Assistance to the New Mexico Finance Authority for Partial Financing of the Paramount Property Purchase

MS. LUCERO: Mr. Chairman, members of the Board, the two items here under the Finance Department are linked together, related to the Paramount property purchase. The first resolution that we are asking you to consider, and the reason we are handing out these copies. They are revisions of what are in your packet. We had some changes to font size, grammar, punctuation. But in substance, the material is the same as what is in your packet. So we are asking you to vote on two things. The first resolution allows the County to submit an application to the Finance Authority for a loan up to a maximum of \$800,000. This amount would be financed over four years. Right now, the rate is at 3.25 percent and we're looking at pledging current GRT through our infrastructure GRT tax to pay for that loan.

You may recall we have used the Finance Authority in the past to finance Public Works equipment, to finance orthophotography project and those loans have either matured or will mature this spring. The total cost that the Board approved for the Paramount purchase was \$2.15 million, up to a maximum not to exceed \$2.15 million, and on September 12th the final closing took place. The cost estimate without final attorney's fees has come to the amount of \$2,100,827. You might recall that in August the Board approved partial payment from general fund cash reserves up to \$1.2 million towards the Paramount property, and now we're asking you to approve this loan application for \$800,000 towards this purchase. I stand for any questions.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Move to approve.

CHAIRMAN ANAYA: There's a motion.

COMMISSIONER MONTOYA: Second.

CHAIRMAN ANAYA: And a second. Any more discussion?

The motion to approve Resolution 2005-161 passed by unanimous [5-0] voice vote.

XIII. A 2. Resolution No. 2005-162. A Resolution Requesting Authorization to Reimburse County for Funds Advanced for the Paramount Property Purchase with Proceeds of a Loan Agreement with the New Mexico Finance Authority

MS. LUCERO: Mr. Chairman, members of the Board, this resolution then entitles the County to reimburse itself with the proceeds from the loan application to the Finance Authority in the amount of \$800,000. This amount would go back to general fund contingency budget.

CHAIRMAN ANAYA: Any questions?

COMMISSIONER VIGIL: Move to approve.

CHAIRMAN ANAYA: There's a motion.

COMMISSIONER CAMPOS: Second.

CHAIRMAN ANAYA: And a second. Any more discussion?

The motion to approve Resolution 2005-162 passed by unanimous [5-0] voice vote.

XIII. B. Land Use Department

1. Update on Galisteo Watershed Planning Initiative and Rural District Planning

BETH MILLS (Planner): Good afternoon, Commissioners and Mr. Chairman. Jack Kolkmeier would have liked to be here. He was called away so with your permission I'll give a little bit of background that he was hoping to give. When the County Growth Management Plan was adopted in 1999 it was decided that immediate planning efforts should be focused on community planning and highway corridor planning. There was, however, considerable discussion centered on the need to pay attention to the large rural and ranching areas in the southern part of the county, especially in the watershed areas of Galisteo and the Estancia Basin.

An entire chapter of the Growth Management Plan was in fact devoted to concerns and issues about these areas and the concern about the breakup of large ranches. For the past two years Santa Fe County Planning Division staff members have been meeting with participants and stakeholders from over 50 Galisteo watershed area communities and community organizations to discuss a vision and long-range planning strategy for this culturally and environmentally sensitive area. Three significant conferences were held at Vista Clara Ranch on February 28, 2004, June 19, 2004, and July 7, 2005 to convene this partnership in day-long discussions about cooperative planning goals and strategies that cut across community, government and institutional boundaries.

At the July 7th meeting a memorandum of understanding was signed by the partnership to offer specific direction for future work. Specific objectives developed by the partnership as

part of the MOU include community building and education, preservation and restoration of natural resources and other landscape values, protection and enhancement of archeological and cultural resources, smart growth initiatives – and these are related to, again, the breakup of the large ranches, management of water resources, support of local economic development, including sustainable agricultural and ranching, exploration of the possibilities of designating the watershed as a special planning area, in other words, some of the suggestions at these meetings were a national heritage area, a critical management area, or a national conservation area.

So with your permission, I'll go ahead and discuss and present what we worked on with these planning activities in this area, and we would then like to discuss the possibility of creating a Galisteo Watershed District Planning Area by County resolution and embarking on a major planning effort for this area.

So I'll turn your attention to the powerpoint presentation. Here you see on the map in front of you the very large blue area which represents the Galisteo watershed within Santa Fe County. It occupies approximately 730 square miles and as you can see, the south central part of the county. It includes the villages of Madrid, Cerrillos, Galisteo, Lamy, Canoncito and Canada de los Alamos, and they're all located within the watershed. The contemporary communities of Eldorado and San Marcos are also located here. Several large ranches and significant acres of public land used for grazing also occur in the watershed.

It is a pretty vast area as you well know if you've traveled through there or live out there, so why plan for such a large area? We want to pursue the directive of the 1999 Growth Management Plan to protect and conserve the rural character and rural identity of this part of the county. We have learned that planning by watershed supports effective water planning for a region. There's a need for planning for residential and appropriate mixed-use development outside the urban fringe. Many of the large ranches in the watershed have already broken up. In fact, many of the subdivisions we see out in that area are a result of the breakup of large ranches and a few are currently dissolving.

The trend indicates that the future economic base of the watershed will not be ranching. Land use, water, open space and transportation need to be integrated in the future planning for this area. With your patience, I know you folks put in long days, I wanted to take you through a short series of maps to illustrate some of the things we've found out.

The first map you're looking at is showing the watershed boundary in red and it's showing underlying the hydrologic zoning for residential density that's been established for the basin in the deep gray, and then the slightly lighter gray for the basin fringe. Most of the Galisteo Watershed then is in homestead hydrologic zoning, although in the very northern part of the basin, you'll see mountain zoning too for hydrology. The yellow lines that you're looking at, I'm sure you're familiar with, are the Commission district boundaries, so you see that three of the Commission districts are included within some portion of the watershed. Most importantly from my point is that the black dots are the best available well data we have for this area. So I would draw your attention to the fact that there's a good concentration of wells within the mountain zoning that I think needs some attention because of the potential for

mountain front recharge and the surface inflows that come from that area that affect the rest of that watershed.

Also, you see a large concentration in the northwest corner of the subdivision out at Eldorado before that area went on to a system. You also see a large cluster in the San Marcos area where we've been working on a planning effort for some time. There's also large concentrations again in the mountain front recharge area up in Canada de los Alamos and Canoncito.

You'll see a little more dispersion out in the homestead as the large lot zoning would suggest, although the densities in fact are much greater than the hydrologic zoning can support in many of these areas at the moment.

If we look at a little bit more about jurisdiction and bringing the City to this picture, the Community College District in light blue, the San Marcos Planning Area in very light purple, much of the northwestern portion of the watershed. We can see the efforts that the County has put forward in terms of planning in the watershed already, including the coloring along the 285 corridor, where you all have recently passed an ordinance to regulate commercial activity there. You'll also see the County open space purchases, large purchases of the Cerrillos Hills, Thornton Ranch and a smaller but very important purchase at the Lamy intersection of an archeological sit.

So when you look at the distribution here you see that the County's been planning pretty much in reaction to urban growth and the limits of its planning activity so far are the railroads, which coincide with the Galisteo Creek. So all planning to this point in time has occurred north of the Galisteo Creek.

I think this complicates the picture somewhat and I'm hoping that this drives home a point. We've added residences, the dots are residences, and we've also added the parcel boundary lines so hopefully you'll be able to see with the brown lines that much of the - fairly large portions of the watershed south of the Galisteo Creek, the southwestern portion of the watershed outside of Madrid and then up on Rowe Mesa in the eastern part of the watershed, have already been significantly subdivided, although nothing is built there yet.

The large open areas you see include portions of Rancho Viejo, the Thornton Ranch - of course the largest undeveloped area, the large ranch at San Cristobal in the southeastern part of the watershed. And there are several other quite large ranches south of the Galisteo Creek.

What we're suggesting is that we need to take a look at new planning approaches and new partnerships for the watershed. We need to understand the open aquifer in the Galisteo Watershed in relation to land use and water supply decisions. Community based discussions, starting with the landscape, the setting, the environment, and developing a future that the watershed can support. Dialogue with the New Mexico Department of Transportation for road and rail planning, collaboration with the Galisteo Watershed Partnership, the BLM, Forest Service and State Land Office, ranchers and private landowners, the University of New Mexico and other institutions.

Finally, or almost finally, in terms of setting priorities, what needs to be done. I've listed them here in terms that they actually are priorities. They'd perhaps be more effective

being numbered because I think the primary priority is to keep it rural. Two would be to support ranching and traditional uses where they are viable for the landowner. Develop mechanisms where possible to make diverse uses viable to the landowner. Determine future settlement patterns, what physical and cultural resources need protection. Look at transportation networks – what needs to be connected, what should not be connected. What sewer and water systems are required and at what scale. What choices can local government provide for landowners who want to develop? What models are available for us to utilize in planning for the watershed?

It's a tall order. It's a huge area and a very new approach, I think, for looking at planning. How can we do this in the existing structure for planning? The first step would be to create a specific resolution that describes what needs to be done so we're very clear about the goals and where we're going. Continue to plan for traditional communities. We've been in fact just now embarking on a plan for the traditional community of Galisteo, which needs our continued attention. Examine the relationship of existing subdivisions to the watershed. I've been working out in San Marcos for some time now and I have to admit with some difficulty because of the nature of the way the land has been subdivided out there.

Cultivate fair representation and develop strong communication among County departments and ask for support from other departments to accomplish this effort. Thanks for your patience through all that and I'm happy to try to answer questions if you have any.

CHAIRMAN ANAYA: Commissioner Vigil.

COMMISSIONER VIGIL: Thank you. Just two or three. How many planning processes are currently in place?

MS. MILLS: The process, things that are still in process are at San Marcos and we're just beginning in Galisteo for a community plan. Others have been completed at the Community College and the 285 corridor. And actually the villages of Madrid and Cerrillos were also completed.

COMMISSIONER VIGIL: I'm curious to know throughout the entire county how many planning processes are in place. Do we know that?

MS. MILLS: I don't know it off the top of my head but I'm guessing about ten of these things have gone to ordinance.

COMMISSIONER VIGIL: Okay. Is the Galisteo area, is that within the scope of work for our hydrological study?

MS. MILLS: Only I think parts of the northern portion of it are. I haven't talked with Steve Wust in great detail about what he undertook in this last look at things. But there's a lot we don't know. There's a tremendous amount we don't know because I've been looking for what's actually available. The Jemez y Sangre work that was done that the Office of the State Engineer asked to have done is probably the most recent and the best work. And quite a bit of it is still debatable and inconclusive I would say. So there needs to be a lot more.

COMMISSIONER VIGIL: Next question. Because of its historical value, doesn't Galisteo or parts of that area qualify for a traditional historic community? Have they ever expressed an interest in being classified under that content?

MS. MILLS: Jack was just reminding me that Galisteo has been classified as a traditional community but not a historic.

COMMISSIONER VIGIL: Do they know that they have that alternative?

MS. MILLS: I'm not sure but I can easily discuss that with them on Saturday when we're out there. Do you see that as an advantage?

COMMISSIONER VIGIL: Well, I'd like to know what the community sees that as. There's a lot of historical value to that community and I'd like for them to know that this is an option to them and for them to make the independent decision.

JACK KOLKMEYER (Planning Director): Commissioner Vigil, if I may. Traditional historic is different than traditional communities.

COMMISSIONER VIGIL: I understand the difference.

MR. KOLKMEYER: And it's a state statute not to be annexed by a municipality.

COMMISSIONER VIGIL: I understand.

MR. KOLKMEYER: I don't believe that would apply to them.

COMMISSIONER VIGIL: It would apply if they decided to take that position before the legislature and amend the statutes.

MR. KOLKMEYER: Okay. I would probably want to run that by the attorney because we've never had that situation come up in a community - we have Tesuque and Agua Fria.

COMMISSIONER VIGIL: And Agua Fria is traditional historic and Tesuque is traditional, right?

MR. KOLKMEYER: No, they're traditional historic.

COMMISSIONER VIGIL: They're both traditional historic.

MR. KOLKMEYER: We've never done one that far removed from a municipality because that state statute was created to prevent annexation. They're a traditional community because they are historic and there are four or five elements in there that qualify them as historic. So to do that other layer, I think that's something we would need to discuss with the County Attorney to see if it would even be an appropriate thing to do because of the nature of how that designation was created. But we'll check into that for you.

COMMISSIONER VIGIL: Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Jack or whoever, in the watershed planning, I notice you have the map of wells and so forth, and you talked about in your slide I think the one before this one, looking at the open aquifer. What is an open aquifer?

MS. MILLS: That's essentially the groundwater that people are drawing on up to about 500 feet. It's what most of those wells are drawing on. It's water that is recharged through surface flow. It's not the stuff that's sealed off down below.

COMMISSIONER SULLIVAN: Okay. So is it the intent or a portion of the intent of this study then to look at water supply issues as the study goes cross planning basin?

MS. MILLS: I'm sorry. I didn't understand where you're going.

COMMISSIONER SULLIVAN: My question was is it the intent of the study to look at water supply issues?

MS. MILLS: Yes. Absolutely.

COMMISSIONER SULLIVAN: Okay. Because we go across basin – not basin. Wrong word. We go across planning districts as you pointed out. San Marcos is within this district, but in the past the community planning districts have avoided the water supply problem and said that that's not our issue. So what you're coming forward with here is to look at issues of riparian vegetation and issues of sustainability and that, but you're also looking at the aquifer sustainability, not just surface conditions. Is that correct?

MS. MILLS: Right. In regard to surface flow rather than the deep water. That's what I was referring to with the open aquifer and the recharge, rather than the deep water. As you know those basins, again, that's not – the underlying basins are not the same boundaries as the watershed. The watershed is referring to the surface flow.

COMMISSIONER SULLIVAN: Okay. So you'll explain what that means. You're talking about you're going to look at the recharge to the basin using of course reports that we have from hydrology reports, I assume and from also the study that was just completed. And you're going to look at how we preserve that aquifer, that open aquifer as you term it, that first 500 feet or so.

MS. MILLS: Right.

COMMISSIONER SULLIVAN: That's what I wanted to be clear, because in looking at the documents that we see here, I mostly see things about what to do to prevent erosion in the Galisteo River and things like that. I see it focusing on surface water but I think we all can agree that the future of that region is going to depend on how the groundwater is managed.

MS. MILLS: Yes. The fact remains – that's quiet true. The fact remains that most of these wells are pulling on water from 500 feet or up, the ones that I've represented. So there seems to – I think we need a greater understanding of that portion of the aquifer.

COMMISSIONER SULLIVAN: Okay. So that water supply and demand is intended to be a part of this planning process.

MS. MILLS: Yes.

COMMISSIONER SULLIVAN: Whereas it's been excluded in other planning processes.

MS. MILLS: Exactly.

COMMISSIONER SULLIVAN: All right. Thank you, Mr. Chairman.

CHAIRMAN ANAYA: Any other questions? Are you asking for direction to put it together? A resolution to come forward with? Why don't we do this, if it's okay with the Commission. Put your resolution together. Give it to Gerald, let him put it on the priority list.

MS. MILLS: This was supposed to have numbers.

CHAIRMAN ANAYA: He'll present it to the Commission and then we'll put it on because we don't want to stress our staff out.

MS. MILLS: Okay. Fine.

CHAIRMAN ANAYA: Is that fair guys? Is that what I was hearing today, guys? Whenever they can get to it. But it is important, from the presentation she gave us, this is very important.

MS. MILLS: We think so.

CHAIRMAN ANAYA: Thank you.

MS. MILLS: Thank you.

XIII. C. Public Works Department

1. Request for Approval of the FY 2006 Revised New Mexico Clean & Beautiful Grant From the New Mexico Tourism Department - \$7,000

MR. LUJAN: Mr. Chairman, Commissioners, this grant agreement was previously approved by the Commission on June 7th. When we took it back for execution to the Tourism Department the governor pulled all these contracts so we're just approving it again. It's the same \$7,000 for this year and it's for roadside clean-up. Buying bags, vests and T-shirts for the youth that do the clean-up.

CHAIRMAN ANAYA: Okay. Thanks. Any questions?

COMMISSIONER MONTOYA: Move for approval.

COMMISSIONER CAMPOS: Second.

CHAIRMAN ANAYA: Any discussion?

The motion to approve the grant from the Department of Tourism passed by unanimous [4-0] voice vote. [Commissioner Vigil was not present for this action.]

XIII. C. 2. Request for Approval and Execution of the 2005 Capital Outlay Cooperative Severance Tax Agreement for the County Road 84 Low Water Crossing Project From the New Mexico Department of Transportation (NMDOT) - \$166,271.66

MR. LUJAN: Mr. Chairman, this is an amendment to a grant agreement, severance tax agreement that we received in 2005. What we're trying to do, we had waited off to get some bond money so we can add more to this project and we've got an extension to the year 2010. What we're going to do with this project is put it out for contract for bid.

CHAIRMAN ANAYA: Any questions? Is there a motion?

COMMISSIONER MONTOYA: Mr. Chairman, move for approval.

CHAIRMAN ANAYA: Is there a second?

COMMISSIONER CAMPOS: Second.

CHAIRMAN ANAYA: Any discussion >

The motion to approve the severance tax agreement passed by unanimous [4-0] voice vote. [Commissioner Vigil was not present for this action.]

**XIII. D. Matters from the County Manager
1. Update on Various Issues**

MR. GONZALEZ: Mr. Chairman, you've already had an update from our County Clerk with respect to where we are regarding the 1/16 petitions. There's one other item that I need to mention to you and that has to do with the certification of tax rates. We have experienced a delay with respect to certification of tax breaks from DFA. This is an item that we added in order to make sure that we're able to do that. It's listed under Assessor's office but I just wanted to give you some background that we had the delay from DFA in certifying the tax rates. We just received them, I guess either late yesterday or early this morning.

The County Assessor's office has indicated that when we get to this item that the requested approval is approval of the rates as presented in that they automatically go into effect as approved within five days, which is the statutory period unless we have to revisit them because we find some glitch in the rates. We're not anticipating that at this point but the problem is because they came out so late there is the remote possibility that we would have to do that and if that occurred, I just wanted to let you know that we'd have to convene a quick meeting in the same way that we did last year. If you recall, Commissioner Montoya was on the road and we had to hook him in by telephone in order to have that meeting. So I just wanted to alert you to that with respect to updates. That's it for the updates, Mr. Chairman and Commissioners.

**XIII. D. 2. Request for Ratification of Application to New Mexico
Environment Department for Homewise Green Building Project**

MR. GONZALEZ: Those materials were circulated to you separately but basically, because of timing - this is one of those timing issues, in terms of having to get the application in, I had to go ahead and sign off on the application. Now the funding itself has not flowed or been accepted and that's something that would need to come back to you but I just wanted to make sure that I had the opportunity to present that to you for your ratification of our application to partner with Homewise in order to do their green building project. So that's item number two.

CHAIRMAN ANAYA: Thank you, Gerald. Commissioner Montoya.

COMMISSIONER MONTOYA: Gerald, this is the one where there's eight

percent administrative cost?

MR. GONZALEZ: It's five percent, Mr. Chairman, Commissioner Montoya.

COMMISSIONER MONTOYA: Okay. Mr. Chairman, I would move to ratify the Homewise New Mexico Environment Department application.

COMMISSIONER CAMPOS: Second.

CHAIRMAN ANAYA: Motion and second. Any discussion?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Mr. Chairman, I hadn't see these materials before. I did see a memorandum or an e-mail that Gerald sent us a while back saying that he was going to do this. And I responded to that and I didn't get a response back so I'll bring up the issue now. I don't like to take your time of course, but that's my only option. I was concerned that this was precisely the kind of project that we hoped to do with some of our own County facilities, such as our Public Works facility, where we had the possibility to do wind generation or other conservation measures. It's been brought up several times and in fact we had a presentation by the architect more than a year ago before the project stalled out awaiting more funding.

I certainly support Homewise having green features in its building, but I'm wondering why we're not doing this with our own facilities or maybe we are and I'm just not aware of it. Maybe Roman or Gerald can update me on that.

MR. GONZALEZ: Mr. Chairman, Commissioner Sullivan, one of the difficulties I think is finding a direction for what do we put in what facilities for what purpose? In working with the architects for our different projects we have asked them to build in energy efficient techniques. But if we're looking at across the board, the entire county, where we're going to put in wind generators, where we're going to put in biomass projects, where we're going to put in cogeneration facilities. The list is sort of endless, and trying to grapple with that octopus I think calls for greater expertise than we have at this level at the County.

I'll be glad to entertain moving forward with some sort of a contract to have someone come in and survey all of the County buildings for those kinds of projects. They do have price tags associated with them but where to begin with is kind of the difficulty, given the expanding technology and not knowing where to draw the line. This probably would be another good topic for strategic planning. I agree that we need to find alternative means for energy production to the extent that we can. It's just that sitting down for every facility and trying to do that becomes a burdensome process. I don't know if Joseph has any other thoughts about that. But that I think is where we have come from.

CHAIRMAN ANAYA: Any more discussion?

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Campos.

COMMISSIONER CAMPOS: Just a follow-up. We talked about this a long

time, many times, and we still haven't done very much, I don't think. Maybe we need to look at hiring an expert to consult with us. This is critical. Energy efficiency is no longer just an option or a cool thing to look at, it's critical. We're going into construction mode on a lot of projects and we can't let these opportunities go by. Thank you.

MR. GONZALEZ: Mr. Chairman, we'll look at the contract options.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Let me make a specific suggestion to implement this. Let me suggest that we consider in all of our construction contracts a consultant to be selected through the RFP process and approved by the Commission who would do a peer review of the mechanical systems in those buildings for energy efficiency and make recommendations, not only for alternative energy systems but if possible, for eligibility for grants for these. Because generally what we've found is that the alternative energy systems on first cost are more. Cost more. So what we are faced with is the department head saying, look, I've got a limited budget. I want to get as much square footage as I can and I want to build as cheap a building as I can.

So if we can look at the long term pay-outs that these facilities might have, something that the architects typically don't look at through these systems, through a consultant who would look at it on this kind of basis for us rather than just through the architect. And as each project came forward they could be retained for a certain number of hours at a specified hourly rate to do that, come back and append a report to the Public Works or PFMD projects, or negotiate with them and suggest to them, look at this. I think that would be money well spent on each and every one of our facilities.

CHAIRMAN ANAYA: Thank you, Commissioner. There's been a motion and a second to request ratification. Any more discussion?

The motion to ratify the Homewise application passed by unanimous [5-0] voice vote.

CHAIRMAN ANAYA: Commissioner Sullivan's comments, maybe we can put together something and put it on the list. Commissioner Campos.

COMMISSIONER CAMPOS: I think it sounds like a good idea but I think it's something staff should consider as an option and consider all the options. It sounds interesting.

XIII. D. 3. Possible Continuation of the Special Board of County Commissioners Affordable Housing Study Session

CHAIRMAN ANAYA: Gerald, do we need to move forward to continue on that or did you get clear direction?

MR. GONZALEZ: Mr. Chairman, Commissioners, I think I got clear direction to aim for October 18th for the continuation. And also to try to get you the materials early before that meeting.

XIII. E. Assessor's Office

1. Approval of the Certificate of Tax Rate

BRIAN BACA (Deputy Assessor): Mr. Chairman, Commissioners, good afternoon. I'd like to request the approval and imposition of the 2005 property tax rates as set by the New Mexico Department of Finance and Administration. I believe all of you do have copies of those rates and I'd be more than happy to answer any questions if you do have some.

CHAIRMAN ANAYA: Thank you, Brian. Are there any questions of Brian? If not, is there a motion?

MR. BACA: Excuse me, Mr. Chairman, I did want to elaborate a little bit on what our County Manager stated earlier. As a courtesy, we provide tax rates, once they're set by DFA to all the revenue recipients in Santa Fe County. This is just done as a courtesy so they can double-check their figures in order to insure they're receiving the proper budgetary requirements. So it's mainly just a security measure we take just to make sure that they are getting the proper funding and the rates are correct as far as their budgetary needs are concerned.

So the contingency, I really don't expect to see any problems with it. It's just to make sure and be safe.

CHAIRMAN ANAYA: Thank you, Mr. Baca. Commissioner Vigil.

COMMISSIONER VIGIL: Mr. Baca, could you tell me what the current tax rate is?

MR. BACA: Mr. Chairman, Commissioner Vigil, depending on the area or the school district they will vary. The current rate right now for the City of Santa Fe residential property is approximately \$17.50 per thousand. That is the 2004 tax rate. It has increased to just over \$19 per thousand for 2005.

COMMISSIONER VIGIL: Okay.

MR. BACA: Now, depending on the various school districts they will fluctuate.

COMMISSIONER VIGIL: One of the things I think is critical and since we're in the process of being reviewed by the public through the access channel, Mr. Baca, as elected officials we're all out there and we hear a lot of comments about increasing property taxes. And I don't know that there's a real clear understanding that the Commission has never taken action to increase property taxes. In fact, my understanding of our property tax base here in Santa Fe County and indeed possibly in the entire state is it's one of the lowest in the nation. Is that accurate?

MR. BACA: Mr. Chairman, Commissioner Vigil, I believe that is accurate. In terms of property taxes in general, New Mexico is one of the lowest in the nation. Because of

our size and our tax base, Santa Fe County has probably some of the lowest tax rates in the state.

COMMISSIONER VIGIL: And I think one of the explanations that I often give is that the Commission does not take action, nor have we, to increase property taxes, but the increase in people's bills may be due to the market valuation. Is that accurate?

MR. BACA: That is correct, but also we - or we will begin to experience an increase in tax rates due to the limitation law that is in effect. Certain residential properties that have not undergone any kind of alteration or any kind of change, or that haven't sold are subject to a three percent per year or a six percent every two year limitation increase. So by not being able to increase our maintenance values to market value, this does have an effect on the rates and it will cause them to rise slightly. And that's what we're beginning to experience now.

COMMISSIONER VIGIL: And the rates are actually identified by DFA, correct?

MR. BACA: Correct.

COMMISSIONER VIGIL: Okay. That's all I had, Mr. Chairman. Thank you, Mr. Baca.

CHAIRMAN ANAYA: Thank you, Commissioner Vigil. Commissioner Montoya.

COMMISSIONER MONTOYA: Mr. Chairman, Brian, where are the rates for the Pojoaque Valley? Are those incorporated into Santa Fe?

MR. BACA: Mr. Chairman, Commissioner Montoya, no. If you take a look at the certificate or rates you will find the northern part of the county - actually on the first page you will find what is referred to as District 1, the Pojoaque Valley School District, on the last two columns. It would be labeled 1-R and 1NR, which is District 1 residential and District 1 non-residential.

COMMISSIONER MONTOYA: Oh, okay. That's what those ones are.

MR. BACA: That would be Pojoaque Valley. And on the second page, the last four columns would be District 18, which is the Española Valley School District. Now, we did experience a slight decrease in those school districts, and that's largely in part due to the debt service on the actual school district. It decreased.

COMMISSIONER MONTOYA: Okay. And I guess the other attributing factor to potential increase, how much do school bonds affect an increase in property taxes?

MR. BACA: Mr. Chairman, Commissioner Montoya, school bonds can have a tremendous increase in property taxes because this is where that money's derived from. We've experienced that in the Pojoaque Valley with the numerous school bonds that have been passed and with the construction of the new facilities. That area has seen quite an increase in their tax rate.

COMMISSIONER MONTOYA: Okay. Thank you, Mr. Chairman. Thank you, Brian.

CHAIRMAN ANAYA: Any other comments, questions? What's the pleasure of the Board?

COMMISSIONER MONTOYA: Move for approval.

COMMISSIONER VIGIL: Second.

CHAIRMAN ANAYA: Motion and a second. Any more discussion?

The motion to approve the certificate of tax rate passed by unanimous [5-0] voice vote.

MR. GONZALEZ: Mr. Chairman, just to address the agenda, the fluid agenda. I think that after discussing with bond counsel and our Finance Director, we are ready to move forward with that item even though we don't have Kevin here at present with us. Whatever the Commission wants to do. The other thing is I'd like to give some guidance to Steve Shepherd about whether you want to move towards the continuation of the discussion of the supplemental somewhere in here or after we complete the executive session. It looks like if we wait until after the completion of the executive session we'd hit that item around 4:30 would be my guess, if not a little bit sooner.

CHAIRMAN ANAYA: Okay, so what does the Board want to do?

COMMISSIONER MONTOYA: Let's do the bond.

COMMISSIONER CAMPOS: I agree.

COMMISSIONER SULLIVAN: Let's do the bond and the supplemental now and then go into exec.

COMMISSIONER CAMPOS: What about the recess from the Indigent Board meeting? Do we need to call the folks from the hospital and have them be here for discussion?

MR. GONZALEZ: We could be doing that while we go through the bond discussion if you like, or we can do it the other way around.

COMMISSIONER CAMPOS: I think they should be here.

MR. GONZALEZ: Okay.

CHAIRMAN ANAYA: So what did you decide? We want to hear the bond?

COMMISSIONER CAMPOS: Hear the bond and then recess.

CHAIRMAN ANAYA: Bond, and then go into executive session and then St. Vincent's.

COMMISSIONER CAMPOS: Let's do the bond, St. Vincent's, and go into executive.

COMMISSIONER VIGIL: The only problem that you brought up, Commissioner Campos, was that I think actually this morning we had told the representatives from St. Vincent's that we would recess until 5:00.

COMMISSIONER CAMPOS: We didn't say that.

COMMISSIONER VIGIL: Steve, do you recall whether or not they have an expectation that this will be started at 5:00?

STEVE SHEPHERD (Health & Human Services Director): Mr. Chairman, Commissioner, I don't believe so. What I told them was - originally they were told that we were going to do this during lunch and we didn't. So I called them and told them I'd call them

when we got ready to do it. And it would be towards the end of the meeting.

CHAIRMAN ANAYA: You might want to call them.

MR. SHEPHERD: Okay. I'll call them right now.

XII. D. Miscellaneous

1. Resolution 2005-163. A Resolution Authorizing Publication of a Notice of Sale of \$20,000,000 Santa Fe County, New Mexico General Obligation Bonds (Road/Public Works Facility/Water Improvements), Series 2005 (Finance Department) NON-CONSENT ITEM

MS. LUCERO: Mr. Chairman, members of the Board, the resolution that we are asking you to approve in front of you today is the first step in our long-term financing plan based on general obligation bonds that were approved by the voters last election. This first sale will be in the amount of approximately \$20 million, and thus far we have identified those projects which we consider project-ready, meaning that the minimum of five percent of the proceeds will be spent within the first six months that we've received the proceeds from the bond sale.

So, so far to date, we have completed - we have a complete cost estimate for the Public Works facility, which looks to be in the neighborhood of \$12 million. So with this first sale of \$20 million, we've identified \$5 million to go towards the Public Works facility and approximate additional \$6 million to go towards road construction, road improvements, and an additional \$6 million for water rights purchases.

We are trying to still fine-tune these figures between now and October 25th when the bond sale will actually take place. So at this point I'd like to have our bond counsel, Peter Franklin, go over the legalities of the resolution that you have in front of you.

COMMISSIONER MONTOYA: Mr. Chairman.

CHAIRMAN ANAYA: Commissioner Montoya.

COMMISSIONER MONTOYA: That's \$17 million. What about the other three?

MS. LUCERO: Mr. Chairman, Commissioner Montoya, we're still identifying project-ready projects. It will most likely at this point go into the water arena. Every day water rights purchases are coming closer and closer to closing. So that's what they'll most likely go for. If not, then we will sell \$17 million. But we're asking you for a maximum authorization of \$20 million.

COMMISSIONER MONTOYA: Mr. Chairman, could I get a list of project-ready projects?

MS. LUCERO: Mr. Chairman, Commissioner Montoya, I believe the roads, Public Works Department, brought to the Board in July or June a road improvement plan, but we can repeat that list to you to identify those items.

COMMISSIONER MONTOYA: Okay. Thank you.

CHAIRMAN ANAYA: Commissioner Campos.

COMMISSIONER CAMPOS: Quick question, Ms. Lucero. As far as the Public Works, you identified x-number of dollars. Does that include money to address our energy efficient concerns?

MS. LUCERO: Mr. Chairman, Commissioner Campos, I don't believe it does specifically. And I know Joseph has talked to the architect on this item and I believe they're preparing the architect to come forward with a presentation before everything's finalized on the design.

COMMISSIONER CAMPOS: So I hope we don't come to a point where we don't have money for that. Are we in danger of that?

MS. LUCERO: I think at this point, to be clear, we probably are shifting more costs than we originally anticipated on the facility. We're shifting more costs from road construction over to the facility construction. However, we had built in a buffer of about \$4 million initially when we came up with the \$20 million road bond project. So we have to revisit that as these cost estimates on the facility are finalized.

COMMISSIONER CAMPOS: I'm not sure I understood. You said a lot of stuff but that's going to be critical for my vote on this thing. If it doesn't go that way I'm not going to be very strongly in favor of this project.

MS. LUCERO: Mr. Chairman, Commissioner Campos, this is, like I say, the first phase of sale. We're looking at a total voter authorization of I believe it was \$72.5 million, \$20 million of that for roads. So this \$20 million is a combination of roads and water.

COMMISSIONER CAMPOS: I understand that. My point is that for the last few years I've made an argument to argument. We need to make this building energy efficient and we keep getting ignored. Now we're probably going to get another argument that we have construction costs and there's not going to be any money for anything else, so we're going to wind up in the same place. I'm just saying, I'm concerned about that to Mr. Gutierrez.

MR. GUTIERREZ: Mr. Chairman, Commissioner Campos, I've worked with the numbers with Susan in terms of what we're estimating the Public Works facility to come in at. The architect's cost estimate, which we received last week is roughly about \$11 million. We feel that we can make some concessions in terms of floor space to bring that number down. As we bring that number down, we can allow for some budget for energy efficient measures and we've instructed them to go back and look at those costs because those costs weren't addressed in the first cost estimate. But with the numbers that Susan and I have come up with, there would be sufficient dollars to allow for some of these items to be incorporated. I think there's enough flexibility at this point to do that. And we're looking at an overall cost of maybe around \$12 million at this point, and that's our budget number. And that's with reducing the original cost estimate.

CHAIRMAN ANAYA: Thank you, Joseph. Peter.

PETER FRANKLIN: Thank you, Mr. Chairman and Commissioner. I want to just walk very quickly through the notice of sale resolution itself. Before I do that though, I

thought I would try to add something to Susan's point about incurring a five percent, or expending five percent of the proceeds within six months. The obligation that the County will have on the other end of what we call the temporary period is to have expended at least 85 percent of the proceeds within three years after the bonds are issues. So in my mind, we need to have the projects, we need to have enough certainty of spending that, both the five percent and the 85 percent by the time we sell these bonds, which we are scheduled to do on October 25th if you approve this resolution.

So even though the projects don't have to be identified to a tee right now, they will need to be identified in time to have that level of assurance that we're going to have the 85 spent within three years, before we go forward with the sale itself. That being said, what this resolution does is authorize a notice of sale to be published in both the *New Mexican* and the financial newspapers and on the Internet, announcing that the County will take bids on \$20 million of general obligation bonds on October 25th at 11:00 am. At that time, assuming that the County wants to go forward with this, at that time we will identify what the best bid is, meaning the lowest interest cost on that \$20 million bond issue and the bonds would be awarded to the best bidder.

Basically, what this resolution does is detail how the notice is to be given and how the bids will be accepted and analyzed and how the bonds will be awarded to the best bidder. I'd be happy to answer any questions.

CHAIRMAN ANAYA: Any questions of Peter? Commissioner Montoya.

COMMISSIONER MONTOYA: This breakdown that we have right now, essentially there's \$3 million to be identified in projects and then the \$6 million in water rights. Even though we have that breakdown right now, do we still have some flexibility of moving money between those three identified? Because if we have a \$12 million Public Works facility - we have, what? \$9 million right now? \$4 million and then the five with this sale? Or if it's not even \$4 million -- \$400,000.

MR. GUTIERREZ: Mr. Chairman, Commissioner Montoya, right now, for Public Works we have \$3.5, \$3.6 million. That's what we have right now.

COMMISSIONER MONTOYA: \$3.6 million now and this would give us eight-whatever. So we're still \$3.5 off. So if we needed to do some shuffling, we could do that with this sale?

MR. FRANKLIN: Mr. Chairman, Commissioner Montoya, that is correct. What we need to have a high level of confidence about by the time we sell is that we'll be able to spend five percent of the proceeds within six months and 85 percent within three years.

COMMISSIONER MONTOYA: Okay.

CHAIRMAN ANAYA: Any other comments?

COMMISSIONER MONTOYA: Mr. Chairman, I move for approval.

CHAIRMAN ANAYA: There's a motion. Is there a second?

COMMISSIONER VIGIL: Second.

CHAIRMAN ANAYA: Any more discussion?

The motion to approve Resolution 2005-163 passed by unanimous [5-0] roll call vote with Commissioners Campos, Montoya, Sullivan, Vigil and Anaya all voting in the affirmative.

CHAIRMAN ANAYA: It's an exciting day today, I'll tell you. We've been asking for those bonds to be sold and it happened.

COMMISSIONER MONTOYA: When was the last time the County sold bonds?

COMMISSIONER VIGIL: Gerald, do you know the last time we sold bonds? Or Peter?

MR. FRANKLIN: Mr. Chairman, Commissioner Vigil, we sold refunding bonds in July and closed last month, and those refinanced the County's 1997 GO bonds. Prior to that I believe it was 2003, that was before my time, but I believe that was the last new money general obligation bonds sold.

COMMISSIONER VIGIL: Thank you. Mr. Chairman, are we going to discuss the supplemental? My concern is that St. Vincent's isn't here.

CHAIRMAN ANAYA: What we're going to do is discuss possible action of fiscal year 2006 sole community provider supplemental funding for St. Vincent's. Does staff, does the Commission want to go ahead and be talking to staff as we wait for them or do we want to wait for them or do we want to go into executive session?

COMMISSIONER CAMPOS: Wait.

CHAIRMAN ANAYA: You don't even want to start the discussion?

COMMISSIONER CAMPOS: I don't.

COMMISSIONER VIGIL: I don't either, Mr. Chairman. We need to work on building relations with St. Vincent's and I think this would be counterproductive to that, to have discussions without them here.

COMMISSIONER MONTOYA: Are they on their way, Steve?

MR. SHEPHERD: Mr. Chairman, I called them as soon as you told me and Mr. Valdez's secretary told me she'd tell him right away. So I expect that they're on their way right now.

XIII. Matters from the County Attorney

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

Commissioner Montoya moved to go into executive session pursuant to NMSA Section 10-15-1-H (7, 2 and 5) to discuss the matters delineated above. Commissioner

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Vigil seconded the motion which passed upon unanimous roll call vote with Commissioners Campos, Montoya, Sullivan, Vigil and Anaya all voting in the affirmative.

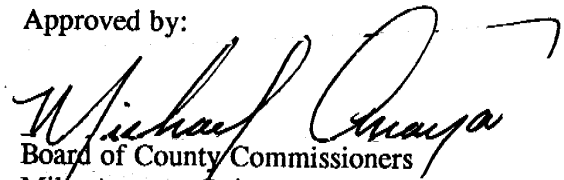
[The Commission met in executive session from 4:00 to 4:50.]

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

XIV. ADJOURNMENT

Chairman Anaya declared this meeting adjourned at approximately 4:50 p.m.

Approved by:


Board of County Commissioners
Mike Anaya, Chairman

Respectfully submitted:

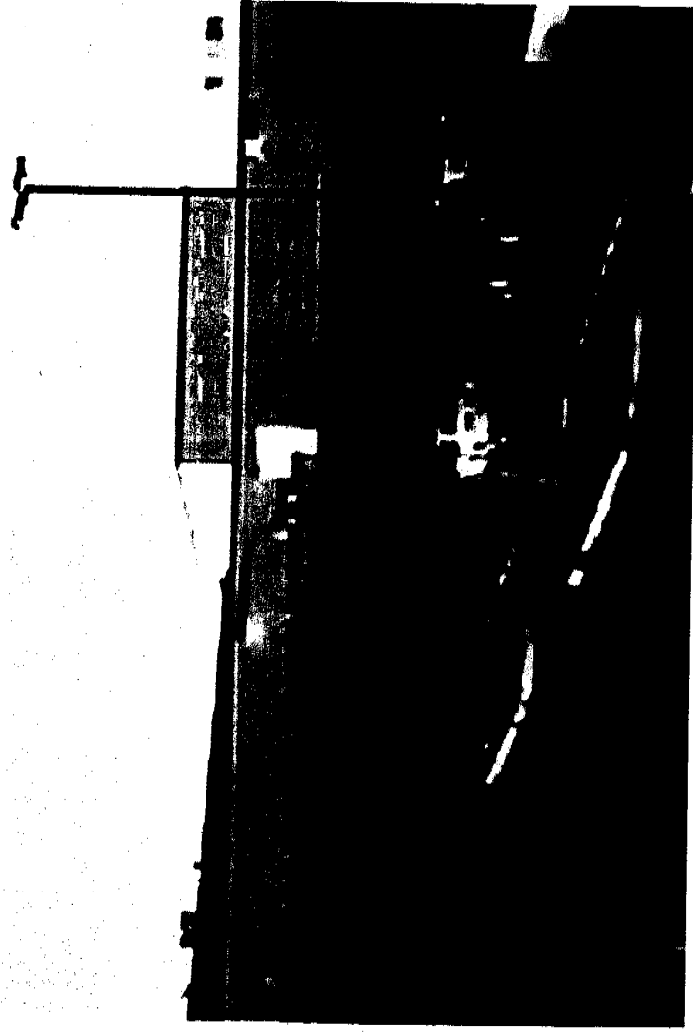

Karen Farrell, Commission Reporter

ATTEST TO:


VALERIE ESPINOZA
SANTA FE COUNTY CLERK

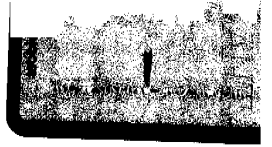


Biomass Demonstration Project at the Santa Fe County Adult Detention Facility



LOCAL ENERGY
...communities becoming energy self-reliant

Mark Sardella, P.E.
Local Energy
September 27, 2005



THE COUNTY 11/08/2005

are, for example, 30 inmates from Taos County and 48 from the city of Española currently being housed in the jail. The county receives revenue for those prisoners, but Sullivan said the Santa Fe County prisoners are essentially money out of pocket, "a complete loss to the county."

'The more money we lose'

The county projects it will receive an average of \$59.63 per day for each inmate it houses in 2006 but that each inmate will cost it \$70.28 per day.

"The more inmates we have, the more money we lose," Sullivan said.

As a result, several county commissioners interviewed spoke of the need for alternative ways of sentencing that would keep law-breakers out of jail, such as electronic monitoring.

"You have to create alternatives," Commissioner Virginia Vigil said. "The district attorney is trying to satisfy its mandatory sentencing obligations. The judges are hesitant in giving more lenient sentences, because they have a responsibility to protect the public. It becomes a problem with the entire criminal justice system."

Despite that, Vigil said she hopes to "swing the pendulum" away from incarceration back toward rehabilitation. An emphasis on treating drug and alcohol addiction, as well as various mental health problems through means other than incarceration, would not only benefit society, but help the county financially, Vigil said.

Chairman Mike Anaya suggested other options for easing the financial burden—first among them bringing back federal prisoners.

"That has always hurt the county financially," Anaya said.

Anaya also said he thinks the county needed to work more with the state Legislature and use lobbyists in Washington, D.C., to help bring in more money.

Gonzales put the numbers in perspective: expenses from the jail constitute roughly a third of the county's \$45 million general fund budget, though other county revenues bring the total operating monies to about \$80 million, he said.

"It's the single most significant drain on the county budget," Gonzales said. "But the big thing, of course, we've got about 200 more employees coming on aboard. That will make Corrections the single largest department in the county, and that brings with it all the administrative headaches that come with managing a large department."

Montoya struck the most pessimistic chord.

"Quite honestly, taking over the jail scares me to death, because now we're totally liable for anything that happens in that facility," he said. "MTC had a few lawsuits, and now everything that comes is going to fall on our lap completely... It has been a huge thorn in our side, from the very beginning."

Solano, at least, doesn't see a whole lot of change coming from the Oct. 11 handover. He said running the jail has been an integral part of his job as county sheriff since he started the job in 2002, despite its being under private management that whole time.

"I get named in all the lawsuits at the jail," he said. "We already deal with it to such a large extent that I think it's better we just have complete control over it anyway, because we're the ones that have to answer for it. Private companies aren't responsible to the public. We are."

