

SANTA FE BOARD OF COUNTY COMMISSIONERS
COMMISSION CHAMBERS **COUNTY ADMINISTRATION BUILDING**

REGULAR MEETING
(Administrative Items)

November 30, 1999 - 1:30 P.M.

Agenda

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Approval of Agenda
 - A. Amendments
 - B. Tabled Items
- V. Approval of Minutes
- VI. Consent Calendar:
 - A. Resolution No. 1999-¹⁴³ A Resolution Requesting a Budget Increase to the Fire Fund to Budget Prior Year (FY 1999) Cash Balances and Impacts Fees for Expenditure in Fiscal Year 2000 (Fire Department)
OK
 - B. Resolution No. 1999-¹⁴⁴ A Resolution Requesting a Budget Increase to the Fire Tax Fund to Budget Prior Year (FY 1999) Cash Balances for Expenditure in Fiscal Year 2000 (Fire Department)
OK
 - C. Resolution No. 1999-¹⁴⁵ A Resolution Requesting a Budget Increase to the General Fund/Land Use Department to Complete Code Requirements Imposed Upon a Development Project for Expenditure in Fiscal Year 2000 (Land Use Department)
OK
 - D. Resolution No. 1999-¹⁴⁶ A Resolution Requesting a Budget Increase to the General Fund/HIDTA Region III Grant to Reflect an Increase in Current Year Grant Award for Expenditure in Fiscal Year 2000 (Sheriff's Department)
OK
 - E. Resolution No. 1999-¹⁴⁷ A Resolution Requesting a Budget Increase to the Clerk Recording Fees Fund to Budget Prior Year (FY1999) Cash Balances for Expenditure in Fiscal Year 2000 (County Clerk's Office)
OK

F. Resolution No. 1999-¹⁴⁸ A Resolution Requesting a Budget Increase to the General Fund/Housing Capital Improvement Fund to Establish Budget for the 1999 CIAP Program Based on a Grant Award Received from the US Department of Housing and Urban Development (Health, Community and Economic Development Department - Housing Services Division)

G. Resolution No. 1999- A Resolution Requesting a Budget Transfer from the Housing Improvement Fund to the Housing Services Enterprise Fund to Cover Salaries and Benefits of the CIAP Coordinator for Expenditure in Fiscal Year 2000 (Health, Community and Economic Development Department - Housing Services Division)

H. Resolution No. 1999-¹⁴⁹ A Resolution Amending the Original Budget Transfer from the Housing Improvement Fund to the Housing Services Enterprise Fund to Correct the Operating Transfer for Expenditure in Fiscal Year 2000 (Health, Community and Economic Development Department - Housing Services Division)

OK I. Request Authorization to Enter into Amendment Number One to the Price Agreement with Ink Impressions Inc. for the Reprinting of the 1999 Tax Bills (County Treasurer's Office)

J. Request Authorization to Accept and Award a Construction Agreement to the Lowest Responsive Bidder, IFB #20-32 RB1, for the Remodeling of the Edgewood Fire District to Convert into New Sleeping Quarters (Fire Department)

K. Request Authorization to Accept and Award a Price Agreement to the Lowest Responsive Bidder, IFB #20-33, for Roll-Off Containers for the Solid Waste Division (Public Works Department)

OK L. Request Authorization to Accept and Award a Purchase Agreement to the Lowest Responsive Bidder, IFB #20-35, Exclusive Redman Homes, for the Mobile Living Quarters for the Hondo Fire District (Fire Department)

OK M. Request Authorization to Accept the Lease Agreement for the Region III Offices (Sheriff's Department)

VIII B

VII. Administrative Items:

A. Committee Expirations/Resignations/Vacancies:

1. DWI Planning Council

B. Committee Appointments:

1. Santa Fe County Maternal and Child Health Planning Council
2. Santa Fe County Fair Board

VIII. Presentations & Awards:

A. Presentation by Executive Leadership Committee Regarding Community Schools, by Ron Stevens

to be
B. Presentation by Mentoring New Mexico, Inc. Wise Men and Women, by Eugene Weisfeld

C. Presentation by University of New Mexico and Santa Fe County Land Use Department Regarding the Results of a Land Evaluation and Site Assessment Study (LESA) Performed in La Cienega

D. Presentation by the Land Use Department Regarding Federal Funding Appropriated for the Eldorado Commuter Rail

E. ~~Presentation by L & M Technology, Inc. Regarding Park Sprinkles, by Tom Card~~

IX. Staff and Elected Officials Items:

A. Quarterly Report

1. County Treasurer

B. Finance Department

1. Request Authorization to Accept and Award a Professional Services Agreement to the Highest Qualified Respondent, RFP #20-24, for the Construction Management Services of the Road Improvements Project for County Road 72 and 85 (Public Works Department)

2. Request Authorization to Accept and Award an Professional Services Agreement to the Highest Qualified Respondent, RFP #20-31, Laura Kay, MD, to Provide Professional Services as the Emergency Medical Services Director (Fire Department)

3. Request Authorization to Enter into a Professional Services Agreement with Estrada Hinojosa for Financial Advisor Services for Santa Fe County

4. Request Authorization to Enter into a Professional Services Agreement with First State Bank for Fiscal Agent Services for Santa Fe County

C. Health, Community and Economic Development Department

1. Resolution No. 1999^{5th} A Resolution Approving the Tenant Payment and Rent Determination Policy

- 151
2. Resolution No. 1999- A Resolution Supporting the New Mexico Association of County Maternal and Child Health Planning Councils' Recommendations to the New Mexico State Legislature
- D. Public Works Department
1. Request Direction on Continuing Forward with the Silverado North Assessment District Project and the Silverado South Assessment District Project
 2. Update on Status of San Isidro Crossing Project
 3. Discussion of Establishing a Santa Fe County Solid Waste Advisory Committee Charged with Developing County Solid Waste Management Planning
 4. Request Authorization to Terminate a Contract, Bid #20-11, with J.R. Hale Contracting Company Inc. for County Road 64-L (Richard's Avenue) Re-Paving Project
 5. Request Approval of the Co-op Severance Tax Agreement for the Agua Fria Project from the New Mexico State Highway and Transportation Department (NMSHTD)
 6. Request Authorization to Enter into Field Order Work Directive Number Two for Emergency Work for Construction Contract Number 99-31, Agua Fria Landfill Closure
- E. Resource Development Department
1. Resolution No. 1999- A Resolution Adopting the Legal Holidays and Closing of County Offices for Calendar Year 2000
- F. Utilities Department
1. Request Authorization to Enter into an Amendment to the First Amended Initial Customer Contract for Commitment of Water Service with O.L. Beaty, Glynn L. Stewart, and Beaty Electric Company to Allow for an Expanded Area of Water Service Commitment Use
 2. Request Authorization to Enter into an Amendment to the First Amended Initial Customer Contract for Commitment of Water Service with Greer Enterprises, Inc. to Allow for Additional Water Service Commitment
- G. Matters from the County Manager, Samuel O. Montoya
1. Request Authorization to Enter into Amendment Number Four to the Operating Agreement with Cornell Corrections for the Operation of the Santa Fe County Adult Detention Facility
- H. Matters of Public Concern - NON-ACTION ITEMS

I. Matters from the Commission

1. Request to Reconsider EZ Case #DL 99-4750. Request reconsideration of BCC's decision to limit James and Mary Butler's family transfer to two lots. The described property is located off Calle Carla Road, within Section 25, Township 17 North, Range 8 East (5 Mile EZ District). (Commissioner Anaya)
2. Resolution No. 1999-¹⁵³ A Resolution Authorizing County Staff to Assist City Staff in their Pursuit of the Permanent Closure of Burro Alley to Vehicular Traffic (Commissioner Grinë)

J. Matters from the County Attorney, Denice Brown

1. Request Authorization to Execute a Quit Claim Deed to Sunlit Hills of Santa Fe Inc. and Hondo Hills Inc. for Tract A of the Hondo Hills Replat
2. Resolution No. 1999-¹⁵⁴ Rules of Order for Santa Fe County Boards and Commissions, Repealing Resolution 1996-35 to Allow Board and Committee Members to Participate by Telephone
3. Executive Session:
 - a. Discussion of Possible Acquisition of Real Property Using Land Acquisition Bond Proceeds
 - b. Discussion of Possible Acquisition of Real Property for Judicial Complex
 - c. Discussion of pending litigation - Santa Fe County v. PNM
 - d. Discussion of Possible Lease of Real Property for the Purpose of Constructing a Fire Station for the Pojoaque Fire Department
 - e. Discussion of Pending or Threatened Litigation with San Ildefonso Pueblo

X. ADJOURNMENT

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

1717078

BOARD OF COUNTY COMMISSIONERS

SANTA FE, NEW MEXICO

REGULAR MEETING

NOVEMBER 30, 1999

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

1717078

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

November 30, 1999

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 1:45 p.m. by Chairman Joe S. Griñé in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

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

Members Present:

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

Members Absent:

None

IV. APPROVAL OF THE AGENDA

A. Amendments

B. Tabled items

SAMUEL MONTOYA (County Manager): Mr. Chairman, we have two tabled items on today's agenda. The first is VI. G, A resolution requesting a budget transfer from the Housing Improvement Fund, and VIII. E., a presentation by L & M Technology regarding Park & Ride. Those are the only two tablings.

CHAIRMAN GRINÉ: What was the second one, Sam?

MR. MONTOYA: A presentation by L & M Technology regarding Park & Ride. They're noted in blue on your agenda.

CHAIRMAN GRINÉ: Right. Thank you. Thank you, Sam. I need a motion to approve the agenda.

COMMISSIONER DURAN: Mr. Chairman, I have one request please.

1717078

CHAIRMAN GRINÉ: Go ahead, Commissioner Duran.

COMMISSIONER DURAN: I was wondering, I've been working with Gene Weisfeld who is with the Mentoring New Mexico, Inc. program, and I was wondering if I could bring his item, which is item VIII. B. so that he can back to work mentoring our community. After the Consent Calendar.

CHAIRMAN GRINÉ: After the Consent Calendar. That would be fine. Is that okay with the rest of the Commissioners? Okay, that would be letter B after the Consent Calendar. It's letter VIII. B. Presentation by Mentoring New Mexico, Inc. Wise Men and Women by Eugene Weisfeld, and we're going to move it right after the Consent Calendar, after letter M.

COMMISSIONER DURAN: Thank you, Mr. Chairman.

Commissioner Duran moved to approve the agenda as amended and Commissioner Anaya seconded. The motion passed by unanimous [4-0] voice vote.

VI. CONSENT CALENDAR

- A. Resolution No. 1999-143. A resolution requesting a budget increase to the Fire fund to budget prior year (FY 1999) cash balances and impact fees for expenditure in fiscal year 2000**
- B. Resolution No. 1999-144. A resolution requesting a budget increase to the Fire tax fund to budget prior year (FY 1999) cash balances for expenditures in fiscal year 2000**
- C. Resolution No. 1999-145. A resolution requesting a budget increase to the general fund/Land Use Department to complete code requirements imposed upon a development project for expenditure in fiscal year 2000**
- D. Resolution No. 1999-146. A resolution requesting a budget increase to the general fund/HIDTA Region III grant to reflect an increase in current year grant award for expenditure in fiscal year 2000**
- E. Resolution No. 1999-147. A resolution requesting a budget increase to the Clerk recording fees fund to budget prior year (FY 1999) cash balances for expenditure in fiscal year 2000**
- F. Resolution No. 1999-148. A resolution requesting a budget increase to the general fund/Housing Capital Improvement fund to establish budget for the 1999 CIAP program based on a grant award received from the US Department of Housing and Urban Development**
- H. Resolution No. 1999-149. A resolution amending the original budget transfer from the Housing Improvement fund to the Housing Services Enterprise fund to correct the operating transfer for expenditures in fiscal year 2000**

1717078

- I. Request authorization to enter into amendment number one to the price agreement with Ink Impressions, Inc. for the reprinting of the 1999 tax bills
- J. Request authorization to accept and award a construction agreement to the lowest responsive bidder, IFB #20-32 RB1, for the remodeling of the Edgewood Fire District to convert into new sleeping quarters
- K. Request authorization to accept and award a price agreement to the lowest responsive bidder, IFB #20-33, for roll-off containers for the Solid Waste Division
- L. Request authorization to accept and award a purchase agreement to the lowest responsive bidder, IFB #20-35, Exclusive Redman Homes, for the mobile living quarters for the Hondo Fire District
- M. Request authorization to accept the lease agreement for the Region III offices

Commissioner Duran moved for blanket approval of the Consent Calendar and Commissioner Anaya seconded. The motion passed by unanimous [4-0] voice vote.

VIII. PRESENTATIONS AND AWARDS

- B. Presentation by Mentoring New Mexico, Inc. Wise Men and Women by Eugene Weisfeld

COMMISSIONER DURAN: Mr. Chairman, if I could make a brief presentation before Mr. Weisfeld comes up. I was contacted by Mr. Weisfeld to try and get some kind of program adopted at the County relative to the mentoring program Mr. Weisfeld is involved in and what I did in the last week is I prepared a questionnaire that went out to all the employees here at the County asking them to give us their thoughts on the mentoring program and we also gave them some information on how effective that program is.

So I asked Gene to come forward and just give us a little presentation on his program and what I'd like to do, since we didn't get many of the questionnaires back is I'd like to ask our Personnel Department to put that questionnaire one more time in the envelope, the paycheck envelope and if the department heads could try to follow up with their employees in each department to make sure that they fill them out if they are interested in it. So that's what I have been doing with Mr. Weisfeld.

COMMISSIONER ANAYA: Thank you, Commissioner Duran.

COMMISSIONER TRUJILLO: Is this a program that already exists in the County?

COMMISSIONER DURAN: It exists in the private sector, so what we're trying to do is find a way of developing a program that would allow County employees to

1717078

participate in this mentoring program. So the questionnaire asked them if they were interested in the program, would they be interested in it if they had comp time or if they had additional pay, or would they do it for free. I'm trying to isolate just what motivates individuals to get involved in the program, because it is a good program and if it turns out to be a monetary thing, perhaps we could go to the legislature to ask for funding. Maybe we have money in our budget. There were just a lot of different ways of dealing with it based on what kind of information we receive from the employees as to how they would like to be compensated if compensation is a consideration at all.

COMMISSIONER ANAYA: Any other questions? Mr. Weisfeld.

EUGENE WEISFELD: Thank you very much, Commissioner Anaya, Commissioner Duran, Trujillo, Gonzales. Again, my name is Eugene Weisfeld. I'm the director of Mentoring New Mexico, Incorporated. We are a non-profit, tax-exempt organization that matches caring adults with at-risk students in the public schools. We are also the fiscal agent for, and I am the program manager of a program called Wise Men and Women which does the same thing in the elementary schools. Mentoring New Mexico works with students in the middle schools and the high schools. We are also working on supporting after school programs and lunch programs where people, adults, caring adults who have been screened and trained can spend, can have lunch with one of our elementary schools.

We operate on the premise that any contact between a caring adult and a student, a young person with an adult that really pays attention to this child, listens to what the youth has to say, helps. And the more of those contacts we have the better. We have now developed programs that will anyone's schedule. If you can only take an hour or two a week, once a month, we can manage. We have a program for you. If you can do it an hour a week in the school year, we have programs for you.

So we really can accommodate any person who wished to participate in the program and work around your schedule. I would also like you to know that at this point the state allows state employees one hour a week paid time off to be in these mentoring programs. There's also two other mentoring programs, Volunteers in Public Schools comprises the two programs that I'm involved with. A program called HOST, which is more of an academically oriented program and also needs an hour a week, and Success at Work, which is a program run through the Chamber of Commerce, that explains to seventh through ninth graders what it means to be in the business world, how to interview, how to fill out an application, how to start a business. Plus there are many other programs, after school programs, in-school programs.

Basically, at this time I really would like to thank Commissioner Duran for the time he took to meet with me and for getting the questionnaire issued and I would be happy to answer any questions now or at any time at your convenience.

COMMISSIONER ANAYA: Thank you, Mr. Weisfeld. Any questions of Mr. Weisfeld.

1717078

COMMISSIONER GONZALES: Mr. Chairman, just wanted to commend this program, which certainly here at the County we've talked about for a couple of years to try and encourage our employees to try and give back a little bit more to their community and what we can do as a county to assist them in doing that, this program may be something that affords them that opportunity but is it just at-risk kids that you're focusing on and how is that evaluation done and understanding that you're dealing with people who have their own families at home and are limited. Does it hurt to have people give it a shot and then pull back and then give it a shot and not having any type of level of consistency? I mean, there's a number of questions in all that.

MR. WEISFELD: Certainly, your first question, we use the word at-risk in a fairly loose way. The criteria for being in our program is simply that a teacher or a counselor feels that a student would benefit from having a mentor. We have students from two-parent families in the program. We have students from families that are economically certainly middle class, although primarily the bulk of our kids are single-parent families and moderate to low income. Predominantly Hispanic because they reflect the student population. In fact the kids in our program tend to reflect the student population very closely.

So we have no hard and fast criteria as to what students could benefit. Some of these after school programs that we're supporting, in terms of trying find people to go and help have often just the parents signed you up and that's it. So we really are looking at a broad spectrum of children from all ages, all economic and socio-economic strata, and which kid a particular volunteer would get depends a lot on just who's available at a given time.

As far as trying it, we do have programs where you can go and help an after school program and drop in when you can, literally. If it's once a month, great. If it's weekly, wonderful. When we match people though with a single child for a mentoring relationship we really do ask that person to make a commitment, to stay with that child at least through the school year. And for whatever reason you can't make that commitment and I certainly understand many people can't, that we would suggest you try one of these other programs where you really can do it at your, pretty much at your pleasure.

COMMISSIONER GONZALES: You may have mentioned this already, but are you only in the Santa Fe School District, or are you also working in the Pojoaque and Española school districts?

MR. WEISFELD: At this time, Mentoring New Mexico is only in the Santa Fe Public School Districts, but there are programs now in the Española School District. They're not run by us, but I would be more than happy to work with the manager or yourself or Mr. Duran or the Chair or whoever in working out for people who want to volunteer in Española, or I guess it would be a Santa Fe County thing. But we would work with people to get into other schools but currently we are only in the Santa Fe Public Schools.

COMMISSIONER DURAN: Excuse me. Pojoaque's only school is within

1717078

Santa Fe County right now, right?

COMMISSIONER TRUJILLO: Mr. Chairman, there's a mentorship program that's quite prolific with Los Alamos National Laboratory. They go out into the Pojoaque School District, into the Española School District, and essentially what that serves as is a pipeline, if you will to get kids interested in the technological, engineering science academic courses. So something along those lines that this program is about.

MR. WEISFELD: As a matter of fact we just recently were funded by the LANL Foundation to set up what we're calling a cyber-mentoring program where students from the Santa Fe High computer classes will be mentored by people at the lab. And the mentoring will happen, there'll be both personal contacts, but most of the communication will be by e-mail. So we're expanding into that area as well. And I'm familiar with these other LANL programs but we are not currently involved with it.

CHAIRMAN GRINÉ: Any other questions of Gene?

COMMISSIONER DURAN: No, I just think we're going to put that questionnaire one more time out there and once we get them back, Eugene, I'll get copies of it to you and maybe you can help me decipher what they're saying and how we may be able to put that together.

MR. WEISFELD: Absolutely. I'd like to thank you for your interest in getting it this far and anything we can do to help we'd be more than happy to do.

COMMISSIONER DURAN: We'll go forward after the questionnaires come back.

V. APPROVAL OF MINUTES

October 26, 1999

Commissioner Anaya moved to approve the October 26, 1999 meeting minutes. Commissioner Trujillo seconded and the motion passed by unanimous voice vote. [Commissioner Gonzales is not present for this action.]

November 1, 1999

Commissioner Anaya moved approval of the minutes of November 1, 1999 and Commissioner Trujillo seconded. The motion passed by unanimous voice vote. [Commissioner Gonzales is not present for this action.]

November 9, 1999

Commissioner Anaya moved to approve the minutes of November 9, 1999 as submitted. Commissioner Duran seconded and the motion passed by unanimous voice vote.

1717078

[Commissioner Gonzales is not present for this action.]

VII. ADMINISTRATIVE ITEMS

A. Committee expirations, resignations and vacancies

1. DWI Planning Council

MR. MONTTOYA: Mr. Chairman, members of the Board, the DWI Planning Council has two resignations to report to the Board and to ask for your confirmation of these resignation. The first is Melissa Bunnell who was on the council representing the school district. She's taken employment in another organization and that organization will be funded by DWI funds, so she feels there would be a conflict and she has sent in her resignation due to that factor.

The second individual is a gentleman by the name of Ramon Sanchez, who over the course of one year has been unable to make the meetings, has only been able to attend one meeting and has also asked that his name be removed from the council. So we're asking, Mr. Chairman, for the Board of County Commissioners to affirm the resignation of Melissa Bunnell and Ramon Sanchez from the DWI Planning Council.

CHAIRMAN GRINÉ: Okay, Sam, also I think their plans are to reduce the committee size, right? So we probably don't make no new appointments, too, right?

MR. MONTTOYA: That is correct, Mr. Chairman. We are going to be assessing the size of that committee, of that respective council and we will be coming back to you with some recommendations.

CHAIRMAN GRINÉ: Okay, thank you. So do I have a motion to accept the resignations?

Commissioner Trujillo moved to accept the resignations of Melissa Bunnell and Ramon Sanchez from the DWI Planning Council. Commissioner Anaya seconded and the motion passed by unanimous voice vote. [Commissioner Gonzales is not present for this action.]

VII. B. Committee appointments

1. Santa Fe County Maternal and Child Health Planning Council

MR. MONTTOYA: Mr. Chairman, members of the Commission, we have before you today some recommendations for reappointments of two individuals that are currently serving on the Santa Fe County Maternal and Child Health Planning Council, and they are Brenda Hykel and Jane Stern. Their membership expired on October of '99, at the

1717078

end of October of '99, and the membership committee of the council has renominated these two individuals to serve two-year terms for these two individuals. So, Mr. Chairman, we're asking that the council recommendations be affirmed by the Board of County Commissioners, appointing Brenda Hykel and Jane Stern to two-years terms.

CHAIRMAN GRINÉ: What are the wishes of the Board?

Commissioner Trujillo moved to approve Brenda Hykel and Jane Stern for reappointment to the Maternal and Child Health Planning Council. Commissioner Anaya seconded and the motion passed by unanimous voice vote. [Commissioner Gonzales is not present for this action.]

VII. B. 2. Santa Fe County Fair Board

MR. MONTROYA: Mr. Chairman, members of the Commission, we have several recommended appointments to the County Fair Board. Let me take the first grouping of people that are recommended for reappointment. There's a total of five individuals that are recommended for reappointment. They are: Jerry Maxwell, representing Edgewood, Karen Reyer, representing Lamy, Shannon Esquivel, representing Turquoise, New Mexico, Mike Gallegos, representing Turquoise, New Mexico, and Bobby Borrego, representing the Agua Fria community.

Secondly, Mr. Chairman, there's a recommendation that Leslie Gumm also be recommended to fill a vacancy, and the term of that appointment would expire on December 31, 2001. And the last individual is a recommendation to you of Gary Runer to complete the remaining year of Ken Hastey's position. Mr. Hastey failed to fulfill his two-year appointment and the term of Gary Runer will then expire on December 31, 2000. Those are the recommendations for the County Fair Board.

CHAIRMAN GRINÉ: Thank you, Sam. What's the recommendation by the Board?

Commissioner Trujillo moved approval of the recommendations to the County Fair Board. Commissioner Duran seconded and the motion passed by unanimous [2-0] voice vote. [Commissioner Gonzales is not present for this action.]

1717078

VII. PRESENTATIONS AND AWARDS

C. Presentation by the University of New Mexico and Santa Fe County Land Use Department regarding the results of the land evaluation and site assessment study (LESA) performed in La Cienega

KEN PIN: Mr. Chairman, Commissioners, the Land Use Department had the good fortune of having volunteer help from the University of New Mexico faculty and students as part of the School of Architecture and Planning this semester starting from August of this year. They assisted the Land Use Department, specifically the Planning Division in two projects. One was a land use map for the traditional community of La Cienega and the other one was a LESA project, which is land use and site assessment project.

Specifically the LESA project can assist in making decisions about land development in La Cienega but it also can be used in other traditional communities. It can be an integral part of their community planning and can be used as a tool to address community concerns for protecting agricultural land. At this point, I do want to introduce a faculty member from UNM, but just for the record, I'd like to thank the Assessor's Office for their cooperation in working with County Land Use staff and with UNM in working on the land use map. At this point I'd like to introduce Professor David Henkel who was the lead faculty member on this project and he will give you an introduction about the project and how it worked out.

CHAIRMAN GRIÑÉ: Thank you, Ken.

DAVID HENKEL: Mr. Chairman, Commissioners, thank you very much for the few minutes you're giving us today. My name is David Henkel. I'm professor in the community and regional planning program at the University of New Mexico, and I'm here today with a number of graduate students in our program who've been working with the County and with the community of La Cienega during this semester to help provide technical assistance in the community's effort to achieve traditional community zoning designation.

Our work has been really conducted through the assistance and great knowledge of the people of the La Cienega Valley and with the expertise of the Planning Department and the County Assessor's Department here. Today, we're going to share with you two products of this work. One is a land use map which is required by County ordinance and which is based upon soils, water and existing uses for the traditional district of La Cienega. The second product is a method for land use decision making called a land evaluation and site assessment, and it's based upon soil characteristics and includes community values pertinent to choices to be made about land uses.

These are tools that both can be used in the development review process and they are orderly methods for impact assessment really. Providing summary overviews of these two different theses here, I'd like to introduce Chris Lopez, who will talk to the land use map,

1717078

and Mr. Blair Woodard, who will describe the land evaluation and site assessment and we'd like to entertain questions following these two presentations, if you please.

CHAIRMAN GRINÉ: Thank you, David.

CHRIS LOPEZ: Thank you, Mr. Chairman and Commissioners for your time today. As Dr. Henkel said, several students from the classroom have been working on a land use map for the community of La Cienega that encompasses the traditional community zoning boundary of the community. There's two purposes to creating the land use map. One, again as he alluded to, to meet the County requirement that a land use map be included in La Cienega Valley Association community plan. The second purpose of creating the map is to suggest current land use patterns in the La Cienega Valley according to the County Assessor parcel data.

Throughout the semester, we've been collaborating and working with three different departments in Santa Fe County. Those have included the County Land Use Planning Department, the County Assessor's GIS Department, and the County GIS Mapping Department. I'd also at this moment take time to thank all the staff members from those three departments who've assisted us throughout the process. It has been through the cooperation of these three department and the University of New Mexico that we've been able to assist in creating a first GIS-generated land use map for a community in the County of Santa Fe.

The GIS component of the mapping process is still in process and we're hoping to complete that by December 15. So for today's purposes we've brought a hand-drawn map which contains the upper portion of the traditional community boundary of La Cienega, which is distinguished by the pink line here. Here we have 1998 orthographic overflight data from the New Mexico State Highway Department that we've been using as a base map all along to compare to the Assessor mylars from the County Assessor Office.

So using color coding from the Land Use Planning Department, we've been able to create a larger mosaic of land use designations for this upper portion. We're also working on a map of the lower portion as well, hand-drawn. So what we have here is yellow representing --

CHAIRMAN GRINÉ: Excuse me, Chris. Commissioner Duran.

COMMISSIONER DURAN: Can you just point out to me where Sunrise Springs is?

MR. LOPEZ: Sunrise Springs, I believe is the red property here. It's that one commercial property we have located here.

COMMISSIONER DURAN: Thank you. I know where I am know.

MR. LOPEZ: Red representing commercial, being Sunrise Springs. The blue represents institutional, which is Las Golondrinas, the museum. Yellow is single residential properties, brown are vacant and the green and yellow parcels we have here are assessed single residential and agricultural. This is all based according to Assessor's data. And we included State lands here. These are the State lands here.

1717078

What we've also done for the map is we've obtained the 1976 hydrographic survey maps from the State Engineer's Office and we've pieced them together to show the river systems, acequia systems and sumps and reservoirs. And we've done this just to show how parcels of land are connected to the surface water resources in La Cienega. And then throughout the semester we've also taken several field trips to the community where we were taken around the community by a mayordomo of one of the acequias and several other members of the community and they basically laid out where the traditional community boundary is for us and kind of showed us what the landscape of La Cienega is. And one of the issues that they discussed with us as being of big importance to their community is the maintaining of a traditional rural community landscape and quality of life.

Again, part of this quality of life for them is the preservation and protection of lands that are best suited for agricultural production. So we've assisted in developing this land use map as a tool for both the County Planning Department and the La Cienega Valley Association to basically assist them in their development review process of their community plan, in their development of a community plan.

On December 14, we're planning a presentation to the La Cienega Valley Association to show them what we've created and then have their analysis and verification of what we have on the map. Finally, we will be giving the GIS generated map, along with the hand-drawn maps, both to the County Land Use Planning Department and the La Cienega Valley Association. So for next, I would like to introduce Blair Woodard, another student, who has been working with several other students on another component that assesses land in the La Cienega Valley. So thank you again for your time.

CHAIRMAN GRINÉ: Thank you, Chris.

BLAIR WOODARD: This is also Claudia Smith who is going to help out with the power point presentation. Mr. Chairman, Councilmen, thank you very much. My name is Blair Woodard and I'm also a masters student in the community and regional planning program at UNM. Today I'm going to attempt to sum up what we've been doing in La Cienega with a tool that's known as the land evaluation and site assessment, or LESA. We'll have the document in draft form that we're going to be presenting a final version to the La Cienega Valley Association on the 14th as well, and that will be available to you after our presentation.

• LESA was begun in 1979 on a nation-wide scale and has been since developed by the Natural Resources and Conservation Service of the USDA. The NRCS has been very helpful in our process throughout the semester. I'd like to thank Gerald Stratton for being so helpful to the studio. The LESA began as a way to assess the prime farmland within the United States that has since gone on to develop to be used by local groups to assess the spaces within their community. It is based on two sections -- a land evaluation section, or LE, which primarily looks at soils, and then a site assessment or SA, which examines broader community values.

The LE section of the LESA is based on soil survey data for Santa Fe County. It

rates the suitabilities of land for agriculture based on soil type and prime farm land designation. The area of La Cienega, Gerald Stratton pointed out is rare in that it actually has some of the best farmland still in New Mexico. This assumes that the area is still irrigated. For La Cienega, the NRCS determined that the two LE rating that were most applicable were a land capability classification, which identifies suitable soils for agricultural production site by site. And then also a soil productivity rating, which examines an indicator crop. For La Cienega, the NRCS chose alfalfa to be the indicator crop and it looks at potential yields for alfalfa depending on the soil type and location, with these values combined together to get one value.

Then a site assessment, or SA factors are then chosen by the community themselves, which is who we've been working with. The subgroup of the La Cienega Valley Association came together in several meetings throughout the semester to determine which SA categories they could use within their community. The SA categories are broken into three separate groups, one being non-soil agricultural factors, the other being development pressure factors, and the other being other community values.

The non-soil agricultural factors that the community looked at were mainly stewardship of the sites within the community itself and the availability and reliability of irrigation to those sites. For example, the irrigation issue would be looking at how much water is still actually in the ditch and is available for fields to irrigate crops. The SA-2 factors, the development pressures, is really trying to look at how communities like La Cienega where varying uses for land are possible, to sort of examine which factors would make development more possible or recreation or commercial uses, as opposed to agriculture. So looking at factors such as adjacent land which is in rural use, availability of domestic water or access to site, access to site deals with is it public access or private access to a parcel of land and sort of how that would relate to if it was public and a paved road, that might be easier to develop something other than agriculture in that area. If it's still a private or non-developed road, agriculture might still be a more suitable use for that area.

The third and final SA factor is looking at a broader spectrum of public values that deal more with preservation of community heritage, things such as cultural values or historical values. In La Cienega petroglyph space, there are petroglyphs in the area that have high priority. Other educational values or open space values within the community can also rate high. So all three of the SA ratings then are combined together to get a numerical score. Then when combined with the LE ratings, soil capability again and soil productivity combined with all the SA factors as well, the community can actually come up with a numeric rating system that can be comparable on a site by site basis within their community.

The La Cienega, the reason for doing LESA in La Cienega is to maybe be able to couple this with the traditional zoning designation that they are hoping to receive, to be able to look at the future development within their community. LESA's been used throughout the country in different ways but in La Cienega they're hoping to use it as part of a development review framework in accordance with the traditional community designation.

1717078

And I'm now going to turn it over to Dr. David Henkel.

CHAIRMAN GRINÉ: Thank you.

DR. HENKEL: Thank you, Blair. So the common issues, Commissioners, Mr. Chairman, that we were trying to respond to raised by the community included the urban and community growth that's characteristic increasingly of our rural areas in northern New Mexico and the impact of development on water, the continuity of culture in traditional communities and the impact of changing land use, all of which you consider on a routine basis. We will be glad to entertain any questions you might have at this time. Thank you.

CHAIRMAN GRINÉ: Any questions of Dr. Henkel.

COMMISSIONER TRUJILLO: How long did the study take in La Cienega to compile this information?

DR. HENKEL: Mr. Chairman, Commissioner Trujillo, it was -- we began this work in late August and we're just in the process of completing it right now. Originally, the County staff wanted to know if we could design this in such a way they could also see whether it might have wider applications in the county, so we tried to keep that in mind, although we were working with one particular community.

COMMISSIONER TRUJILLO: That's exactly where my question was leading, for the wider ramifications throughout the county, because there's other traditional communities that could use this sort of information to develop a blueprint of the land use, planning and growth, whatever. I noticed in the mosaic that you had land uses and you didn't identify the acequia systems. Were they in the mosaic? The river?

DR. HENKEL: Mr. Chairman, Commissioner Trujillo, yes, the acequia systems were. They play slightly different roles in different communities. Some communities, for example, Cerrillos, depends less upon the acequia system than La Cienega or Sombrillo, perhaps. But we tried to include all the critical resources that are pertinent to the community.

COMMISSIONER TRUJILLO: Thank you.

CHAIRMAN GRINÉ: Any other questions?

COMMISSIONER ANAYA: What percentage of La Cienega now is still agricultural as compared to residential and other development?

DR. HENKEL: Mr. Chairman, Commissioner Anaya, on the base of actual land area, about a third of the area is in agriculture or traditional use, which could be also pasture and bottom land. But in terms of the households, very few of the households actually derive a significant portion of their income from agriculture itself. Most of people of course, as in many parts of the north have to combine income from wage labor with their traditional land holdings. I don't have a figure for you in terms of percentages of household, but it's something I would encourage the County Planning Department to consider as they go forward working with the community.

COMMISSIONER ANAYA: I think what you're telling me is the agriculture, the one third that's still wide open is limited to just maybe two, three, four families. Maybe

1717078

at the top ten?

DR. HENKEL: Well, Mr. Chairman, Commissioner Anaya, I think there are probably many more involved in small ways. There's probably something on the order of ten or less large landholders, but there are numerous gardens and there are also numerous small plots below half an acre where people continue to work it or they lease it out for grazing, or sometimes they tend it in alternate years, not every year depending upon the water. A lot of depends upon the amount of water that's available through acequias and as you know, that's been declining over the years.

COMMISSIONER ANAYA: Yes. Thank you.

COMMISSIONER DURAN: I was just wondering, Doctor. It's my opinion that La Cienega has not experienced as much growth as other sectors in our community. In your analysis or in your study, were you able to determine how much growth has taken place in the community over the last, say, ten years and I think it kind of goes with what Commissioner Anaya just brought up. Have we lost a lot of agricultural use out there as a result of development?

DR. HENKEL: Mr. Chairman, Commissioner Duran, our study looked really at the calibration of this land use method. So we didn't focus on the amount and rapidity of change. But local people will say that there has not been so much out-migration within the traditional community district. In fact, over the course of the last 50 years, the local people estimated that an additional hundred families have either grown up or been able to subdivide and establish themselves there. Mostly of traditional families.

The pressure seems to be greatest just around the periphery of the community.

COMMISSIONER DURAN: Right.

DR. HENKEL: And that's what the feeling was I got from talking to people there.

COMMISSIONER DURAN: It's not so much growth is taking place within it, but it's taking place around it.

DR. HENKEL: Mr. Chairman, Commissioner Duran, yes, that's what I was told. Also I think that Dr. Bill Fleming, who is another instructor in this course, who's a hydrologist and has good experience with the watershed that we're talking about has conducted research in the past which shows that some of the development further up the watershed has in fact decreased the watertables down in La Cienega, so the springs are not as rich as they used to be in terms of volume of water. So that the effect of growth in the periphery is felt within the district, even though it doesn't physically occur within the district.

COMMISSIONER DURAN: And the periphery being the entire area north of La Cienega, right? I mean it's not just -- in that aquifer, right?

DR. HENKEL: Mr. Chairman, Commissioner Duran, the watershed is a sub-watershed, perhaps of the Santa Fe River but it is the La Cienega watershed itself. And its headwaters are up on the Arroyo Hondo and there's been a fair amount of development up

1717078

there over the course of the last fifteen, twenty years, as you know. And because the water migrates through shallow alluvium, when the wells are punched through up north, then it decreases the level of the watertable further down. So the more of that that occurs, the lower the water gets.

The most intense pressure recently has also been occurring right on the periphery, which is not so far up as Arroyo Hondo or the northern part of it. Not La Barberia, but it's much closer down to the actual district itself.

COMMISSIONER DURAN: Do you know, in your map is it possible for you to show us the boundaries of that aquifer? The boundaries of it?

DR. HENKEL: Mr. Chairman, Commissioner Duran, may I ask my colleague Professor Fleming to outline that? He's probably in a better position even than I.

COMMISSIONER DURAN: Or is that information available?

Standing away from the microphone system, Bill Fleming, Ph.D., from UNM indicated that the information is available through the GIS map. The watershed is about 80 square miles. The upstream area has considerable groundwater development which has depleted the aquifer. He indicated that the water flow to La Cienega was decreased by a little over half of what it was 30 years ago as a result of upstream development outside of the community of La Cienega.

COMMISSIONER DURAN: Is that information, or the boundaries of that aquifer available to our Land Use Department and Planning Department? It is?

DR. FLEMING: Yes, it is. The Land Use Department has a copy and we have several copies.

COMMISSIONER DURAN: Okay, great. Thank you very much.

COMMISSIONER ANAYA: Mr. Chairman, I'm wondering, controlled by local committees under community values is of sort. I'd just like to give a little history as to the La Cienega area, as to my experience being on the Commission. When at the time it was called the La Cienega ad hoc committee that was established and it was led by Stuart Stein of that area. Same person that is suing us for a simple lot split at this moment. No, this is the truth and I need to state this for the record. So the proposal that came before us was the La Cienega resort and the utilization of the water at that time would have been the Garcia well was an exchange factor for us to give approval for a golf course in that area and resorts -- I can't remember how much acreage it was but it was substantial.

So I'm kind of wondering as to why a change of attitude then. And I was the only dissenting vote against it. I'm not sure whether that proposal ever materialized or not, but I think it's still on the record. I'm sure it is because I think what finally killed that idea was lack of water or trying to find water, but I just wanted to state for the record that that's a part of history as to what has happened before my eyes on this Commission. I wonder what

1717078

kind of input you had into community values in that respect.

DR. HENKEL: Mr. Chairman, Commissioner Anaya, our local committee group tried to represent different people who are living there. There are traditional farmers, there was a real estate person, there was a member of the Planning Department, so that there was a good mixture of different points of view and a sense of history, recent and old. We didn't talk about specific projects which had been proposed in the past. We did use this to ask the question that if a proposal were put forward for the conversion of land from one use to another, how would you assess the impact?

So if, for example, the project which you just referred to which was introduced by Mr. Stein had been before us, we could have, for example, used some of these approaches to weigh the positive and negative aspects of that, and that's what this is designed to do, is to allow the community to be able to respond not only with passion but also with a degree of order and method in making their assessment based upon science also.

COMMISSIONER ANAYA: Well, actually that part of history should be a factor into your conclusion because that definitely did happen in my time as a Commissioner, in my earlier years as a Commissioner and that's a fact. That's the same guy who's suing us for a simple family transfer lot split now, but they were ready to develop that whole area with a golf course and everything. So it makes me wonder as to what forces of attitude are out there at this moment in the community of La Cienega. Thank you very much.

CHAIRMAN GRINÉ: Any other questions of Dr. Henkel? Thank you very much, Dr. Henkel. A job well done and hope your students have gained a lot of ability to go forward with their future lives in land use.

MR. PIN: Thank you, Mr. Chairman.

CHAIRMAN GRINÉ: Thank you, Ken.

VIII. D. Presentation by the Land Use Department regarding federal funding appropriated for the Eldorado Commuter Rail

MR. PIN: Mr. Chairman, Commissioners, I'm just going to give you a quick summary. It would probably be more helpful to just have you ask questions later on. With the recent passage of the transportation appropriations bill that was signed into law by President Clinton right around the end of the federal budget year, the Eldorado Commuter Rail Service was appropriated almost \$3 million for a start-up. It's as the result of a lot of lobbying interest on behalf of County and City planning staff, lobbying the Congressional delegations of Senators Domenici and Bingamen and Representative Udall to get this money appropriated for Eldorado Commuter Rail Service.

There was a study that was commissioned by the State Highway Department in April of 1999, the results by R.L. Banks and Associates completed an economic and legal

1717078

structural analysis of the railroad, and part of their executive summary was in order for the City or the County to preserve the rail corridor, it would most likely need to be purchased by -- because of the railroad's financial situation, most likely it would need to be purchased by a local entity rather than sold off to private developers.

So that sort of reenforced our efforts in trying to get commuter rail started. The \$3 million dollars, at this point we're looking at purchasing the right-of-way, working with City staff and at this point we're trying to figure out what is the best possible way, mechanism to purchase this right-of-way through Federal Transportation Administration. Like I said, we hope to use this money for purchase of the right-of-way of the easement to preserve the rail corridor all the way from the railyard down at Guadalupe all the way out to Lamy.

If you have specific questions, it may be a simpler way to do the presentation.

COMMISSIONER ANAYA: Are there any questions of Ken? There's no questions, Ken.

MR. PIN: No questions. Thank you. So we're beginning to work with the City and possibly through the NPO which is staffed by City and County to work with FTA and see how we can access this money. Thank you.

COMMISSIONER DURAN: Mr. Chairman, so Ken, what can we do to help in that regard?

MR. PIN: Well, you were actually very helpful in this process by writing a letter on behalf of the -- when you were enjoying your tenure of County Commissioner. I think at this point it's at the staff level. We need to figure out -- there's a number of things we need to do, either engineering studies or environmental studies and we have to see which ones that we actually have to adhere to, but we will keep the Commission up to date as to what goes on.

CHAIRMAN GRINÉ: Ken, I had an extensive discussion with Jack concerning these funds and I guess the way I take it to understanding to the uses of these funds is to purchase the right-of-way, the railroad track and to purchase possible also the commuter train, but I don't really know if we have a willing seller to even participate in that direction, but maybe you have had some discussions with the gentleman that owns it right now. If you have, what's his position?

MR. PIN: It's my understanding that he's willing. I think where we may differ is what the actual price is, and we have not entered into any kind of negotiations yet. We do need to see what's going to happen with the disposition of the railyard, but regardless of that we still want to move ahead to explore as to how to access the monies with City staff. We've had discussions with the rail -- with Bob Sarr of Santa Fe Southern Railroad but at this point we need to sort of just work things out with City staff.

CHAIRMAN GRINÉ: We do know what he purchased it for. I guess it really doesn't have any meaning. The value can always be escalated to whatever his asking price would be but I think we really need to know if he is willing to work with both the City and the County on this acquisition. If not, we need to know what other steps to take so

maybe we can be -- hopefully, we don't have to ask Congress for changes and amendments in the language of the uses of that fund. But I think the sooner we know our disposition with him, I think it would be best to know what we're dealing with up front.

COMMISSIONER DURAN: Mr. Chairman, Ken, I know the owners of the railroad a little bit and my understanding was that several months ago they were considering, not selling it, although my understanding is that they would sell it, but rather put it out as an offering to people to invest in it. So one of the questions I have, is it possible for the City and the County to work together and perhaps enter into a joint venture with this guy, rather than just buy it outright? Can we enter into a partnership with them? Because I don't know -- what's the amount of money we have? Is it \$3 million?

MR. PIN: Almost \$3 million has been appropriated. The total authorization was for \$10 million and Congress allotted almost three.

COMMISSIONER DURAN: And the reason I ask if we can go into a joint venture is because I know that there are some uses that we probably don't want to take on which is -- they do provide some freight to businesses here in the community and I'm not sure we want to get into that aspect of it, but maybe if they kept that aspect of it and we did the commuter part of it, that would be a way of establishing some kind of a joint venture on it, or joint use.

MR. PIN: That may be an option but I don't think the County or the City is looking to getting into the operation of the railroad as an operator. It may be a purchase of the easement with a possible lease-back to the present operator to allow him to do the freight, the commuter --

COMMISSIONER DURAN: So would we just own the land and lease that right-of-way to them?

MR. PIN: At this point, that's the thinking. But we need to explore all possible options.

COMMISSIONER DURAN: So you don't know whether the rail would entertain.

MR. PIN: I can't speak for the railroad but I think conversation like that has been bandied about by all parties.

COMMISSIONER DURAN: Well, we look forward to continued reports.

MR. PIN: Thank you, Mr. Chairman.

IX. STAFF AND ELECTED OFFICIALS ITEMS

A. Quarterly report

1. County Treasurer

PHILIP TRUJILLO (County Treasurer): Mr. Chairman, members of the Commission, Commissioner Trujillo, Commissioner Anaya, Commissioner Duran, I have

1717078

much to report to you this afternoon, particularly since we are right in the middle of the tax season. I'm sure many of you are aware that the amended tax bills as we are referring to them, to distinguish them from the first batch of bills. The amended bills went out on November 19. As a result of those amended bills we received permission from the state property tax department to extend the due dates to November 29 and the delinquency date to December 29.

My first fear was of course the interruption of any kind of a cash flow, not only to the County but to those entities to which we distribute the taxes. And I'm happy to report, not only to you, Commissioners, but to our County Manager this afternoon that quite honestly, taxes are coming in consistently and at a fairly good rate. As a matter of fact my accountant, Matt Rivera, shortly before I came up here, presented me with a print-out, a quick print-out that shows the deposits that we made during the month of November and it's very obvious that a good segment of the community paid on the first bill that they received, after realizing that the bill really was not wrong other than the fact that it had names on there that they could not recognize but after explanation from my staff they went ahead and paid the bill.

As a matter of fact, the report that I have here in front of me is showing receipts up till today, till this afternoon when he ran the report of over six million dollars, \$6,492,000 to be exact, about six and half million dollars. Also, keep in mind that many of the properties in Santa Fe County are paid through mortgage companies. The information that was sent to the mortgage companies electronically, of course did not have the error that people received on the hard copy bills. So some of the mortgage companies have already paid. The larger ones, particularly those that are served by tax services, such as Transamerica and by First American Real Estate Tax Services, which probably serve as well over 60% of all mortgage properties in New Mexico and Santa Fe County anyway, will pay not by the extended deadline of December 29, but will pay by the deadline that they recognize and have known historically as December 10.

In those payments we will receive probably in the vicinity of another four million dollars. So not only has our cash flow been impaired or stalled in any way, but appears to be healthy and I'm sure that would be a consolation to any school administrators or some of the other entities that we distribute to, the distribution will go on as expected and as we always do during the months of November and December.

Receipts collected in November are distributed in November. What we get in December will go out like clockwork --

COMMISSIONER TRUJILLO: Mr. Chairman, do you see any discrepancy, any potential problem in the paying or the accounting of the taxes because of this aberration in the way that the bills were sent out. I know that the description of the land is correct. The amount of the taxes is correct. The only thing that was wrong was the name. Do you see any problem in assigning some payments to people that they shouldn't be assigned to?

MR. TRUJILLO: No I don't, Commissioner Trujillo. Let me explain why.

1717078

First of all the name of the taxpayer was correct. There was another name of course, but the actual name of the taxpayer of the account was correct. Secondly, on the system, and by that I mean our automated system and our accounting system, money is not applied to a name. It has to be applied to an account number. The account number is indigenous to the property regardless of who owns it. For example, if you sell me the property one day and the next day I turn around and sell it to Commissioner Anaya, and it changes hands once, twice, three times or as many times as possible, the number stays with it.

The only time that number changes is if the description of the property changes. If it began as ten acres and then as it is sold diminishes into smaller parcels, of course there are other account numbers that are added. But in this case, if someone came into to pay on an account, or if they paid even through the mail, and they sent the appropriate coupon, it is applied to the account number, not to the name.

So I cannot say that this year there would be any misapplied monies because of that situation. And people are calling. I will assure you that people are calling wanting to make sure that their accounts have been in fact credited correctly. Our telephone has been extremely busy during the last -- well, since November 1 or 2 when this was first discovered. And as a matter of fact I'm sure that you were either informed or you might have read through the media that our office was inundated with calls so much so that the telephone system failed. People would call in and right in the middle of a telephone conversation we would get cut off because the telephone system could not hold the number of calls. I don't quite understand that but that was the explanation by the telephone company officials.

But back to your concern, no, Commissioner. My main concern was public image, actually, more than anything else. Programmatically, I don't see that we have been hurt financially, time-wise. We mailed the new bills on November 19, so I don't see that there was a delay of possibly two weeks at the most. Our staff, our MIS staff, even some of the County Manager's staff worked expediently. We immediately attacked the problem. We worked on it day and night, weekends, and I can assure you that those monies that have been applied have been applied correctly.

COMMISSIONER TRUJILLO: Thank you, Felipe.

MR. TRUJILLO: You're welcome, Commissioner. I did want to bring out a situation to the Commission that I think is important. Because of the controversy of this year's tax billing, the constituency, the taxpayers have been very, very aware of their bills. They have scrutinized it to the nth degree, from top to bottom, and have associated this year their increase in taxes to apparently to what happened with our tax billing process. I want you to know that the constituency has been very critical of the increase, have immediately associated their tax increase to the County, and I see the County, our staff, answering for increases which are there due to school tax bond issues.

This is difficult to say without seeming to be critical of the schools or of education or of the fact that schools need their monies. It's just unfortunate, I guess is the point that

I'm trying to make, it's just unfortunate that the constituency, that the taxpayer is not more aware of the fact that these increases are there because of school bond issues. They call our office and it takes -- it's time consuming. It takes us time, to say nothing of the fact we find ourselves answering questions and answering for a situation that best be answered by school administrators and by school board leaders.

This community has always been very receptive of school bond issues. I personally don't know of any that have ever failed. Perhaps our County Clerk could do some history checking some time but I know that as school bond issues come and go and the community always votes very much in favor and I think that's a good sign that our community is very receptive to keep the standard of our educational system good.

CHAIRMAN GRIÑÉ: Phil, may I add also that the Community College is coming in in February again for another increase, right?

MR. TRUJILLO: When I say the schools, I include the Community College, Commissioner. I'm glad you mention that because instead of schools I should say education. The entire picture of education. Out of every dollar that we collect in taxes, over sixty cents, over 2/3 goes to education. And I wish I could say that proudly, but many times when you have an irate customer or taxpayer on the other end of the line screaming at you because his taxes went up, I almost feel compelled to say, hey, you're talking to the wrong guy. But you don't want to be rude. You try and keep the P.R., this relationship clean between you and the individual but I don't know.

I'm not asking for any kind of a solution at this time. I think I'm just subtly raising up a flag of sorts here that I don't know that it's the County or the Commissioners or our administration or anyone here at the County that should have to answer for the fact that people's taxes go up because schools, education pass school bond issues. And again Commissioners, please, I'm not being derogatory of the fact that these measures pass, because God knows education needs the taxes. But it gets a little tiring during tax season to explain to people who are upset with the County, that's all of us, and explain to them, trying to explain for the schools. And again, Commissioners, just an observation.

I think that I would like to point this out particularly to Commissioner Griñé because I understand that Edgewood got a pretty good hit in the values. Apparently the Assessor's Office, for whatever programmatic reasons had to do some reappraisals there and I understand some of the properties in the Edgewood area might have received 25% plus of increase in values and of course when the values go up the taxes go up. So I'm not surprised, Commissioner Griñé if you're getting some calls these days.

CHAIRMAN GRIÑÉ: Not yet.

MR. TRUJILLO: They're all probably coming to my office.

CHAIRMAN GRIÑÉ: Usually involving the election.

MR. TRUJILLO: Commissioners, I don't know what more to say. We're still in the middle of kind of a double whammy, because of the first set of bills and then now of course people are responding to the amended bills. Rest assured, the receipts are coming

1717078

in well. There's some good, healthy deposits. Distributions will be made timely. We're also working with Finance right now in not only closing the month of November but getting ready to close the big one. When it comes time to close the 1999 and into the new millennium.

COMMISSIONER TRUJILLO: Felipe, Mr. Chairman, the amended bills were covered by the contractor?

MR. TRUJILLO: The amended bills were reprinted and it is my understanding as I have met numerous occasions with our County Manager that our Legal Department is in the process of documenting not that one error but a multitude of errors which surfaced in what appears to me as program errors that affected not only my office but the entire data base. No, it has not been covered yet, but it is certainly my hopes that the County will not have to pay this amount. I don't think it's fair that they should and I personally cannot respond to that. I think that's something that's best answered by our Legal Department and our County Manager.

COMMISSIONER DURAN: Mr. Chairman, Phil, I heard that the contractor sent a letter saying that they weren't going to pay for it.

MR. TRUJILLO: They sent a preliminary letter which was immediately followed up by a letter. The first letter that we sent was very brief and pointed out the one error.

COMMISSIONER DURAN: A preliminary letter? Didn't they say that they weren't going to pay it?

MR. TRUJILLO: Yes they did. That's right. But I'm sure there's going to be --

COMMISSIONER DURAN: What's preliminary about that?

MR. TRUJILLO: Well, the fact that they are going to have to respond to another draft that I have seen that has been prepared, which just enumerates a number of other errors.

COMMISSIONER DURAN: So we think that they are going to change their mind?

MR. TRUJILLO: I don't know. I certainly hope that when they are faced with a second letter from the County, enumerating the number of problems and situations that we were faced with, they will certainly have to reply again.

COMMISSIONER DURAN: Okay. I see what you mean. Mr. Chairman, I have a problem that maybe you can help me work through. I've been getting a call from someone out there that her taxes went from \$400 to \$1500. And I'm sure this has a lot to do with Benito's department but maybe you can help me because I think there might be a way of helping these people out. My understanding is that the tax bill goes out and it tells them basically what their property is going to be valued at when the bill comes out. And that happens in June.

MR. TRUJILLO: That is referred to as a notice of value, Commissioner.

1717078

COMMISSIONER DURAN: So the value of the property is established at that point and because the mill rate hasn't been established, we can't tell them how much it's going to be.

MR. TRUJILLO: That is correct.

COMMISSIONER DURAN: So the notice goes out that this is what it's going to be valued at, and they have 30 days after that to appeal it.

MR. TRUJILLO: The bill?

COMMISSIONER DURAN: Not the bill.

MR. TRUJILLO: The notice of value.

COMMISSIONER DURAN: Yes. In June when that goes out, if someone out there disagrees with that evaluation, or that assessment. I guess it's the valuation. Is it the valuation or the assessment?

MR. TRUJILLO: It's the valuation.

COMMISSIONER DURAN: If they disagree with that valuation then they have 30 days to disagree. What's happened with this particular person is that the bill went out in June. They didn't know, they didn't have any idea that their property was going to increase, that their bill was going to increase from \$400 to \$1500, so they didn't appeal. So she gets her bill in November and she wants to appeal. She doesn't agree with it. She finally has something in writing telling her how much her taxes have increased. She comes in to appeal and we tell her that she can't do that unless she goes to District Court.

I really find that I have a real problem with that and I'm wondering if we can find a way of changing that 30-day appeal to when they get the bill. Because I think that there's a lot of people out there -- you don't want to send them to District Court. You want to give them every opportunity to prove to us that the valuation that we have placed on their property is incorrect if indeed it is. So my question to you is do we change that at the legislature? Do we need --

MR. TRUJILLO: That is state law. Commissioner Grifé, Commissioner Duran, the valuation and notice of value process is indeed a process that is set statutorily.

COMMISSIONER DURAN: So we need to change that at the legislature.

MR. TRUJILLO: That is the place to change it. That is not an internal policy that is set either by the Assessor or by my office.

COMMISSIONER DURAN: So then we can in the next 30 days or so before the legislature convenes, try and find a senator that would support that change?

MR. TRUJILLO: If that is your wishes, Commissioner, that would be the way to do it.

COMMISSIONER DURAN: Do you think, based on how I explained it, does it seem worthy for us to undertake that kind of change with the legislature?

CHAIRMAN GRIFÉ: You're going to have to get it statutorily changed and got to get it approved by the Governor too. I don't know. Sam, you've got a lot of experience in the round house. What's your evaluation or assessment?

1717078

COMMISSIONER DURAN: Well, what do I tell this lady? She pages me almost every day. She wants to know what the answer is.

MR. MONTROYA: Mr. Chairman, Commissioner Duran, you might ask that lady to give us a call and we'll try to work that issue with her, but to answer Commissioner Griñé's question, we probably could come up with a fix to the property tax statute to alleviate that issue. However, I am not sure that it would be germane to the upcoming session because it is strictly for financial issues, although you could make the case that taxes bear on finances. But it would require probably a message from the Governor to get it on the call and we could check that out if the Commission wants us to look into that issue. Going back to the issue of a sponsor.

However, still, Commissioner Duran, I think if you'd ask that lady to give us a call we'd be pleased to work on her particular problem and see if there's any other way that we can work on it.

COMMISSIONER DURAN: What's your pager number? I'll have her page you.

MR. MONTROYA: No pager. Have her call her at the office, Commissioner.

COMMISSIONER DURAN: Mr. Chairman, I had one other thing. Then, is it possible to change that notice that goes out in June to put these people on notice that -- just so that they know that they really need to look at how much, or the increase in their assessment. Because their 30 days to appeal begins when they get the valuation and not the -- if this lady had known back in June that she only had 30 days or if something triggered this thinking, then she would have come in and appealed.

MR. TRUJILLO: Commissioner Griñé, Commissioner Duran, I think no one has been more concerned and even critical to some extent of the notice of value than I have. It comes out of the Assessor's Office, Assessor Benito Martinez and I work very closely together. There's a number of concerns I have about the notice of value. The first one of course being the fact that there's a repercussion immediately to my office. People get their notice of value and the first thing it says on the top is it says this is not a bill. That's the first thing it says on the notice of value. And so they lay it aside.

COMMISSIONER DURAN: Right.

MR. TRUJILLO: The next thing that happens, November 1 and Philip Trujillo is sending them a tax bill and their taxes have increased and doubled perhaps like this lady did and they respond to tax dollars. The community responds when it's time to pay out of their wallet. That's when the community responds. Unfortunately, the statutory process is that you should respond to your notice of value. When you get it in June or July and you see that it doubled from last year, then your tax is going to double.

COMMISSIONER DURAN: Does it show that? Does it say --

MR. TRUJILLO: No. It has no reference at all to tax dollars.

COMMISSIONER DURAN: So they look at it. It says no bill and they --

MR. TRUJILLO: And they, they don't disregard it but it just doesn't have the

1717078

drama, it doesn't have the concern that the tax bill has.

COMMISSIONER DURAN: Well, maybe we can do all this internally. Somehow figure out how to change the notice. Is the notice set by statute?

MR. TRUJILLO: The notice is set by statute.

COMMISSIONER DURAN: The format of the notice?

MR. TRUJILLO: No. Well, I think it has to have certain items. You have to have certain descriptions, just like the tax bill, but I'm sure the format could be worked out so that there could be some kind of a more eye-catching comment to it and say, look, has your value gone up? Because if it has, this is probably going to increase --

COMMISSIONER DURAN: How about you and I talk about it later?

MR. TRUJILLO: How about you have this lady call me? That's all I have, Commissioner.

COMMISSIONER DURAN: I'll give her both you and Sam's number.

IX. J. MATTERS FROM THE COUNTY ATTORNEY

3. Executive session

- a. Discussion of possible acquisition of real property using land acquisition bond proceeds
- b. Discussion of possible acquisition of real property for judicial complex
- c. Discussion of pending litigation - *Santa Fe County v. PNM*
- d. Discussion of possible lease of real property for the purpose of constructing a fire station for the Pojoaque Fire Department
- e. Discussion of pending or threatened litigation with San Ildefonso Pueblo

CHAIRMAN GRINÉ: Thank you, Mr. Trujillo. Bueno, hey boss, the County Manager has asked us that we go into executive session immediately because Commissioner Trujillo has to leave at 3:30. So if I can have a motion we can go into executive session for the purpose to discuss the possible acquisition of real property, possible litigation in *Santa Fe County v. PNM*, and discussions of possibility of lease of real property, and also pending threatened litigation with San Ildefonso Pueblo. Do I have a motion?

COMMISSIONER ANAYA: So moved, Mr. Chairman.

COMMISSIONER DURAN: I have one question, Mr. Chairman. Is it possible, I know that limited personnel matters were not published in the notice. Can we go into executive session and discuss limited personnel matters?

DENICE BROWN (County Attorney): Mr. Chairman, Commissioner Duran,

1717078

we have been told by the Attorney General's Office that any matters that come in the course of the meeting can be discussed if they were not on the agenda 24 hours before. No final decision can be made, but they be discussed. They can be discussed, but you can't take any action.

CHAIRMAN GRIÑÉ: So do we have to mention it now though that we're also going to discuss it --

MS. BROWN: Yes, if you intend to discuss that in executive session, I would add it.

CHAIRMAN GRIÑÉ: Okay, then we also add on to the executive session, the discussion of possible personnel matters. Do we have a motion?

COMMISSIONER ANAYA: So moved, Mr. Chairman.

COMMISSIONER TRUJILLO: Second.

CHAIRMAN GRIÑÉ: We have a motion to go into executive session, seconded by Commissioner Trujillo. Roll call.

The motion passed by unanimous roll call vote with Commissioner Anaya, Commissioner Trujillo, Commissioner Duran and Chairman Griñé voting to go into executive session.

[The Commission met in executive session from 3:10 to 4:25.]

Commissioner Duran moved to come out of executive session, having discussed possible lease of real property for the purpose of constructing a fire station for the Pojoaque Fire Department, pending or threatened litigation with San Ildefonso Pueblo, and limited personnel matter. He noted that items a., b., and c., would be discussed in a special executive session to be held Friday, December 3 at 6 pm. Commissioner Anaya seconded and the motion passed by unanimous voice vote. [Commissioner Trujillo was not present for this vote.]

Commissioner Duran moved to approve the lease of real property for the Pojoaque Fire Department and Commissioner Anaya seconded. The motion passed by unanimous voice vote. [Commissioners Gonzales and Trujillo are not present for this action.]

IX. B. FINANCE DEPARTMENT

- 1. Request authorization to accept and award a professional services agreement to the highest qualified respondent, RFP #20-24, for the construction management services of the road improvement project for County Road 72 and 85**

1717078

KATHERINE MILLER (Finance Director): Mr. Chairman, Commissioners, I'd like to request that we table that item due to an issue that came up and there were some questions on some of the items in the contract. So I just wanted to clarify those before we actually bring it for a vote.

Commissioner Duran moved to table awarding RFP #20-32 and Commissioner Anaya seconded. The motion passed by unanimous voice vote. [Commissioners Gonzales and Trujillo are not present for this action.]

IX. B. 2. Request authorization to accept and award a professional services agreement to the highest qualified respondent, RFP #20-31, Laura Kay, M.D., to provide professional services as the emergency medical services director

MS. MILLER (Finance Director): Mr. Chairman, Commissioners, the Fire Department and Purchasing Division requested proposals for an emergency medical services director for the Fire Department. An offer was submitted by Emergency Medical Providers, Incorporated, which is Dr. Laura Kay and we negotiated the contract and are requesting authorization to enter into this agreement.

Commissioner Duran moved to authorize the professional services agreement with Dr. Laura Kay and Commissioner Anaya seconded. The motion passed by unanimous voice vote. [Commissioners Gonzales and Trujillo are not present for this action.]

IX. B. 3. Request authorization to enter into a professional services agreement with Estrada Hinojosa for financial advisor services for Santa Fe County

MS. MILLER: Mr. Chairman, Commissioners, the Finance Department is requesting authorization to award a professional services agreement with Estrada Hinojosa Investment Bankers to serve as a financial advisor for Santa Fe County in the possible issuance of any bonds. This contract would not exceed \$20,000 so we're requesting your authorization to enter into this agreement.

CHAIRMAN GRINÉ: What's the wishes of the Board?

COMMISSIONER DURAN: You know what? I have to recuse myself from this.

COMMISSIONER ANAYA: You can't.

CHAIRMAN GRINÉ: I can make a second though, right? There's three of

1717078

us. When there's three Commissioners he can make a motion to approve and I can make a second. Right, Denise?

COMMISSIONER ANAYA: That's practiced in the EZA. I know that.

MS. BROWN: Yes, you can vote. Our rules of order state the Chairperson may only vote to break a tie in those meetings and only in those meetings in which the number of members that constitute a quorum is three, which is this meeting. The Chair has all the rights of any other member for purposes of voting and making and seconding motions. So you have the right to make motions, second motions.

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

CHAIRMAN GRINÉ: I second that. And let the record reflect that Commissioner Duran recused himself for conflict of --

MS. BROWN: He has abstained, right? It will only pass if two people vote in favor.

CHAIRMAN GRINÉ: All those in favor signify by saying "aye."
[Unanimous, 2-0, with Commissioner Duran having abstaining. Commissioners Gonzales and Trujillo are not present for this action.]

IX. B. 4. Request authorization to enter into a professional services agreement with First State Bank for fiscal agent services for Santa Fe County

MS. MILLER: The Finance Department is requesting acceptance and award of a professional services agreement with First State Bank to serve as fiscal agent for Santa Fe County through June 30, 2000. This professional services agreement would not exceed \$20,000 including gross receipts tax. We request authorization to enter into the agreement.

Commissioner Anaya moved to approve the professional services agreement with First State Bank, and Commissioner Duran seconded. The motion passed by unanimous voice vote. [Commissioners Gonzales and Trujillo are not present for this action.]

IX. C. HEALTH, COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

1. Resolution No. 1999-150. A resolution approving the tenant payment and rent determination policy

ROBERT ANAYA (Department Director): Mr. Chairman, Commissioners, this resolution brings us into compliance with the new federal requirements for ceiling rents and flat rents for public housing.

1717078

Commissioner Anaya moved to approve Resolution No. 1999-150 and Commissioner Duran seconded. The motion passed by unanimous voice vote. [Commissioners Gonzales and Trujillo are not present for this action.]

IX. C. 2. Resolution No. 1999-151. A resolution supporting the New Mexico Association of County Maternal and Child Health Planning Councils' recommendations to the New Mexico State Legislature

MR. ANAYA: Mr. Chairman, Commissioners, the recommendations have been approved in the past by the Commission of the Maternal and Child Health Care Councils throughout the state. There's 24 health care councils and this resolution approves their position paper that they're presenting this year for the legislature, Mr. Chairman.

CHAIRMAN GRINÉ: Thank you, Robert.

Commissioner Anaya moved to approve Resolution No. 1999-151. Commissioner Duran seconded and the motion passed by unanimous voice vote. [Commissioners Gonzales and Trujillo are not present for this action.]

IX. D. PUBLIC WORKS DEPARTMENT

1. Request direction on continuing forward with the Silverado North Assessment District project and the Silverado South Assessment District project

ROBERT MARTINEZ (Deputy Public Works Director): Mr. Chairman, Commissioners, basically what we're here for tonight is to ask you for direction on how to proceed in the Silverado subdivision north side improvement district and southside. Let me just give you a bit of history. What has happened so far on the northside, back in January, 1994 a resolution was created to create this improvement district. Back in April of 1996, the BCC held the preliminary hearing. It was recessed to allow residents to meet with Public Works staff on proposed improvements.

Then in May of 1996, Public Works staff met with the residents at the Turquoise Trail Elementary School. Approximately 30 residents were in attendance. Public Works staff held another meeting June 6 at the same location to discuss the same issues and approximately 16 residents were in attendance. February 11, 1997, the public hearing for the improvement district continued. The public hearing again was tabled to see if the legislature was going to fund any money for this improvement district.

Currently, Public Works is constructing a project in the assessment district which will extend the North Fork Road an additional .2 mile. Let me give you some pictures that

1717078

shows what is going on. Basically, we're back to the point where the assessments will not cover the amount of the improvements that were slated in the resolution that created the district. We are still probably about \$480,000 to make these improvements and the assessments will still generate \$255,000. So there's still a shortfall of about \$225,000. And according to the resolution, no property owner can be assessed more than \$1500.

I know in the past hearings, a big concern of the Commission has been that there has been very little support from the residents and the Commission felt uncomfortable to make a decision to move forward with the assessment district on just a handful of residents attending these public hearings. According to the original resolution, it states that if the improvements exceed the amount of assessments that are generated, the assessment district will be considered null and void. So that is one consideration that we'd like the Commission to consider.

Another is that as was stated previously in the public hearings, there was very little input or participation from the residents. I have discussed this with the rest of Public Works staff and also Legal. A solution would be to consider this null and void and if the residents are truly interested in creating an improvement district, that they should do it by the petition method. As you see in those pictures the roads are not deplorable. They are probably in a condition that most of our County roads are. So I don't feel that them being considered deplorable and creating the district according to the provisional order method is really appropriate.

CHAIRMAN GRINÉ: So I guess the direction you're asking for Robert is -
- I guess I really didn't get it.

MR. MARTINEZ: If you look at those pictures, the assessment district was created because they could not come up with the 56 2/3% of the residents in agreement. So the Commission at that time used the provisional order method, which states that the roads are deplorable. Maybe they were at that time. But in 1994, the Public Works Department called in about \$250,000 worth of material and brought these roads up to some standards. So I don't think they're deplorable anymore. But the problem is we were getting very minimal participation from the residents. With 170 lots in the district and 30 residents showing up to the hearing, the Commission felt uncomfortable proceeding.

COMMISSIONER ANAYA: Was any money collected from the residents at all?

MR. MARTINEZ: No. This is just for discussion. We're just asking for direction. It's not an action item.

COMMISSIONER ANAYA: Then the direction would be to pursue that the assessment creation be considered null and void because of lack of participation from the people that proposed it before us.

MR. MARTINEZ: I would probably say that the way we need to proceed is -
- would we have to reconvene the public hearing?

MS. BROWN: Mr. Chairman, what I would recommend is that we bring

1717078

forward a resolution resolving that it's terminated. The concern I have from a legal standpoint is the original resolution that created the assessment district said we created an assessment district on the condition that it won't cost more than \$1500 per lot to create these roads. And if it does cost more than \$1500 per lot, with all the additional funding you can get, if it's still going to exceed \$1500 then it's null and void.

Well, it is going to exceed \$1500. That's the \$255,000 shortfall that Robert's talking about. It definitely will. So it looks like by terms of that original resolution creating it, it was the Commission's position that they would create it as long as it didn't result in assessments of more than \$1500. This will. We can't do these road improvements for \$1500 per lot or less. So we'd probably need to bring back a follow-up resolution saying in accordance with the previous resolution, if the assessments were to exceed \$1500, it's null and void. According to the engineers' estimates, it will exceed \$1500, so the assessment district is null and void and terminated.

COMMISSIONER ANAYA: Okay, the proceed in that direction then to come forth with a resolution for action.

MR. MARTINEZ: Okay. Mr. Chairman, Commissioner Anaya, also on the Silverado Subdivision southside, we have the same problem. I believe the engineer's estimate in 1994 for the improvements was over \$387,000. If we tack on 15% just because of the increase on materials and labor, we're looking at about \$446,000 to do that project today. In that improvement district there are approximately 150 lots. So we're looking at close to \$3000 per lot owner also. And in that resolution also it states that no property owner will be assessed more than \$1500, and the same language pertains to this, that if the improvements exceed the assessments it will be considered null and void.

COMMISSIONER ANAYA: Mr. Chairman, then the same direction would hold for the south also.

MR. MARTINEZ: Okay, so it is my understanding that we will prepare resolutions for the next December meeting to consider these null and void/

CHAIRMAN GRINÉ: That's fine. Thank you, Robert.

COMMISSIONER DURAN: I have one question, Mr. Chairman. Do we maintain these roads though?

MR. MARTINEZ: Mr. Chairman, Commissioner Duran, the former Commissioner, Linda Grill had made a verbal agreement that we would maintain these roads as our schedule permitted until the assessment district was completed.

COMMISSIONER DURAN: Okay so does that mean that we're not going to maintain them now?

MR. MARTINEZ: Mr. Chairman, Commissioner Duran, it's up to the Commission.

COMMISSIONER DURAN: Do we want to make that same commitment?

CHAIRMAN GRINÉ: I think we should wait until all five Commissioners are here and also Commissioner Gonzales because that's his constituency.

1717078

COMMISSIONER DURAN: Because I'd hate to not provide this service to them.

MR. MARTINEZ: These are non-County roads.

COMMISSIONER DURAN: They're non-County roads? And they're non-County roads only because --

MR. MARTINEZ: They have never been accepted by the BCC for maintenance.

CHAIRMAN GRINÉ: Okay. Thank you. Robert.

IX. D. 2. Update on status of San Isidro Crossing project

CHAIRMAN GRINÉ: There was an article today in the paper about that.

ORLANDO GARCIA (Public Works Director): Chairman Griné, members of the Commission, at the last Commission meeting I was directed to get back with representatives from the Corps of Engineers and try to get the answers to a couple of questions. One of the questions was if we postpone this project, is there any guarantee that it would be funded in a subsequent fiscal year. We did meet with representatives from the Corps of Engineers on Monday the 22nd and I think they were quite emphatic in stating that they cannot guarantee funding in subsequent fiscal years.

Another thing that came up was that their engineering staff felt that the project the way it's designed today does not in any way hinder the efforts of the Santa Fe River Basin and their vision for the restoration of the river. Another thing that came up was that if we do decide to wait and postpone this project in favor of another design, the environmental process would have to be started from the very beginning, because the current environmental clearance is for that site only and the concept that the basin folks have would be to go upstream and downstream from the site.

As a result of the meeting that we had on Monday, the 22nd, I believe it was agreed upon that the Santa Fe River Basin people would have the opportunity to, in lieu of a public hearing, to voice their concerns to this Commission at the very next Commission meeting. So I'll try to answer any questions if you have any.

CHAIRMAN GRINÉ: I think the clear direction is that we just move forward, Commissioners.

COMMISSIONER DURAN: I was at that meeting and it didn't seem to me that if -- it just didn't seem to me that postponing it would be the appropriate thing because of the potential of losing the funding entirely. So with that I'd like to make a motion -- is it appropriate to make a motion on this?

CHAIRMAN GRINÉ: I would say that we just send direction.

COMMISSIONER DURAN: So that we make a motion to instruct staff to move forward with the San Isidro crossing project.

1717078

COMMISSIONER ANAYA: Second.

CHAIRMAN GRINÉ: I've got a motion that we go ahead and move forward with this project by Commissioner Duran, seconded by Commissioner Anaya. Any further discussion? If not, all those in favor signify by saying "aye." The ayes have it. Thank you, Orlando. [Commissioners Gonzales and Trujillo are not present for this action.]

IX. D. 3. Discussion of establishing a Santa Fe County Advisory Committee charged with developing County solid waste management planning

JILL HOLBERT (Solid Waste Manager): the Public Works Department for some time. It's a discussion only item, so I just wanted you to consider this for this evening and provide direction to staff. The basic idea would be the Citizens Solid Waste Advisory Committee would be charged with developing a five-year solid waste management plan. The issues could include curb-side collection in the county, relocation or reconstruction of facilities in the county, revenue sources, recycling, illegal dumping, household hazardous waste, and coordination among the government entities in the county.

A Citizens Solid Waste Advisory Committee would offer the following advantages: They would assist in planning future changes for the solid waste program. They would ensure public input and this in turn adds another perspective to staff's viewpoint and even the Commission viewpoint on the solid waste issues in the county. A five-year planning effort would offer the following advantages: It would provide efficient and well-timed implementation for any future changes, and as you know, the solid waste program is a fairly large program affecting a lot of people in the community and changes need to be well-timed and implemented correctly for everyone to follow the new system.

Due to the recent changes that took place in September, this period following that change is an ideal time to begin planning for the future, so we have plenty of time before implementing any future changes. The proposed committee could be made up of Commission appointees, somewhat like the road advisory committee, perhaps with one to two citizens from each district and appointing alternates. If you so direct, we will come back with a resolution establishing the committee at a future date.

CHAIRMAN GRINÉ: That would be fine, I think, Jill. Is that okay with the rest of the Board? That's fine. Thank you, Jill.

COMMISSIONER DURAN: Mr. Chairman, we're really running out of time here. Do you think you could instruct staff to make their presentations as brief as possible?

CHAIRMAN GRINÉ: That would be fine.

1717078

IX. D. 4. Request authorization to terminate a contract, bid #20-11, with J.R. Hale Contracting Company, Incorporated for County Road 64-L, Richards Avenue repaving project

TOM DOMINGUEZ (Traffic Engineer): Mr. Chairman, Commissioners, in your September 14 meeting it was brought before you to enter into an agreement with J.R. Hale for some improvements to be done. It was an overlay project. We went forward and got approval from this Board. Since then, we've had a couple of developers that have come in and we've met with them, Rancho Viejo and Taurus Group and some of the others that are through there. We've put a lot of staff hours in to reaching some sort of agreement with them and they've been in favor and we have imposed conditions on their development proposals to make improvements, grader improvements and just an overlay of what we're doing.

What we'd like to do now is to ask for your approval to terminate the contract. We have a bilateral amendment on this contract that's already signed by J.R. Hale Contractors and us.

CHAIRMAN GRINÉ: Okay, Tom. That's fine. What's the wishes of the Board?

COMMISSIONER ANAYA: Tom, real briefly, that's to coordinate with the new developments that have come forth, Taurus and Rancho Viejo? That's the purpose of termination?

MR. DOMINGUEZ: Correct. So we could do a more complete project.

Commissioner Duran moved to terminate the contract with J.R. Hale. Commissioner Anaya seconded and the motion passed by unanimous voice vote. [Commissioners Gonzales and Trujillo are not present for this action.]

IX. D. 5. Request approval of co-op severance tax agreement for the Agua Fria project from the New Mexico State Highway and Transportation Department

MR. GARCIA: Thank you, Mr. Chairman, members of the Board. Due to some actions that took place previously and for perhaps an error on the part of Public Works, this agreement was actually signed by the County without actually appearing before you formally. So what we're asking is that you acknowledge the agreement and ratify it, if I may, so that we can go ahead and get these funds.

CHAIRMAN GRINÉ: That's fine, Orlando. What's the wishes of the Board?

Commissioner Anaya moved to approve the agreement with the NMSHTD for co-op

1717078

severance tax. Commissioner Duran seconded and the motion passed by unanimous voice vote. [Commissioners Gonzales and Trujillo are not present for this action.]

IX. D. 6. Request authorization to enter into a field order work directive number two for emergency work for construction contract number 99-31, Agua Fria landfill closure

MS. HOLBERT: Recently, we had some severe erosion take place on our landfill cap and the state had required us to make changes in the existing cap as well as fix the erosion. I'm bringing to you permission for us to make a change order, it's actually a field order, to change the contract with the existing construction contractor to do that in the field. We have to make these changes. The alternative would be to go out to bid separately. We have an engineering contractor who is managing this project for us, Bohannon Huston, they're an independent engineering firm, and they have looked at this bid from the contractor and said it's a very good number for these services.

CHAIRMAN GRINÉ: Thank you, Jill.

COMMISSIONER ANAYA: Jill, this is merely to satisfy the state statutes?

MS. HOLBERT: Yes, it does. Until it's complete, it's not accepted by the state and right now it's not complete.

COMMISSIONER ANAYA: I'm going to move for approval, but it's also my understanding that --is it that Nambes that are doing a new landfill now, and I just want this for the record that something of this nature would not apply to them because they're on sovereign lands which establishes more competition for us. So I just want to state that for the record. Mr. Chairman, move for approval.

COMMISSIONER DURAN: Second.

CHAIRMAN GRINÉ: Got a motion to approve by Commissioner Anaya, seconded by Commissioner Duran. Any discussion? If not all those in favor signify by saying "aye." [Unanimous] The ayes have it. [Commissioners Gonzales and Trujillo are not present for this action.]

IX. E. RESOURCE DEVELOPMENT DEPARTMENT

1. Resolution No. 1999-152. A resolution adopting a legal holiday and closing of the County offices for calendar year 2000

CHAIRMAN GRINÉ: What's the wishes of the Board?

Commissioner Anaya moved to approve Resolution 1999-152, establishing the list of holidays. Commissioner Duran seconded and the motion passed by unanimous voice

vote. [Commissioners Gonzales and Trujillo are not present for this action.]

IX. F. UTILITIES DEPARTMENT

- 1. Request authorization to enter into an amendment to the first amended initial customer contract for commitment of water service with O.L Beaty, Glynn L. Stewart, and Beaty Electric Company to allow for an expanded area of the water service commitment use**

CHAIRMAN GRINÉ: What's the wishes of the Board?

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

COMMISSIONER DURAN: I second for discussion.

CHAIRMAN GRINÉ: Got a motion made by Commissioner Anaya for approval and seconded by Commissioner Duran for discussion.

COMMISSIONER DURAN: Estevan, the plan is that the Beatys are going to still continue using the water allocation that they have, but they're expanding their use to adjoining property?

ESTEVAN LOPEZ (Utilities Director): Mr. Chairman, Commissioner Duran, that's correct. The same amount of water, the same commitment, but now it would just allow the use in the adjoining property as well.

COMMISSIONER DURAN: And is that use in conformance with what the original intent?

MR. LOPEZ: In my opinion it is, and it would still have to go through all the proper land use approvals and so forth.

COMMISSIONER DURAN: Okay, good. I wanted to clarify that for the public record.

CHAIRMAN GRINÉ: Any further discussion? If not, all those in favor signify by saying "aye." [Unanimous] Ayes have it. [Commissioners Gonzales and Trujillo are not present for this action.]

- IX. F. 2. Request authorization to enter into an amendment to the first amended initial customer contract for commitment of water service with Greer Enterprises, Inc. to allow for additional water service commitment**

CHAIRMAN GRINÉ: What's the wishes of the Board?

COMMISSIONER DURAN: Mr. Chairman, could I get a little bit more information on that please?

CHAIRMAN GRINÉ: Fine. Estevan.

1717078

MR. LOPEZ: Mr. Chairman, the amendment to this contract would allow an additional 24.9 acre-feet of commitment to Greer Enterprises. They already have 28 acre-feet of commitment under contract. Their existing contract gives them a preference. At any time during which we have water available for up to 50 acre-feet of additional supply. They've called in on that preference right now and they've agreed to the terms to contract for up to 24.9 and as part of the thing that they've agreed to is to forego the remainder of their 50, if they're given this amendment.

I would like to point out one thing with this contract, however. They were supposed to return signed copies of this contract today. They have not. I've been informed that the board of directors of Greer wants to review this and so if the board is going to approve this, I would ask that it be done on the condition that Greer signs this contract within 15 days. I was told that they would be meeting in early December.

COMMISSIONER DURAN: So then this, by authorizing this amendment we are following the terms and conditions of the agreement, the existing agreement that we have with them?

MR. LOPEZ: That's correct, and we are also following the requirements of the allocation policy, which said we would deal with pre-existing preferences if they came up.

COMMISSIONER DURAN: So this, if it receives approval, it falls in line with all of the conditions and requirements that we've set forth for our water allocation, through our water allocation policy?

MR. LOPEZ: That's correct.

COMMISSIONER DURAN: Okay. No questions.

CHAIRMAN GRINÉ: Any more discussion? I need a motion.

Commissioner Duran moved to approve the amendment to the water service agreement with Greer Enterprises with the condition that the contract is signed within fifteen days. Commissioner Anaya seconded and the motion passed by unanimous voice vote. [Commissioners Gonzales and Trujillo are not present for this action.]

COMMISSIONER DURAN: Well, what happens after the fifteen days. Then we withdraw our --

MR. LOPEZ: I guess it would no longer be valid. This approval would no longer be valid and we'd have to go through it again.

CHAIRMAN GRINÉ: Thank you, Estevan.

1717078

IX. G. MATTERS FROM THE COUNTY MANAGER

- 1. Request authorization to enter into amendment number four to the operating agreement with Cornell Corrections for the operation of Santa Fe County adult detention facility**

MR. MONTROYA: Mr. Chairman, Commissioners, amendment number four is very simple. It would expand the electronic monitoring program from the current ten participants to fifty. And the purpose, Mr. Chairman, is to reduce our overhead at the jail and the agreement also requires the participants to participate in a subsistence fee, which goes towards the actual operation expense and then there is a per diem per number of people involved in the program that would go to Cornell for the operation. I stand for any questions, Mr. Chairman.

CHAIRMAN GRINÉ: Any discussion or questions? If not, what's the wishes?

COMMISSIONER DURAN: Just one, real quick, Mr. Chairman. So Sam, what is the cost, approximately for each monitoring program?

MR. MONTROYA: Mr. Chairman, if we would go to page three of nine of the contract, there's a fee schedule there. Zero through twenty participants, the fee would be \$25.35 a day. Anything between 21 and 30 would be \$23.72. And 31 through 50 would be \$18.54. So the price goes down as the number gets higher.

COMMISSIONER DURAN: So the electronic monitoring program is a lot less than what we're paying to house the inmate?

MR. MONTROYA: Correct.

COMMISSIONER DURAN: One last question. We talked about having the person incarcerated help pay for this program. Is that something we're still hoping to do?

MR. MONTROYA: Yes, Mr. Chairman, if you go to page 2 of the contract, the participation fee is laid out there. An individual that makes up to \$6 would pay nothing, but if you make between \$6 and \$10 you pay 5% of your earnings, and \$10 and above would be 7%, not to exceed \$20 a day.

COMMISSIONER DURAN: Thank you very much.

COMMISSIONER ANAYA: That's pretty good.

CHAIRMAN GRINÉ: Any further discussion? Questions? What's the wishes of the Board?

Commissioner Anaya moved to approve the contract amendment with Cornell Corrections increasing the number of inmates on electronic monitoring. Commissioner Duran seconded and the motion passed by unanimous voice vote. [Commissioners Gonzales and Trujillo are not present for this action.]

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

REBECCA FRENKEL: How could you time it better than that? Rebecca Frenkel, League of Women Voters. I just want to bring up again to you the Commissioners, the possibility of televising your meetings. Starting a new millennium. I know you're getting into the technology world and I'd like for you to consider that. You've considered your calendar, or you will this evening if I haven't missed it, for the year 2000, and as you look at the new millennium, I hope you will seriously consider televising the Commission hearings because I think there are a lot of people out there who are interested in them, but for either work reasons or other family reasons are unable to come and appreciate all the hard work that you do.

CHAIRMAN GRINÉ: I guess the only comment I have, Rebecca is I'm not opposed to it. We have a budget here in place already until the end of June but I think the last time this discussion was raised was I made a point that the southern residents of the county and the northern residents of the county do not receive this station that the Community College functions with, and therefore it will only benefit the city residents which we hardly ever provide any -- well, don't even provide any services to them at all.

MS. FRENKEL: Well, I think all of us appreciate the services, even those of us who live in the city that the county provides. But I think, when you approved some contracts or whatever you call them with television stations in the Eldorado area and some other areas, at the time, I asked couldn't you somehow require those cable stations to connect with Channel 6. I think that as these stations come in and request your approval to put in their cables and do cable service, that they have an obligation, since they're using our airwaves, our land and so on, to also provide community service. So in the future I hope you keep that in mind as you look at these cable companies coming in.

CHAIRMAN GRINÉ: Can you check that out to see if Eldorado and Edgewood --

MS. FRENKEL: They do not.

CHAIRMAN GRINÉ: They do not.

MS FRENKEL: No.

COMMISSIONER DURAN: Mr. Chairman, is it possible, Denise, for the Legal Department to check into those contracts and find out when they're coming up for review and if there's a way we can even request that at this point, if this Commission decides that that's what they want.

MS. BROWN: Mr. Chairman, Commissioner Duran, I do know that the statute that dictates how we assess these to the cable providers is a state law. It allows the County to recoup their reasonable expenses in providing the right-of-way used by the franchisees. I can look at whether or not we would be allowed to require them to provide public access television. I don't know at this point whether we'd be permitted to do that but I'd be happy to look at that and see if that's an option for us.

1717078

COMMISSIONER DURAN: The other thing is that in every one of our districts there is a certain percentage of city residents, or city limits within our districts.

CHAIRMAN GRINÉ: That's correct, but what I was trying to say is that the service that we're now provided, all the services we provide usually are always in the county. I guess one of the various other issues that does affect the city residents too. I guess that's fine. We'll look into it.

MS. FRENKEL: Thank you. I appreciate that because in most television stations, before they can get a license are required to show that they can give a certain amount of public service. Whether this is true of cable stations, I don't know.

CHAIRMAN GRINÉ: We'll look into it, Rebecca. Thank you. Anybody else would like to address the Commission under public concerns.

IX. I. MATTERS FROM THE COMMISSION

- 1. Request to reconsider EZ Case #DL 99-4750. Request reconsideration of BCC's decision to limit James and Mary Butler's family transfer to two lots. The described property is located off Calle Carla Road, within Section 25, Township 17 North, Range 8 East (Five-mile EZ District)**

CHAIRMAN GRINÉ: I did visit with Denice on this, and I guess there was a technicality, I guess Oliver had the material where he was presented that actually was for two lots, but all along the applicants have always applied for three lots.

COMMISSIONER ANAYA: Mr. Chairman, that's basically it. Just in my discoveries with the families that are the proponents in this case. It is an honorable family transfer and on behalf of their request, Mr. Chairman. So I just want to present it again for reconsideration, December 14, I believe, at our next meeting.

CHAIRMAN GRINÉ: Is that in the form of a motion?

COMMISSIONER ANAYA: That's a motion, Mr. Chairman.

CHAIRMAN GRINÉ: Do I get a second?

COMMISSIONER DURAN: I'll second it.

CHAIRMAN GRINÉ: Okay, we have a motion made by Commissioner Anaya to reconsider this case and seconded by Commissioner Duran. Any further discussion? If not, all those in favor signify by saying "aye." [Unanimous]
[Commissioners Gonzales and Trujillo are not present for this action.]

1717078

IX. I. 2, Resolution No. 1999-153. A resolution authorizing County staff to assist City staff in the pursuit of the permanent closure of Burro Alley vehicular traffic

CHAIRMAN GRINÉ: It's a resolution authorizing the County staff to assist the City staff in their pursuit of the permanent closure of the Burro Alley to vehicular traffic. Whereas, Burro Alley is a one-way through street located between Palace Avenue and San Francisco Street in downtown Santa Fe;

Whereas, Burro Alley can only be accessed by vehicular traffic turning right from Palace Avenue; and

Whereas, in addition to vehicular traffic, Burro Alley has always been utilized by pedestrians as throughway from Palace Avenue to San Francisco Street; and

Whereas, there is an imposed danger to the community in continuing to allow vehicular traffic and pedestrian traffic through Burro Alley; and

Whereas, in the interest of the health, safety and welfare of the community it is necessary to begin the process for Burro Alley to be permanently closed to vehicular traffic and become a pedestrian friendly throughway. Now, therefore be it resolved that the Board of County Commissioners of Santa Fe County in the interest of health, safety and welfare of the community, staff is hereby authorized to begin the process in assisting the City of Santa Fe in beginning the process to permanently close Burro Alley to vehicular traffic.

COMMISSIONER ANAYA: Mr. Chairman, I'm going to move for approval. I think this is a good direction to take because of the proximity to the County offices right here and I think we should get involved in it and I like your idea, Joe. So I move for approval.

COMMISSIONER DURAN: Second.

CHAIRMAN GRINÉ: I've got a motion to approve Resolution No. 1999-153. Any further discussion? If not, all those in favor signify by saying "aye." [Unanimous] The ayes have it.

COMMISSIONER DURAN: Mr. Chairman, I just have one item I'd like to bring up from the Commission. I was just wondering if we might be able to instruct Sam to consider opening up some discussions with some lobbyists that might assist us with all of our projects at the upcoming legislative session.

COMMISSIONER DURAN: You mean you want to hire another person, or what?

COMMISSIONER DURAN: Well, who do we have?

CHAIRMAN GRINÉ: We have Sam and we have Virginia. And it's only a 30-day session.

COMMISSIONER ANAYA: We also have the New Mexico Association of Counties on our behalf on some issues too.

COMMISSIONER DURAN: Are you trying to tell me it might be overkill?

1717078

CHAIRMAN GRIÑÉ: No, not really. I don't think it's necessary because Sam has the expertise in that area as well as Virginia already had one year behind her and this will be her second year around. Plus, it's a session that's only under the call of the Governor so it won't be too many issues.

COMMISSIONER DURAN: Well, don't get me wrong. This isn't a statement of no confidence. It's just a matter of whether or not we need more people hammering away at our representatives.

CHAIRMAN GRIÑÉ: I don't know. I don't think so. What do you think, Sam? Especially for a 30-day session.

MR. MONTROYA: Mr. Chairman, we can certainly look into it and find out what kind of expense we'd be looking at. But every bit of help is good for the County.

COMMISSIONER DURAN: Well, kick it around and let us know. I just think there's a lot of things in there that we really need. I plan on spending a little bit more time than I have the last few years.

MR. MONTROYA: We'll certainly do that, Mr. Chairman.

CHAIRMAN GRIÑÉ: All right. Anything else from the Board of County Commissioners. [Commissioners Gonzales and Trujillo are not present for this action.]

IX. J. MATTERS FROM THE COUNTY ATTORNEY

1. Request authorization to execute a quit claim deed to Sunlit Hills of Santa Fe, Inc. and Hondo Hills, Inc. for Tract A of the Hondo Hills replat

MS. BROWN: Mr. Chairman, Commissioners, in 1978 the County was deeded a parcel of property known as Tract A of the plat of Hondo Hills and that parcels was deeded to the County by Sunlit Hills of Santa Fe, Inc. and Hondo Hills, Inc. The deed was dated March 22, 1978 and provided the property was being given to the County to be used as a park and it states that provided should the County of Santa Fe fail to use said Tract A as a park, or once having used said Tract A as a park discontinued such use, said Tract A shall revert to grantors, their successors and assigns.

That property has never been used by the County as a park in the 21 years that we've had it. Corky Ojinaga and Dennis Hernandez went out and looked at the parcel and determined that it is not usable as a park. There is a water tank on it, in the middle of it if you'll recall. It's a very small parcel and I believe it's up the side of a hill. It's not usable as a park. The owners had sent us a letter requesting that we quitclaim it back to them, because we'd never used it as a park and it doesn't look like we will, and it's our opinion that it's not usable as a park. So we are asking permission to quitclaim it back to the grantors in accordance with the deed.

CHAIRMAN GRIÑÉ: Any questions?

1717078

Commissioner Duran moved to approve executing a quit claim on Tract A of the Hondo Hills plat back to the grantors. Commissioner Anaya seconded and the motion passed by unanimous voice vote. [Commissioners Gonzales and Trujillo are not present for this action.]

IX. J. 2. Resolution No. 1999-154. Rules of Order for Santa Fe County Boards and commissions, repealing Resolution No. 1996-35 to allow Board and committee members to participate by telephone

CHAIRMAN GRINÉ: Is there any comment or discussion on this?

COMMISSIONER DURAN: I just have one, Mr. Chairman. Denice, are there any changes to this?

MS. BROWN: Mr. Chairman, there were some clean-up, just typographical errors and things like that. The only change of substance is on page 7, paragraph VIII. C., called voting by members. If you turn to page 7 you'll see, it used to be that our rules prohibited members from participating by telephone. You had to be physically present to participate in our meetings. The Open Meetings Act is not that restrictive. It allows you to participate by phone as long as you can be heard by the members of the audience and they can hear you and the member participating can hear everyone here.

So I was asked by Commissioner Gonzales, who as you know is traveling quite a bit these days, if we would consider amending our rules to allow people to be away from this place and still participate in our meetings. So you see the change in the language there now reads "A member must either be physically present at a vote, or if it is difficult or impossible for a member to attend the meeting in person, the member may vote from a location outside the meeting place if the member is able to participate fully in the meeting by use of audio equipment that allows the member to be identified when speaking, allows the member to hear all persons at the meeting, and allows all persons at the meeting to hear that member." That sentence is new language and that's being offered for your consideration.

CHAIRMAN GRINÉ: Any discussion or questions?

COMMISSIONER DURAN: So he could even vote? Or whoever is absent could vote?

MS. BROWN: Right. You would have all the rights as if you were here. Let me clarify that the Open Meetings Act restricts it to members for whom it is difficult or impossible to participate, so we need to be careful about having five telephones up there at some meetings. It does have to be difficult or impossible. That's somewhat subjective. There's no guidance given in the Open Meetings Act on what makes it difficult or impossible, but that's the language, so we just copied it directly from the Act into our rules.

COMMISSIONER DURAN: No calls from the palace, right?

1717078

MS. BROWN: Right. I would not recommend that.

COMMISSIONER DURAN: But if we're out of town?

MS. BROWN: If you were out of town.

COMMISSIONER DURAN: Does being out of town, is there a reason for being out of town that would not allow us?

MS. BROWN: No, and that would really be up to the discretion of each member to decide whether you're being responsive to your constituents, but I think clearly, if you were out of state, out of town, if you were not within a reasonable distance to get here, it would allow you to participate rather than just being excluded because you can't be here.

COMMISSIONER DURAN: So then we'd need to get some kind of a phone in here, right, Sam?

CHAIRMAN GRINÉ: Speaker phone.

MS. BROWN: Right.

COMMISSIONER DURAN: And some photographs of the person that's not here.

CHAIRMAN GRINÉ: What's the wishes of the Board?

COMMISSIONER DURAN: Move for approval.

COMMISSIONER ANAYA: I have no problem with it, Mr. Chairman. I'm just concerned that long distance calls and all that, whether the participation would be -- I would suggest that the participation be selected to certain items, instead of being on the phone for an eight hour meeting.

CHAIRMAN GRINÉ: Can I get a second for discussion.

COMMISSIONER ANAYA: Second. But anyway, that's just a concern.

MS. BROWN: Mr. Chairman, Commissioner Anaya, I think that raises a good point, that we'd have to be very clear if that person signs off at some point, so the minutes can reflect that that person's no longer participating in the meeting. If someone's going to participate by phone they have to be very clear. "I have to leave now. I won't be here for the next vote on the next item" or whatever it is. But I think we can work it out if people are real diligent.

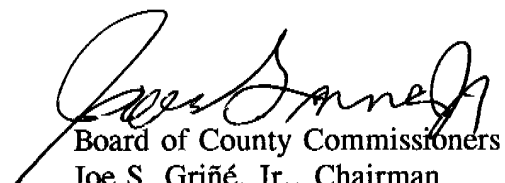
CHAIRMAN GRINÉ: Any further discussion? If not, all those in favor signify by saying "aye." [Unanimous] Ayes have it. [Commissioners Gonzales and Trujillo are not present for this action.]

1717078

ADJOURNMENT

Chairman Grinë declared this meeting adjourned at approximately 5:20 p.m.

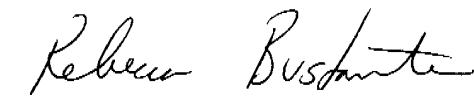
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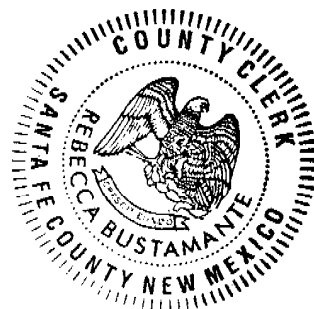

Board of County Commissioners
Joe S. Grinë, Jr., Chairman

Respectfully submitted:


Karen Farrell, Commission Reporter

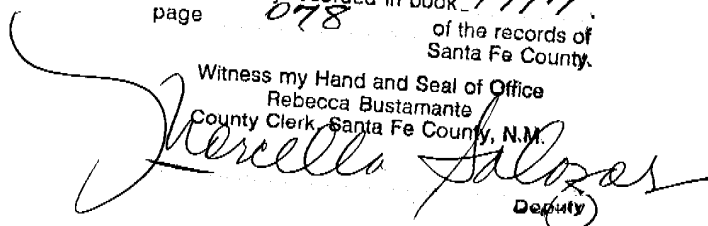
ATTEST TO:


REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK



1099.990
COUNTY OF SANTA FE
STATE OF NEW MEXICO)SS
I hereby certify that this instrument was filed
for record on the 15 day of DEC A.D.
19 99, at 5:10 o'clock PM
and was duly recorded in book 1717
page 078 of the records of
Santa Fe County.

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


Deputy