

2351757

SANTA FE

BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

December 20, 2002

Paul Duran, Chairman
Jack Sullivan, Vice Chairman
Paul Campos
Marcos Trujillo
José Vaera López

SANTA FE BOARD OF COUNTY COMMISSIONERS

COMMISSION CHAMBERS

COUNTY ADMINISTRATION BUILDING

**REGULAR MEETING
(Administrative Items)
December 20, 2002 - 10:00 a.m.**

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Amended Agenda

- I. Call to Order**
- II. Roll Call**
- III. Pledge of Allegiance**
- IV. Approval of Agenda**
 - A. Amendments**
 - B. Tabled or Withdrawn Items**
- V. Approval of Minutes**
- VI. Matters of Public Concern – Non-Action Items**
- VII. Presentations**
 - A. Recognition of Ms. Lydia Vigil upon her Retirement from the Santa Fe County Assessor's Office with Twenty-Five Years of Service**
 - B. Recognition of Ms. Dora Archuleta upon her Retirement from the Santa Fe County Assessor's Office with Eighteen Years of Service**
 - C. Recognition of Herb Sena upon his Retirement from the Santa Fe County Sheriff's Department with Eleven Years of Service**
 - D. Presentation of Employee of the Quarter – Corporal Vanessa Lahargoue**
 - E. Recognition Of Sheriff Raymond Sisneros and Under Sheriff Benjamin Montano**
 - F. Governor's Community Achievement Award**
- VIII. Matters from the Commission** *anticipated*
 - A. Establishment of a Procedure to Select a State Representative for District 45 to Fill a Vacancy Caused by the Resignation of the Incumbent and to Set a Date for this Board to Meet and Make the Selection**
- IX. Consent Calendar**
 - A. Request Adoption of Findings of Fact and Conclusions of Law for the Following Land Use Cases:**
 - 1. CCDRC CASE #Z 01-5570 – Thornburg Master Plan (Approved)**

*January 7,
7:30 pm 2003
3-2*

Approved

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B. Resolution No. 2002 - A Resolution Requesting an Increase to the General Fund (101)/CRAFT Grant Budget for the Fiscal Year 2002 Grant Award Received from the US Department of Health and Human Services for Expenditure in Fiscal Year 2003 (Community & Health Development Department)

Tabled
C. Request Authorization to Accept and Award a Contract to the Lowest Responsive Bidder, IFB 23-21, for the Re-Roofing of Rio En Medio and County Health Center (Project & Facilities Management Department)

D. Resolution No. 2002 ¹⁶⁴ A Resolution Requesting a Budget Transfer from the Road Projects Fund (311) to the Road Maintenance Fund (204) for Expenditure in Fiscal Year 2003 (Public Works Department)

X. Staff and Elected Official's Items

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A. Community & Health Development Department

Need
1. Request Authorization to Enter into a Memorandum of Understanding 323-0093-DW with the City of Santa Fe for DWI Compliance Monitoring Services

am
2. Request Approval of Amended and Restated Memorandum of Agreement Between St. Vincent Hospital and Santa Fe County

Amended
3. Request Approval of the Sole Community Provider Match Funding for Espanola Hospital, Holy Cross Hospital, Los Alamos Medical Center, and St. Vincent Hospital

B. Finance Department

Approved
1. Resolution No. 2002 ¹⁶⁶ A Resolution Allocating Investment Income Designation on the Average Cash Balance of the Utilities Capital Contribution Reserve Funds to the Water Enterprise Fund (505) Effective July 1, 2002

OK
2. Resolution No. 2002 ¹⁶⁷ A Resolution Allocating Investment Income Designation on the Average Cash Balance of the Following Housing Funds: Section 8 Fund (227), Housing Development Grants Fund (230), Capital Fund Program (301) and Housing Enterprise Fund (517) Effective July 1, 2002

3. Financial Report Presentation and Summary of the Fiscal Year End 2002 and Financial Status Report of First Quarter Fiscal Year 2003

Amended
4. Request Authorization to Accept Amendment #1 to the Professional Service Agreement #22-0201-FI with First State Bank for Fiscal Agent Services for Santa Fe County

C. Fire Department

Approved OK
1. Resolution No. 2002 ¹⁶⁸ A Resolution Requesting a Budget Adjustment to Budget Monies to Fund an EMS Captain Position for the Fire Department and to Budget Preventative Maintenance Costs for the Mobile Health Care Van

D. Land Use Department

OK
1. Request Authorization to Accept and Award a Professional Service Agreement to the Highest Qualified Respondent for RFP #23-05, the Santa Fe Community College District Fiscal Impact Study

E. Public Works Department

move to VIT first item
1. Discussion of the Feasibility for the Santa Fe Solid Waste Management Agency to Accept County Solid Waste Permits at Regional Landfill

- F. Matters from the County Manager, Estevan Lopez
- G. Matters from the County Attorney, Steven Kopelman

- i. Executive Session:

- 1. Discussion of Pending or Threatened Litigation

- a. Discussion of In the Matter of the Joint Application of El Dorado Utilities, Inc. for All Approvals Necessary for the Sale and Purchase of the El Dorado Utilities, Inc. Water System by Utilities, Inc. and for Ownership and Operation of the System by Utilities, Inc. of New Mexico, PRC Case No. 3707

*Held
in Open
Meeting*

- 2. Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights

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XII. ADJOURNMENT

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

SANTA FE COUNTY

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

2351761

December 20, 2002

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 10:15 a.m. by Chairman Paul Duran, in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

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

Members Present:

Commissioner Paul Duran, Chairman
Commissioner Marcos Trujillo
Commissioner Paul Campos
Commissioner Jack Sullivan
Commissioner José Varela López

Members Absent:

None

An invocation was given by Reverend Paul Septo.

[Birthday Cheers were extended to Chairman Duran]

IV. APPROVAL OF THE AGENDA

- A. Amendments**
- B. Tabled or withdrawn items**

ESTEVAN LOPEZ (County Manager): Mr. Chairman, you should have before you an amended agenda from what was posted a week ago. There are a couple of amendments. First, under Matters from the Commission, there is an item for establishment of a procedure to select a State Representative for District 45 to fill, and it reads, "a vacancy" but it should read "an anticipated vacancy caused by the resignation of the incumbent and to set a date for this Board to meet and make a selection.

Under X. Staff and Elected Officials' items, A. 2, we've amended the caption to read

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Request approval of amended and restated memorandum of agreement. In fact, however, I believe, and Steve Shepherd will make this presentation, I believe we're probably not ready for action on this but we will have a discussion about it.

And finally, under X.G. I.1.a, Executive Session, discussion of pending and threatened litigation, we've added discussion of In the matter of the joint application of Eldorado Utilities, Inc. for all approvals necessary for the sale and purchase of the Eldorado Utilities, Inc. water system by Utilities, Inc. and for ownership and operation of the system by Utilities, Inc. of New Mexico, PRC Case #3707.

Mr. Chairman, those are the amendments and I would ask that the Commission also consider moving one item because the people that have to make the presentation need to be elsewhere, and that would be to move the item under Public Works Department, the discussion of the feasibility of Santa Fe Solid Waste Management Agency to accept County solid waste permits at the regional landfill, to move that to right after Consent Calendar.

CHAIRMAN DURAN: I'm sorry. Which number was that? After the Consent Calendar?

MR. LOPEZ: That was X.E.1.

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman, as amended.

COMMISSIONER CAMPOS: Second.

CHAIRMAN DURAN: Is there any further discussion?

COMMISSIONER SULLIVAN: Mr. Chairman, Estevan, on the memorandum of understanding between St. Vincent's and the County, was there a draft of that in the packet? I didn't see anything.

MR. LOPEZ: Mr. Chairman, Commissioner Sullivan, no there was not. We only met and reached agreement a couple days ago and we've still been trading drafts with the hospital and that's the reason you haven't gotten one yet. One will be passed out today for at least the discussion purpose.

COMMISSIONER SULLIVAN: Thank you.

CHAIRMAN DURAN: Is that okay? Do you want to --

COMMISSIONER SULLIVAN: We're just going to discuss this; it's non-action.

CHAIRMAN DURAN: Okay. Any further discussion?

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

V. APPROVAL OF MINUTES: December 3, 2002

CHAIRMAN DURAN: Any changes to those minutes?

COMMISSIONER SULLIVAN: Mr. Chairman.

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CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: A couple of minor typographical changes that I'd like to give to the recorder.

CHAIRMAN DURAN: Okay. The Chair will entertain a motion to approve with the changes from Commissioner Sullivan.

COMMISSIONER VARELA: So moved, Mr. Chairman.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: Any further discussion?

The motion to approve the minutes of December 3, 2002 as amended passed by unanimous [5-0] voice vote.

November 21, 2002: Joint Meeting of BCC and the Health Planning and Policy Commission

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

COMMISSIONER VARELA: Move for approval, Mr. Chairman.

COMMISSIONER SULLIVAN: Second.

CHAIRMAN DURAN: Motion to approve with a second.

The motion to approve the minutes of the November 21, 2002 minutes as submitted passed by unanimous [5-0] voice vote.

Special Canvassing Meeting November 6 and November 12, 2002

CHAIRMAN DURAN: Any changes to those minutes? What's the pleasure of the Board?

COMMISSIONER VARELA: Move for approval, Mr. Chairman.

CHAIRMAN DURAN: Is there a second?

COMMISSIONER TRUJILLO: Second, Mr. Chairman.

CHAIRMAN DURAN: Any discussion?

COMMISSIONER SULLIVAN: He can't vote. He wasn't there.

COMMISSIONER TRUJILLO: I withdraw my second.

COMMISSIONER SULLIVAN: I second.

CHAIRMAN DURAN: There's a motion and a second. Any further discussion?

The motion to approve passed by unanimous [3-0] voice vote, with Commissioner Trujillo and Chairman Duran abstaining due to absence from the meetings.

VI. MATTERS OF PUBLIC CONCERN- NON-ACTION ITEMS

[There were no matters presented.]

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VII. PRESENTATIONS

A. Recognition of Ms. Lydia Vigil upon her retirement from the Santa Fe County Assessor's Office with 25 years of service

CHAIRMAN DURAN: Benito, are you going to say a few kind words or do you want me to just hand out the—

BENITO MARTINEZ (County Assessor): Mr. Chairman, members of the Commission, ladies and gentlemen, while we are saddened by the departure of one our most senior members of our staff, we are overjoyed by her retiring and going to her traditional community of Cundiyo, New Mexico. But as is said in the history books, the male partner of the marriage is the farmer and is the worker. The female has many duties at home of which one is taking care of the plastering of the exterior of their dwelling. So Lydia is priming her hands getting ready to plaster her residence in Cundiyo. She's got the mud already ready to go over there near the acequia. So I know she's looking forward to that.

But seriously, on a serious note, Lydia Vigil has been a mother figure to me for many years and to all of the members in our staff and we are truly joyed that she has reached this benchmark and we're excited for her. We will miss her. We're losing a valuable resource and I thank you for this opportunity that you have before us to recognize this 25-year veteran of the County Assessor's Office and it's not very often that we have a staff member that remains in tenure for that period of time. This is a very special moment for me and I thank you for this opportunity. Mr. Chairman, thank you.

CHAIRMAN DURAN: Thank you, Benito. It's always a joy to know that there are people that have dedicated their whole career to working for County government and we appreciate all the hard work and dedication that you have shown here, Lydia and we have an plaque here for you or an award.

COMMISSIONER TRUJILLO: It's great to see that Santa Fe County employees from throughout the county, from the surrounding areas and this individual has been diligent about leaving the little community of Cundiyo on a daily basis for the last 25 years. And that says something about her commitment and again, she represents a part of a diverse workforce of Santa Fe County. Congratulations, Lydia.

CHAIRMAN DURAN: Good luck with that stucco job, Lydia.

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VII. B. Recognition of Ms. Dora Archuleta upon her retirement from the Santa Fe County Assessor's Office with eighteen years of service

MR. MARTINEZ: If I may, Mr. Chairman, members of the Board and ladies and gentlemen, once again, combined with these two individuals, 45 years of time dedicated towards the County constituents and Dora has been nothing but strictly business. Always prepared, coming before us for decisions and she will be a greatly lost resource in our department, but I'm looking forward because I'll see her across the stadium at Bronco stadium. She's a Bronco fan along with me so I'm excited about that also. But thank you for this opportunity, Mr. Chairman, members of the Commission, for recognizing Dora Archuleta. Thank you.

CHAIRMAN DURAN: Dora, please come forward. On behalf of the County Commissioners, congratulations.

VII. C. Recognition of Herb Sena upon his retirement from the Santa Fe County Sheriff's Department with eleven years of service

CHAIRMAN DURAN: Sheriff, it's nice to see you.

RAY SISNEROS (County Sheriff): Thank you, Mr. Chairman. It took Ron a little bit to find me. Since this last month we've been a little difficult to get a hold of, but Ron and my secretary know how to find us. But Herb, when I hired him to come back with the County, he's the one that helped us set up the court security program that the Commission approved those new positions if you recall to handle the load at the courthouse. Since my last discussion on that, that load has only increased tremendously and Herb running that area has done one hell of a job. And personally, I just want to thank Herb for everything he did and contrary to what some people have said, his hair was that color when he started, so we didn't cause that.

But I do want to personally thank Herb for everything he's done for us and wish him well and his family well. See if he can drive his children nuts and his wife. Herb?

CHAIRMAN DURAN: Come on up, Herb. Why don't you tell us what it was like to work for Sheriff Sisneros?

HERB SENA: It was good. We had a lot of hard work. We got it all together and everything down there is working out good. I want to thank everybody, especially Sheriff Sisneros for the opportunity. He got me out of the federal courthouse and brought me back to the County. Thank you.

CHAIRMAN DURAN: Good luck.

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VII. D. Presentation of the Employee of the Quarter – Corporal Vanessa Lahargoue

CHAIRMAN DURAN: Sheriff, do you want to say something?

SHERIFF SISNEROS: Once again I couldn't be happier that Vanessa has gotten this recognition, especially in my last meeting in front of the Commission, this lady has done one hell of a job. She's been with the department 12 years now and I've been working with her for ten so I've gotten to know her work quite a bit, but to give you a little story on how well her work is, before coming to the County, as you know, I retired from the City and I was chief of police and during one of the fiestas when she first started I got a hold of her on the plaza and introduced myself to her and I spent about a half an hour trying to talk her into going to work for me at the City, which to be honest with you, now I'm thankful that she didn't because she stayed with us, not knowing I was going to be her boss shortly. But that's something I've always teased her about, that she knew I was coming to the County and that's why she decided not to go to the City but I just want to thank her for all the work she's done.

She's recently, a few months ago was promoted to corporal and she's a detective supervisor now that has worked on a lot of cases that she's very thorough and she is an asset to the department. Also sitting next to her and I know they're going to be mad because I said this but the individual sitting next to her is her husband. They're newlyweds. They just got back recently from their honeymoon. He is also a detective with us so now the department is referring to him as Mrs. Lahargoue. So I know William Pacheco is not going to be happy with my telling you that but Vanessa, will you please come forward?

CHAIRMAN DURAN: Do you want to say a few words, Vanessa, before we give you your award?

VANESSA LAHARGOUE: Sure. I take my job very seriously in the violent crimes division, even more so now that I'm a supervisor. I have a passion for crimes against children, which is one of my duties, and I have a passion for the sex offender registration which I currently maintain and diligently ensure that our offenders are compliant and I'm proud to say that we're the cleanest county in the state of New Mexico for sex offender registration. Thank you very much for this opportunity.

CHAIRMAN DURAN: Thank you very much.

VII. E. Recognition of Sheriff Raymond Sisneros and Undersheriff Benjamin Montano

CHAIRMAN DURAN: Next on the agenda is the recognition of two individuals that have made our community a much safer place to live in and you leave behind a legacy of law enforcement that I think is going to be hard to match. And that is Sheriff Raymond Sisneros and his Undersheriff Benjie Montano. And we just want to thank the two of

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you for all of the hard work and dedication that you have shown as a Sheriff and as the Chief of Police. And we thank you for contributing to law enforcement in our community.

BECKY BUSTAMANTE (County Clerk): Mr. Chairman, I would like Benito and Phil to join me. Ray, we would just like to say on behalf of the elected offices we want to thank you for everything that you've done for us. Certainly my job has been made easier because every time I needed to call upon you, you were there and it certainly has been a great pleasure to work with you and Benjie these last six years. We can't thank you enough. On behalf of the elected officials, we want to present you, both you and Benjie with a little gift from us. You can use it in Florida. I made sure I checked. And also on behalf of the Santa Fe County Commission, the administration and staff, in appreciation for your dedication, commitment and service to Santa Fe County, Raymond Sisneros and Benjie Montano, County Sheriff, it has the date, we present you with a plaque. And I believe my fellow elected officials would like to say a word.

MR. MARTINEZ: I'd just like to thank you, Ray, and just wish you the best in the hot sun in Florida and as crisp and cold as it was here today, I'm sure you're looking forward to that weather. But thank you for your service towards not just the County but the City and we are once again losing a valuable resource. I can't believe how much experience is walking out the door. But thank you, Ray. God bless you and wish you the best.

PHIL TRUJILLO (County Treasurer): Mr. Chairman, members of the County Commission, friends, Ray, they've asked me to say a few nice, good things about you and Benjie. Right now, I just can't happen to think of any. And I say that in jest, I really do. Ray, members of the Commission, I want to tell you that my first experience I think with Benjie and Ray was years ago, our office was trying to procure a refrigerator for our little coffee room. So we put in for a refrigerator, which was denied. We have a little room downstairs that we use; it's one of the old vaults and we use it like a little coffee room, a little storage room. We have a little microwave there. We used to buy from surplus at the time, from government surplus. So we put in for this refrigerator. I think it was \$75. And when we told procurement that we were going to share it with the Sheriff's Office it was immediately approved.

So I knew my place in the ranks when it came to Benjie and Ray here. Ray, I wish you the best, you and your family. Benjie as well. He's always been a dear friend and I echo what my fellow elected officials are saying here that this is a great loss for Santa Fe County. But we all find our term and mine's coming up pretty quick myself too. Maybe I'll join you in Florida. Ray, the best to you.

SHERIFF SISNEROS: Mr. Chairman, Commissioners, everyone here, I want to thank you very much for this. Benjie is MIA, has been for the whole month of December. But in reality, he had a doctor's appointment yesterday and I think he's kind of under the weather and I apologize for him not being here today. But it's not easy to walk away from people that you've become friends with and work with every day, but a lot of people asked me why I didn't run for a second term and the only explanation I can give them, which is the truth is it finally hits you in your life that you make a decision, it's time. It's time to walk away. And we finished our last two major projects and we felt, I felt, it was time. So since last June I've

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been trying to give my pager to Mr. Solano but he wouldn't accept it. Last week I turned in my pager, my cell phone and the only thing left I need to turn in are my keys, but unfortunately I have to hold on to those for eleven more days, not that I'm counting.

But very soon, as they stated, I'll be enjoying the warm sunshine and thinking of you people as you're enjoying the snow, and I hope we get a lot of snow. But again, thank you very much and I thank everyone here. Thank you.

CHAIRMAN DURAN: Sheriff, don't forget to leave your address with the County Manager.

MS. BUSTAMANTE: Mr. Chairman, if we, all the elected officials, could just take the opportunity also to thank on behalf -- I know Allan Grace is in here and Ann Yalman, and myself, I would like to thank Commissioner Trujillo and Commissioner José Varela for the help you have provided to us and our offices. I know this is our last day, your last day and I publicly want to say on the public record that it's been a joy working with both of you and thank you so much.

MR. MARTINEZ: Mr. Chairman, I'll keep it short but I think it is only proper that in this last public meeting I do the same. Commissioner Varela López, in your short tenure you really have risen some eyebrows. I'm extremely pleased to have met you. Thank you for your service and I look forward to meeting with you in the future and hopefully share ideas.

Commissioner Trujillo, I just thank you for all that you have taught me and the time that we have spent on behalf of the constituencies, meeting with constituencies on their territory, on their ground, and I just want to say Si yo puedo ayudar a usted, su familia, llámemelo por favor y muchas gracias.

MR. TRUJILLO: Mr. Chairman, Commissioners, Commissioner Varela, I too would like to echo the sentiments of my fellow elected officials. Politics is a strange situation sometimes and maybe it's times like this that I wish maybe it didn't exist. But that is the nature of what it is. And perhaps we will meet again as elected officials in some form or capacity and I wish you and your family the best, especially during this beautiful Christmas season and all the best for the New Year.

And Commissioner Trujillo, what can I say? You and I go back many, many years. Let's keep in touch. From the office of the County Treasurer we send you our regards to you and your family. God bless you.

CHAIRMAN DURAN: Okay. I think the Commission will wait to say a few kind things about you at the end of the meeting.

VII. F. Governor's Community Achievement Award

CHAIRMAN DURAN: Is this for me? Thank you.

JUSTIN STOCKDALE (Waste Reduction Coordinator): Mr. Chairman, Commissioners, Santa Fe County was awarded the Governor's Community Achievement Award this year. We received second place for the county category. We were awarded for our

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excellence in recycling programs. This year we will actually double total recycling volume coming through our transfer stations from 350 tons last year to over 700 this year. We were awarded by the New Mexico Clean and Beautiful, the sponsoring agency, as well as out-going Governor Gary Johnson with this award for excellence in recycling programs. We wanted to present it to you guys today.

CHAIRMAN DURAN: Thank you very much. Good work.

COMMISSIONER CAMPOS: Thank you for your great work. We appreciate it very much.

JAMES LUJAN (Public Works Director): Mr. Chairman, Commissioners, this is the second year we get it. That was Justin Stockdale. I just wanted to thank him and his hard work that he's done for the division and we'll continue doing it.

CHAIRMAN DURAN: Good work, James. You and your staff.

VIII. MATTERS FROM THE COMMISSION

- A. Establishment of procedure to select a State Representative for District 45 to fill an anticipated vacancy caused by the resignation by the incumbent and to set a date for this Board to meet and make the selection**

CHAIRMAN DURAN: Do you want to take it, Estevan?

MR. LOPEZ: Mr. Chairman, first of all, I'd like to clarify that at this point it's still an anticipated vacancy. There is no formal resignation to date but it's widely expected that there will be a resignation and a vacancy caused by that resignation in State Representative District 45. A number of individuals have expressed an interest in filling that position and not knowing exactly how this Commission would want to handle that, I've requested that those individuals write a letter expressing their interest in the position, certifying that they reside within the district and providing a resume for you. You should have before you the letters that we've received from several individuals to date. At this point I think it would be appropriate for the Commission to discuss how they might want to go about the process to name that person if and when the resignation occurs.

CHAIRMAN DURAN: I think we'll start with Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chairman, I've discussed this issue with a number of people on staff and the Commissioners. I think we need a public process where the selection is made by the Board of County Commissioners after considering the applications of any person who might be interested in the position. What I would suggest is that we set a public hearing, that we notify the public of the vacancy, suggest that they have the opportunity to apply for the position. At the public hearing they'll have an opportunity to come forward and make a presentation to the Commission as to why they want to be a State Rep and what their qualifications and interests are, and the public would be given an opportunity to comment also. After that, we would make nominations from the Board of County Commissioners and then we would vote on who the person to succeed Patsy Knauer would be. That would be my

suggestion, Mr. Chairman.

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CHAIRMAN DURAN: Go ahead, Commissioner.

COMMISSIONER TRUJILLO: Mr. Chairman, I think the public input will come later. I think initially, like we've done in the past, I think this Board has the authority and the responsibility to appoint a legislator to this vacated position under state statute. To bring it forth into a public forum and public input would take away from the authority of this Commission and again, anyway, on re-election the community is going to vote for this individual or this position and bring forth their position regarding the appointment.

CHAIRMAN DURAN: Commissioner José Varela López.

COMMISSIONER VARELA: Mr. Chairman, I would tend to agree with Commissioner Campos, just because I think it is relevant that we do hear from all the candidate and just in case there is somebody out there that has not submitted any information to us, I think it would be good for the public process if we did have people come up before the Board and state what their interests are and qualifications and allow the Commission to make a decision at that time.

COMMISSIONER TRUJILLO: Mr. Chairman, if I may, my concern would be what criteria are we going to use to evaluate the candidates? What is the added value at the end of the process regarding the appropriate appointment? We can give a voice to the community and the community might help us decide who the best person for the position is, but in the end, in the end, we will make the decision here, regardless of what the community says. And again, this is not a search process; we can't develop a set of criteria and how do we validate the process? We can't do that in such a short time. I understand that we're trying to give impetus to a fair process, but in the next two weeks we cannot do that. We've got some pretty good candidates. We've got resumes. I think that we have the capability of making the appointment.

COMMISSIONER VARELA: Mr. Chairman, Commissioner Trujillo, I agree with you. Maybe I misspoke. What I would like to see is as many candidates as possible come forward with their resumes and speak as to why they would like to be on the legislature. It would be in public, in other words, but it wouldn't be a process by where the public would be allowed to speak for or against any of the candidates. It would be specifically up to the Board to decide in their best judgement who fits the bill the best as far as being able to represent District 45.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Mr. Chairman, I would agree with that. I think it is a Board function but I would, because I know some of the candidates who have come forward and they're all excellent potential choices. I don't know some of the others who have come forward and I would like to have them present themselves to the Board and to the public, since we do have televised Board meetings, so the public can see who their potential representative might be. I think that's a fair process and I do agree with Commissioner Trujillo that it is a Board decision, not necessarily a public debate. I'd ask one question of staff. What if any are the legal criteria for being on the legislature? There must be an age requirement.

STEVE KOPELMAN(County Attorney): Mr. Chairman, Commissioner

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Sullivan, obviously, the individual has to be a resident of the state or the individual has to live in the district. I'm not sure what the age requirement is but I can check that real quickly.

COMMISSIONER SULLIVAN: Is there any length of time that they must reside in the state or the district?

MR. KOPELMAN: Mr. Chairman, I don't believe so. We can double check that. We'll have that all ready to go, all that information at the time when you're going to consider making a selection. We'll get that to you before hand.

CHAIRMAN DURAN: Maybe the Clerk knows a little bit about the requirements.

MS. BUSTAMANTE: Mr. Chairman, members of the Commission, thank you. I would like very much to ask you to get a legal opinion from the Attorney General regarding whether or not the person needed to reside in the district at the time the person was elected. I bring that to your attention because state law says that before you can run for an office you have to have lived in that district prior to the governor's proclamation. As we know, we had a vacancy with Commissioner Anaya. Mr. Gonzales resigned. Mr. Anaya could not be considered because he was not a resident of the district at the time that Commissioner Gonzalez was elected. So now I think that we need to get, because it's clear in the law. It says you have to be a registered voter in that district prior to the proclamation.

Now, I don't know if that applies to appointees or not but I think we need to get a legal opinion in regard to that and I would ask that we try to get that. Because some of the people that have you're considering were not in the district at the time that Patsy Trujillo was elected. I just think that's important.

CHAIRMAN DURAN: When I was considering the office I checked with the Secretary of State and I was advised that as long as I resided in the district prior to taking-if I was to be appointed, prior to getting the appointment that that met the law. But I agree. We probably should get an opinion so that we are well advised as to the statute.

MS. BUSTAMANTE: Ms. Denise Lamb, I spoke with her yesterday. She did advise me that she had given you that information but she was unaware that the appointment for Mr. Varela López was in regard to that. She advised we get an opinion also.

MR. KOPELMAN: Mr. Chairman, we've done some research on it and I will touch base with the Attorney General. I'm pretty certain though. The issue with the Governor's office, I don't know if they ever had a definitive legal opinion on that. I'm relatively certain on this one and we'll confirm it, that you have to reside in the district at the time of the appointment, but we can confirm that. We'll discuss that with the Attorney General's office.

CHAIRMAN DURAN: The other thing is I think that we can establish some criteria. I think that it's important that whoever we appoint has a good knowledge of the district that elected Patsy Trujillo-Knauer and that this individual knows the issues of that particular district so that they can represent those that actually elected Patsy in the first place, Representative Trujillo-Knauer. So that would be one some of the criteria that this individual would have to meet. I also think that they'd probably have to have some working knowledge of the legislative process that they're going to be undertaking on behalf of Santa Fe County. And

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their ability to lobby. There's a lot of different things that this individual--this individual has to have a lot of knowledge of the county, the district that they're representing and the process. And I think that what we should do, Estevan, is in the weeks to come before Patsy -- my understanding is that she's going to resign sometime before the first of the year. And prior to her doing that, we should probably establish some kind of criteria or meet with some of the Commissioners and get some ideas from them as to how they, what they think the appropriate criteria for this individual to meet.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: I would think we would just use our best judgement in evaluating the candidate. I don't think we can set out criteria like an employment application, just our best judgement as to who would be the best candidate to fill that position. It's that general, I think.

CHAIRMAN DURAN: Well, then let me rephrase what I meant to say. What I meant to say is when those individuals come forward, make sure they're prepared to answer some questions that I might have, and that is basically how long have they lived in the district, what do they think the district's needs are and how can they best represent the district in Santa Fe County as a representative of the county. And I don't know what other ones I have but those off the top of my head are ones that I would definitely need to have answered.

COMMISSIONER TRUJILLO: Mr. Chairman, I tend to disagree with you because I don't feel that we can evaluate on the basis of that criteria because there's no demonstrated contribution. When I came into office, I was elected on the basis of a platform on not on the basis of a demonstrated contribution serving as County Commissioner. None of the candidates out there have demonstrated to serve in this capacity, but they have a resume and they have qualifications that if we go over that resume and qualifications, we can make a pretty good decision on who the best candidate for this position is. This is not like Commissioner Campos said, an evaluation process for a job selection based on job requirements. This is a position where there's desire by people in the community to serve and then when they serve through demonstrated contribution, the community will have a voice in the process.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: The issue that is outstanding I would think is setting a date.

CHAIRMAN DURAN: We can't set a date.

COMMISSIONER CAMPOS: Well, we could set a date so we could have notice to the public. If there is no resignation obviously we could cancel it. I think we should schedule a date so that we can give notice to people that they can submit their letters of interest and set a hearing so that the public can be here and that the candidates can be here. That was part of the caption. Anyway, I think it's an important thing that we do today.

CHAIRMAN DURAN: I don't know how you can set a date.

MR. LOPEZ: Mr. Chairman, this may or may not help but I think it has

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relevance. I did speak to Representative Trujillo-Knauer about what her intentions were and she shared with me that she anticipated submitting the resignation probably by the 30th. Specifically, what she said was before the end of the year and probably by the 30th. I think given that, probably the important consideration at this point is whether you would want to try and make an appointment with the sitting Board or wait until the new Commissioners come on after the first of the year.

COMMISSIONER CAMPOS: Mr. Chairman.

COMMISSIONER SULLIVAN: Commissioner Campos.

COMMISSIONER CAMPOS: I would suggest we set a date simply because we're going to have to act quickly. And if we're going to have a public process we need to have some notice and time to schedule a meeting. So I would suggest we do it today, at today's meeting.

COMMISSIONER TRUJILLO: But from a continuity standpoint I think we need to involve the newly elected officials, the County Commissioners so they understand the process is to interview or listen, ask questions of the interested candidates. I think they need to be involved early on.

COMMISSIONER SULLIVAN: I'd suggest we have two meetings on the 7th of January. We have a CARE Connection meeting at 4:00, and we have a special RPA meeting at 5:30. We could do it on the afternoon of January 7th, which is a Tuesday. I think our main criteria is that we want to have an appointment prior to the opening of the legislature, which is the 15th. Is that correct?

COMMISSIONER CAMPOS: Twenty-first, I believe.

COMMISSIONER SULLIVAN: Twenty-first? Which would be Tuesday the 21st. So it could be done on the regular meeting of the 14th of January but probably a special meeting would be more appropriate to handle it.

COMMISSIONER CAMPOS: I would agree, Mr. Chairman. A special meeting. Are you suggesting January 7th in the evening so we could have public input and public presence?

COMMISSIONER SULLIVAN: Well, I guess we really haven't determined in terms of format whether we're going to have public input or whether we're going to have presentations. I heard discussion in both ways.

COMMISSIONER CAMPOS: But having it in the evening, Mr. Chairman, would allow people at least to come and --

COMMISSIONER SULLIVAN: Be present.

COMMISSIONER CAMPOS: And it gives us the option if we chose to go that route.

COMMISSIONER SULLIVAN: I don't know how long that special RPA meeting will take. Usually, they're not more than an hour, an hour and a half.

COMMISSIONER CAMPOS: This is the one where they will update us on water issues. So maybe an hour or so.

COMMISSIONER SULLIVAN: That's an hour, that's prior to our meeting that

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weekend, our facilitated session that weekend. So that probably would be done by about seven and we could continue on and do that from seven to nine or whatever period it took.

COMMISSIONER CAMPOS: Seven thirty, giving us a short break.

COMMISSIONER SULLIVAN: Oh, you want to eat?

COMMISSIONER CAMPOS: Yes.

COMMISSIONER SULLIVAN: Oh. Well, just a suggestion. When we spread these meetings out so much it's so difficult to get good attendance, if we just blast right on through from four to eight.

COMMISSIONER TRUJILLO: So Mr. Chairman, that would leave Commissioner and myself out of the process. So for discussion purposes our input and our opinion is null and void at this point.

COMMISSIONER SULLIVAN: There's two ways to look at it and I'm not meaning to diminish any Commissioner's opinion on this. The new Commissioners are certainly the ones that will have to work with the new legislator in terms of getting legislative priorities through and so forth. I felt that when I came on the Commission that the Commission took a great deal of emergency actions in December that I felt could have been handled in January or later easily and felt that the input of the new Commissioners would have been useful on those issues. So my personal feeling is that the new Commissioners should not only have input but having to deal for the next two years with this legislator that they pick that they should participate in the selection. That's just my personal—

COMMISSIONER TRUJILLO: I don't have any problem with that.

COMMISSIONER SULLIVAN: It's not personal. Really. I just feel that's my own opinion. Commissioner Varela?

COMMISSIONER VARELA: Mr. Chairman, just as a matter of equity, I think that maybe there might be a possibility for both scenarios. I would suggest we have the meeting, say, maybe on the 30th of this year with the applicants coming forward to give their presentation and have both the present Commission and the new Commissioners at that meeting so we can hear from everybody. I would suggest that maybe if Representative Trujillo-Knauer resigned before the 30th, that the present Board take action after we hear the presentations on the 30th. If that was not to happen, then I think that the new Commissioners and the three remaining people on the present Board would take that action in January at whatever your first possible meeting is so that the person that is selected has time to get everything in order before the legislature actually starts because I understand that there's a whole lot of things that they have to deal with before the legislature actually starts towards the end of the month.

COMMISSIONER TRUJILLO: And the vote, this meeting would be open to the public and the vote would take place in a public forum, right?

COMMISSIONER VARELA: Exactly, Commissioner Trujillo.

COMMISSIONER SULLIVAN: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chairman, my inclination would be to have the new Commission meet on January 7th. I think the arguments are correct. It's an important appointment and it will be made soon enough. I don't think there's any real pressing need to

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appoint someone this year. And again, I'm not trying to exclude anyone. That's my personal preference. I can work either way but that's the way I would prefer to do it.

COMMISSIONER SULLIVAN: It looks like we have two opinions one way and two the other. The Chair is just temporarily out so perhaps we'll just defer making a final decision on this until the Chair returns, unless someone else has a better idea. Here he comes. Say yes or no.

CHAIRMAN DURAN: What did you do?

COMMISSIONER SULLIVAN: Mr. Chairman, the discussion is whether the selection, assuming a resignation by Rep. Trujillo-Knauer on the 30th, whether the selection should be made by the incumbent Commission or the new Commission. And we have two different views on that so we'd like your views on it.

CHAIRMAN DURAN: Well, if she doesn't resign until the 30th, it's the new Commission. She's not going to resign any sooner so how can the old Commission act on it.

COMMISSIONER SULLIVAN: Well, there was some discussion that if she resigned on the 30th the Commission could meet on the 30th.

CHAIRMAN DURAN: I'm not going to meet on the 30th. The other thing is I've spoken to the two new Commissioners and they are very much interested in voting on this thing. So why don't we just wait and see what happens. If she resigns on the 30th --

COMMISSIONER SULLIVAN: Well, in order to get notice out, one suggestion was for a notice date of January 7th, which happens to be the date we're meeting for the CARE Connection and that special RPA meeting to go over water preparation issues. That's at 5:30 so perhaps 7:30 noticed just to handle that issue.

CHAIRMAN DURAN: So is there a vote and a motion on the floor right now?

COMMISSIONER SULLIVAN: No, there's no vote or motion. We're just discussing alternatives.

CHAIRMAN DURAN: Seems fine with me. The 7th is fine. I just don't see how we can actually agree to meet on the 30th if we don't even know if we can do it then.

COMMISSIONER SULLIVAN: Okay, let's get a motion and move on then. Commissioner Campos.

COMMISSIONER CAMPOS: I'll make a motion that we have a special Board meeting on January 7, 2003 to select a State Representative to fill the position left by the anticipated resignation of Trujillo-Knauer, and that the meeting be held at about 7:30 p.m. That notice be given to the public that we have a public hearing, receive letters of interests from all persons who are interested in the position and that each Commissioner will have the opportunity to make one nomination.

COMMISSIONER SULLIVAN: I'll second for discussion. Just one clarification. We'll have public notice but we also discussed whether this should be a public hearing.

COMMISSIONER CAMPOS: It has to be a public hearing. You're saying, is it open to public comment?

COMMISSIONER SULLIVAN: Yes. Is that your intent?

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COMMISSIONER CAMPOS: That would be my inclination. I would like to hear from the public. Even if it's brief, I think it's essential.

COMMISSIONER SULLIVAN: If we did that could we set some ground rules. What I'd hate to get into is --

CHAIRMAN DURAN: How about three minutes?

COMMISSIONER SULLIVAN: Three minutes or something. If you want to have one person speak for three minutes or three people speak for one minute or something. I just wouldn't want to get into a situation where the public would feel our decision was based on how many people lined up at the podium to speak in favor of the candidate. That would be -- it's either that or we just listen and make a nomination and make a decision.

CHAIRMAN DURAN: Why don't we make this decision whether or not we're going to allow public comment at the time that we have that meeting?

COMMISSIONER TRUJILLO: Mr. Chairman, at this point then it becomes a matter of what candidate brings in the most people.

COMMISSIONER SULLIVAN: That's why you'd have to have the three-minute rule.

COMMISSIONER TRUJILLO: I don't see the added value in a process like this.

COMMISSIONER SULLIVAN: I'm a little skeptical of that myself.

COMMISSIONER CAMPOS: The value is that we get more information from the public which is essential to a democratic process.

COMMISSIONER TRUJILLO: It's subjective information.

COMMISSIONER CAMPOS: Of course it is. Anything like that, who is better -- how they think is the best candidate is subjective.

COMMISSIONER TRUJILLO: Let's give them the opportunity at the poll, not in a public forum, especially in a position like this. Give them the opportunity at that poll. We're too late in the game to open it up to this prolonged evaluation search process.

COMMISSIONER CAMPOS: Mr. Chairman, the only comment I would make is that I doubt that anybody is going to be forced to make a choice for a particular candidate simply because they have more people here saying they support x, y or z. We need to get a little more background than what some people are suggesting. That's my comment.

COMMISSIONER SULLIVAN: Let's hear from -- who is this stranger? Oh, it's Commissioner-elect Anaya. Congratulations, sir. Welcome. Would you like to weigh in on this discussion?

MIKE ANAYA (Commissioner-elect): Mr. Chairman, Commissioners, as I was listening to you back there, I think that I agree with some of you and I disagree with some of you.

COMMISSIONER SULLIVAN: You're starting out on a good foot.

MR. ANAYA: I think that we should have the applicants come forward and speak and not open it up to public comment from the public, because then we're going to get people up here that are going to dog or talk bad about somebody else and I think that we should

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just listen to the applicants. Set a time, maybe 15 minutes, let them speak and tell us about themselves and then let the other applicants come forward and then we'll base our decision on that. I think that if we have people coming up, that they're going to bring a crowd of people in. They're going to bring 20 people or 100. Who knows? And if you let them speak it could go on and on and on and then we'll never make a decision. So with that, I agree with you and I disagree with you.

COMMISSIONER TRUJILLO: I'd just like to qualify something that Commissioner Campos said. Commissioner Campos, I come from an expertise of personnel and I understand job requirements. I understand demonstrated contribution. I understand fair employment practices. And I know that this process is not conducive to the appropriate selection on those bases. Whether you're insinuating that I'm saying that the Commission doesn't have the ability to make a crucial decision, I'm not. Because I know the process, I understand the protocol and I've made decisions like this in the past.

COMMISSIONER SULLIVAN: Let me recognize Commissioner-elect Montoya. Would you like to come up and add your comments to the discussion?

HARRY MONTOYA (Commissioner-elect): What was the discussion?

COMMISSIONER SULLIVAN: Well, let me brief you on it. The discussion is when we meet in January for the anticipated selection of a new State Legislator, do you feel it's appropriate we have public comment or that the candidate address the Commission, present their qualifications and the Commission select on that basis?

MR. MONTOYA: Well, the comments that I'll share, Mr. Chairman, Commissioners, is based on the experience that I've had on the school board when we've selected superintendents and we've gone through three different processes in the past and basically what we did, for the first time the Pojoaque Valley schools opened up to the public the interviews that we had with the different candidates that we had that applied for the position. Basically the process that we used there was we allowed people to provide feedback to the board in a written form. It wasn't a forum where they came up and spoke on behalf of or in opposition to any candidate. It was basically something that we used in our deliberations in terms of how we selected that superintendent. I think it probably would be good if we did have a public forum where we did interview the candidates, but not necessarily probably have public comment from, again, different individuals coming to speak on behalf or in opposition to that particular candidate. So that would be the suggestion that I would offer to the Commission in terms of how we may want to consider as an avenue to take when we do get to the point of selecting the replacement, when we have to get to that point. So I think that's what I would offer at this point.

COMMISSIONER SULLIVAN: So that your suggestion would be that in the public notice that it be stated that those who wished to submit any information about the potential candidates were encouraged to do so in writing to the Board and that that material be made available to the Board.

MR. MONTOYA: Yes.

COMMISSIONER SULLIVAN: Thank you, sir.

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COMMISSIONER CAMPOS: Mr. Chairman, that information I would think would have to be public information also available to anybody that would want to look at that information, including the press.

COMMISSIONER SULLIVAN: Yes. And it should be, that would be in the packet, just like any Board materials that we get on a land use case. People who write for or against a candidate or rather a particular land use action. Well, okay, we have a motion. Any changes or refinements you'd like to make to your motion? We have another comment.
Commissioner-elect Anaya.

MR. ANAYA: Mr. Chairman, members of the Commission, also, in my opinion I think that each of the candidates should -- the list of questions that you are to ask should be asked to all of them, not different questions to each one, I think. And maybe give them a list of questions that they're going to be asked so that they're prepared. Thank you.

COMMISSIONER SULLIVAN: Good point. Thanks for that input.
Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chairman, it seems to me that there is no support for the notion that we should have public input. Am I right?

COMMISSIONER SULLIVAN: Or public input at the --

COMMISSIONER CAMPOS: At that particular hearing.

COMMISSIONER SULLIVAN: Yes.

COMMISSIONER CAMPOS: At that particular hearing in person. In person input.

COMMISSIONER SULLIVAN: That seems to be it.

COMMISSIONER CAMPOS: Commissioner Trujillo seems to be opposed to that. I'm not sure, Commissioner Varela you're opposed to that too? Mr. Chairman?

CHAIRMAN DURAN: I don't know why [audio difficulties] --

The motion was amended to allow interested candidates to submit applications/resumes to the County up to the special meeting on January 7 at 7:30, develop a series of questions that would be asked of each candidate and to limit the public input to the candidate. The motion passed by majority [3-2] voice vote with Commissioners Duran, Sullivan and Campos voting for and Commissioners Varela and Tujillo voting against.

CHAIRMAN DURAN: I think that up until we make a decision that anyone interested should have the right or opportunity to petition us for consideration.

COMMISSIONER SULLIVAN: I tend to agree with that.

MR. LOPEZ: Well, then in essence, no cut-off date. They can submit an application on the day of the hearing.

COMMISSIONER SULLIVAN: Well, let's think about that. We have to meet the public notice criteria, don't we? The 24 hours? I think the public notice we have to do is just to notice the agenda and the meeting.

COMMISSIONER SULLIVAN: Okay. I think anyone who wants to come up

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and make their case to the Commission, this is the time we've allocated to do it. The other question was--excuse me. Commissioner Trujillo.

COMMISSIONER TRUJILLO: I was going to say, so if we get an applicant pool of 100 people that are interested, this Commission is going to evaluate and all of those 100 individuals are going to get an audience with this Commission and this Commission will make a determination on one of those 100 or 200 or whoever is interested.

COMMISSIONER SULLIVAN: Well, we could modify it if that happens. So far I'm aware of three.

COMMISSIONER TRUJILLO: How are we going to modify it?

COMMISSIONER SULLIVAN: Well, we can reduce the time period I guess.

COMMISSIONER TRUJILLO: If you open it up you have to open it up to everybody. I've gotten calls from other people that are interested in this position. Once you open it up, everybody --

COMMISSIONER SULLIVAN: Well, it's open now, isn't it?

COMMISSIONER TRUJILLO: It's open now, but not through a public process. Once you extend it to the sound waves then you get other people that are interested. Many more, more than you expect.

COMMISSIONER SULLIVAN: We may, and I think it's our duty to handle that. If we get 20 --

COMMISSIONER TRUJILLO: I wish you all the luck in the world.

COMMISSIONER SULLIVAN: And it could be that that meeting might have to be adjourned and reconvened another day but this is certainly important enough, selecting a State Legislator, not by popular vote, to spend some time on it.

COMMISSIONER TRUJILLO: We'll be needing a whole new protocol.

COMMISSIONER SULLIVAN: Are there any other comments on the issue of leaving it open or setting a cut-off date? Estevan, your other question was the issue of minimum criteria, what we should state to the applicant, which is residence in the district, resident of New Mexico, what was the other one?

MR. LOPEZ: Mr. Chairman, Commissioner Sullivan, specifically what I've asked so far of people that have expressed an interest is that they simply write a letter to this Commission stating that interest, that they certify that they live within the district and that they provide a resume. To date, that's what I've asked for.

COMMISSIONER SULLIVAN: That appears to be reasonable to me. Are there any comments on those criteria?

COMMISSIONER CAMPOS: No. Not from me.

COMMISSIONER SULLIVAN: That seems to be adequate.

MR. LOPEZ: Mr. Chairman, one final set of issues. I understood that you would want us to prepare a standard set of questions and make those available to the candidates before the meeting. I would suggest that possibly by the 3rd or so that we get those to the candidates that we've identified by that point. Obviously, if someone comes at the last moment, they may not get the standard questions but you will have them and be able to --

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COMMISSIONER SULLIVAN: I think that's a good point. How about a suggestion that Commissioners including Commissioners-elect who have issues or views or questions that they would like the candidates to address to submit those to the County Manager, or put your own questions together. Some may be duplicates, Estevan and you could edit them and put those into a general format. Is that acceptable to the Commission? Nobody's showing— Any other questions?

MR. LOPEZ: None that I can think of at this point.

COMMISSIONER SULLIVAN: Okay, Mr. Chairman, back to you.

MR. LOPEZ: Mr. Chairman, I did think of one additional question. Does this Commission actually want us to actually take out ads in the paper that the candidacy is open simply word of mouth or what are we talking about?

CHAIRMAN DURAN: I would just leave it alone.

COMMISSIONER CAMPOS: What about a press release?

CHAIRMAN DURAN: Isn't the paper here?

COMMISSIONER SULLIVAN: I think legal notification and a press release. I don't think advertisement is appropriate. If there are those that are interested and qualified, they probably know about it.

CHAIRMAN DURAN: What if I changed my mind and considered it? Would you all think about me?

COMMISSIONER SULLIVAN: We've already told you we like you on the Commission.

COMMISSIONER TRUJILLO: I'd just like to tell Helen, get ready for a lot of grievances, Helen. Because a lot of people that won't get selected and show that they're qualified, what's their avenue of relief?

COMMISSIONER SULLIVAN: I guess it's to run for election in the next election.

COMMISSIONER TRUJILLO: I'm just being facetious. We've established a brand new protocol.

IX. CONSENT CALENDAR

A. Request adoption of findings of fact and conclusions of law for the following land use cases:

1. CCDRC Case #Z 01-5570 – Thornburg master plan (approved)

COMMISSIONER SULLIVAN: Move for approval.

CHAIRMAN DURAN: Second.

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER CAMPOS: A question about the Thornburg. As far as affordable housing is concerned. In other similar cases in the Community College District

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we've required, we've made the condition that if an ordinance changes, the percent of required affordable housing, that the applicant will be subject to that. Did we not do that in this case or have we done it in this case?

PENNY ELLIS-GREEN (Review Specialist): Mr. Chairman, Commissioner Campos, it is on page 8 of the findings of fact, condition number 6. And this is a standard condition that the majority of the cases have had imposed. A minimum of 15 percent affordable housing and comply with future amendments.

COMMISSIONER CAMPOS: Okay. Thank you.

CHAIRMAN DURAN: Any further discussion?

COMMISSIONER CAMPOS: Not from me.

The motion to approve Consent Calendar item A. 1 passed by unanimous [5-0] voice vote.

IX. B. Resolution No. 2002-164. A resolution requesting an increase to the general fund (101)/CRAFT grant budget for the fiscal year 2002 grant award received from the US Department of Health and Human Services for expenditure in fiscal year 2003

CHAIRMAN DURAN: Is this you Steve? What's the pleasure of the Board?

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I just had one question. This is an adjustment for estimated versus actual, but the actual is quite a bit of money so it sounds like we have gotten about \$61,000 more that we had anticipated. I wondered if that was – what were their circumstances?

CHAIRMAN DURAN: Robert are you here – can you answer some questions?

COMMISSIONER SULLIVAN: It's always good if we can increase the budget and not decrease it so if there are some kudos here I wanted to congratulate whoever. If it's just routine admin, well –

ROBERT ANAYA (CHDD Director): Mr. Chairman, Commissioner Sullivan, this adjustment just reflects the unexpended revenues at the end of the budget cycle. Actually, at the beginning of the budget cycle we make estimates on where our expenditures are going to be for the program, and then we come back to the Commission and realign the budget and this is a realignment based on the actual expenditures.

COMMISSIONER SULLIVAN: Unexpended from prior fiscal years.

MR. ANAYA: Mr. Chairman, Commissioner Sullivan, that's correct.

COMMISSIONER SULLIVAN: Thank you.

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

COMMISSIONER VARELA: Move for approval, Mr. Chairman.

COMMISSIONER SULLIVAN: Second.

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CHAIRMAN DURAN: Move to approve with a second. Any further discussion?

The motion to approve Resolution 2002-164 passed by unanimous [5-0] voice vote.

MR. LOPEZ: Mr. Chairman, I've just been informed that the next item, item IX. C, we're requesting that that be tabled. I was just informed that there is some information that is incomplete in that document.

CHAIRMAN DURAN: The Chair will entertain a motion to table item IX. C.

COMMISSIONER TRUJILLO: So moved.

COMMISSIONER CAMPOS: Second.

The motion to table IX. C passed by unanimous [5-0] voice vote.

IX. D. Resolution No. 2002-165. A resolution requesting a budget transfer from the general fund (101) to the road maintenance fund (204) for expenditure in fiscal year 2003

KATHERINE MILLER (Finance Director): Actually, Mr. Chairman, Commissioners, what we're requesting here is to budget cash balance for two items that were in the solid waste budget in the capital package to lease. We were unable to lease them. We can't work out a lease agreement and we've been renting at \$1,600 a month. At that rate it will cost us \$20,000 a year and there are only \$52,000, I believe, or \$54,000 to purchase these items. We had money left over in the project fund from projects where we had savings and the general fund had actually taken a hit on both projects from labor. So we're asking to transfer those savings back to general fund, solid waste, in order to purchase those items instead of lease them.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: Katherine, are we neglecting something in our roads? This money in road funds, we have little enough of it as it is. What are we giving up in road work to do this purchase?

MS. MILLER: Mr. Chairman, Commissioner Sullivan, nothing that is budgeted in the road fund. It's actually that some of the labor comes out of general fund on some of these projects and so the expense was hitting general fund and instead of the savings that we had there aren't any savings in general fund on those projects but there is in the road fund over time. We're actually just asking to transfer that cash balance back.

The other option on this would be to budget the funds that are coming back from solid waste, SWMA.

COMMISSIONER SULLIVAN: That's what I was getting at because I thought

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isn't this equipment for solid waste?

MS. MILLER: Yes, it is. And the reason we brought it forward at this point like it is is we had not received the funds back from SWMA yet, and at the rate that we are renting, it's quite costly, so we were trying to stop that drain on the solid waste budget.

COMMISSIONER SULLIVAN: Could we temporarily transfer this with the understanding that once the SWMA funds came through that they would then make that up?

MS. MILLER: Mr. Chairman, Commissioner Sullivan, we could do that, so when those funds come back in we could budget that revenue back into 311. We could deposit it into 311, road project fund, and then projects come forward we could use that cash balance for those projects.

COMMISSIONER SULLIVAN: It took us two years to get that \$200,000 from SWMA. It would seem like the proper place to use it would be in the solid waste area.

MS. MILLER: Mr. Chairman, Commissioner Sullivan, I agree with that. It came from the solid waste budget essentially from operating expenditures in the solid waste budget that were revenues at SWMA. So it would be an appropriate use of those funds as well.

CHAIRMAN DURAN: I thought we were going to use those funds to offset some of the jail expense.

MS. MILLER: That would be the remaining amount. Mr. Chairman, actually, later on in the meeting I do have some issues to bring up concerning the jail and some potential solutions for the jail as well.

COMMISSIONER SULLIVAN: Mr. Chairman, I'd move for approval of Resolution 2002-165 with the stipulation that the funds be reimbursed to the road projects fund upon the receipt of the \$200,00 SWMA funds.

COMMISSIONER TRUJILLO: Second, Mr. Chairman.

CHAIRMAN DURAN: Any further discussion?

The motion to approve Resolution 2002-165 passed by unanimous [5-0] voice vote.

MR. LOPEZ: Mr. Chairman, we had asked that the Public Works item be moved up because the individuals that are presenting need to be somewhere else this afternoon.

X. STAFF AND ELECTED OFFICIALS' ITEMS

E. Public Works Department

1. Discussion of the feasibility for the Santa Fe Solid Waste Management Agency to accept County solid waste permits at the regional landfill

MR. LUJAN: Mr. Chairman, members of the Commission, Commissioner Varela at the last meeting had asked us to bring up the discussion of county residents able to use the Caja del Rio landfill directly in that area with our permits. And we are bringing it forward

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and opening it up for discussion. We've looked into some of the items as far as administrating from Caja del Rio how they would administer it. We have concerns of if SWMA really would want it. We've asked those questions. So there's a number of items that still are left on the table. We brought it forth being that it is his last meeting to see what discussion he would like to take place for where we're at. Justin and I are here for any questions that may be asked.

CHAIRMAN DURAN: Any questions of James?

COMMISSIONER VARELA: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER VARELA: The reason I brought this forward was in response to the large amount of people that are coming from other areas of the county that are dumping at the transfer station in La Cienega and I was looking for a common sense solution that would not cost the County any money, about the feasibility of SWMA potentially agreeing with allowing people to have Santa Fe County waste permits, maybe generally those from the Agua Fria and Piñon Hills area, the ability to dump their trash at the City/County landfill, the regional landfill.

That's the reason I brought this forward, to see if there was any agreement that could be reached as far as allowing those people to dump in that area. I don't -- I see in this report from Public Works that might cost \$60,000. I was just looking for a common sense solution to alleviate this problem. In my community, with everybody dumping trash along the roads and maybe also have less of a frequency of County trucks going down those small roads and saving the County some money as far as having to haul out to the landfill. But what I was looking for was some system by where anybody with a County permit could dump at the regional landfill and we would be assessed by the same per-tonnage rate that the large County vehicles. At this point I don't know if that's feasible or not. I guess it's up to SWMA but I was just trying to bring that forward to alleviate a problem and maybe potentially save us some money, not for any additional expenditures.

CHAIRMAN DURAN: What do you think about that?

MR. LUJAN: Mr. Chairman, Commissioners, currently, there's a different fee structure right now at Caja del Rio from what we use. Again, would SWMA be willing to allow us to use a fee structure for--first of all, I want to turn it over to Justin because he has more detail of how the fee structure works at the Caja del Rio, but he has some input on that.

MR. STOCKDALE: Mr. Chairman, Commissioners, the basic issue is the published fee structure for Caja del Rio as it currently stands for small residential loads, there are either limitations on the load size for a \$5 dollar fee and/or a limited size of load at \$55 per ton fee. For Caja del Rio for SWMA to approve and allow residents to come in under the large load pricing structure at \$25 a ton which would again be no net cost to the County, that would have to (a) be approved by the SWMA board as well as by their bond attorneys because they're altering the fee structure. That's how I understand it currently. Although I think it's an ideal situation to have County permits go to Caja, because of the fee structure and the change of jurisdiction and everything else it becomes a very complicated matter and it's not just a simple, straightforward solution, because there are other factors in play here.

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Again, bond attorneys likely would not approve any fee reduction because of current fees they're receiving. And that's again, that would be up to SWMA board as well as bond attorneys to make any change in that fee structure at Caja del Rio.

COMMISSIONER VARELA: Mr. Chairman, that is precisely the reason that I brought it before this board because I know that you as Commissioners are on SWMA and if the Commissioners feel that it would be feasible to bring this before SWMA to ask that maybe we can implement some changes dealing with the people that have to drive all the way out to La Cienega to the transfer station and also those of us that are in the community that have to deal with all the trash. That's why I brought it up, to see if there was any consensus by the members of SWMA to take it forward to a meeting between the City and the County of that board. And if there's not, that's fine, Mr. Chairman. My community will grudgingly continue to accept all the trash.

CHAIRMAN DURAN: James, would you like to comment on that real quick?

MR. LUJAN: Mr. Chairman, Commissioner Varela, on that note about people using that transportation or having to drive out to La Cienega, yesterday I had a meeting with the Public Works Director from the City and he wants to start looking into something, what he's calling the white elephant, their transfer station that isn't meeting capacity today and we're going to start looking, I brought up what your concerns are about possibly other people from outside city limits. We could work something out if I have to send a man over there to man it, to accept County solid waste. So we're going to looking into those things amongst a number of other things with the Public Works Director. But right now, they don't meet capacity at their transfer station, which is off of Alameda or Vista del Rio, one of those streets. So he wants to look into that so we may be looking into another way of accommodating people from that area. That's one of the issues. I did meet with him yesterday.

COMMISSIONER CAMPOS: Mr. Chairman, it seems to me that we do have an issue out there. I think it's been addressed by Commissioner Varela. The question is how do we resolve that? Is the SWMA the proper site or do we look for an alternative site? It's something I would like to know. To me, solid waste is one of the biggest issues for the County and we should be addressing -- I know we don't have a lot of money there and I know we need to give you more money and I think that's really the question, giving solid waste more money to adequately address some of these issues, because they're very underfunded, Commissioner Varela. We've had this discussion for two years now and their fees are low and they need a lot of money to make improvements to what they have right now.

I think what you're suggesting is an expansion that would cost us even more money. I think it's worth discussing but we have to look at it from a financial perspective also, that we will have to be putting in more money and resources.

CHAIRMAN DURAN: I think that the community deserves to have us look at this thing a little bit further. We just \$200,000 from that organization and they are generating revenues at Caja del Rio. Why not use the money from that enterprise to deal with the problems that the community has? Dumping trash along the roads is major and if they're doing that because of the cost or the travel distance, I think the community deserves for us to take a look

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at it harder.

MR. LUJAN: Mr. Chairman, members of the Commission. That is correct, but I also have that same situation countywide. And yes, the thing would keep from getting garbage spread all over. It's convenience stations and that's what we're trying to build. But I think we also need to look at what Commissioner Campos says of putting more money into it and maybe hopefully getting the fee structure raised at some point to build more convenience stations, because that's basically what is needed for areas so people don't have to go out of their way and spread trash all over the County. But we do have that in every community in the county. So we need to look at -- but I would like to work with the City closely on that and if that one's readily available, their transfer station, I'll pursue working on that issue to alleviate some of that in this area. But I do need to build San Marcos. I need to build Stanley. Right now we're just operating outdoors and I would like to get convenience stations there.

COMMISSIONER CAMPOS: Mr. Chairman, \$200,000 won't go very far in light of the capital needs throughout the county and the general plan that we need to implement throughout the county. We need to come up with a plan where we can get more money there from some source. We'll have to increase that we're charging so that we have more resources to deal with problems effectively. That's been the problem for years at that department, inadequate funding.

CHAIRMAN DURAN: Why don't you get us an analysis on how you might be able to deal with the problem and the cost of dealing with it.

MR. LUJAN: We'll work on it.

CHAIRMAN DURAN: And invite Commissioner Varela to attend any discussion at SWMA.

Okay, rather than starting something, why don't we take a lunch break and come back at 1:15.

[The Commission recessed at 11:55 and was reconvened at 1:20 by Commissioner Sullivan.]

X. B. FINANCE DEPARTMENT

1. **Resolution No. 2002-166. A resolution allocating investment income designation on the average cash balance of the utilities capital contribution reserve fund to the water enterprise fund (505) effective July 1, 2002**

MS. MILLER: Mr. Chairman, Commissioners, Santa Fe County currently designates most of the interest income off of our cash balances to the general fund. As noted in the memo there are a few exceptions to that. However, we would like to designate, and I'll talk about these two together, the interest earned on the Utilities Department capital reserve funds. Interest earned on that, we'd like to allocate that back into the Utility Department and into their funds. And it's also the same request on the housing, interest earned on the housing funds that

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are listed.

The reason we'd like to do this is because enterprise funds are supposed to stand alone as businesses and to accurately reflect revenues earned by those entities on their cash investments, we'd like to designate that interest back as income within the funds.

COMMISSIONER SULLIVAN: Mr. Chairman, we're on B. 1 and B. 2 of item X. We skipped over A until you got here. B. 2 is a similar, situation, Kathy? Any questions of Katherine about Resolution 2002-166? Hearing none, what's the pleasure of the Board?

COMMISSIONER TRUJILLO: Move to approve.

COMMISSIONER CAMPOS: Second.

COMMISSIONER SULLIVAN: There's a motion and a second.

The motion to approve Resolution 2002-166 passed by unanimous [5-0] voice vote.

- X. B. 2. **Resolution No. 2002-167. A resolution allocating investment income designation on the average cash balance of the following housing funds: Section 8 fund (227), housing development grants fund (230), capital fund program (301) and housing enterprise fund (517) effective July 1, 2002**

COMMISSIONER TRUJILLO: Move to approve.

COMMISSIONER VARELA: Second.

COMMISSIONER SULLIVAN: There's a motion and a second. Is there discussion with Katherine?

MS. MILLER: It's the same issue, Mr. Chairman.

COMMISSIONER SULLIVAN: To keep them as enterprise funds.

MS. MILLER: Yes. To designate the interest earned on their cash balance.

Especially in the housing, because we have the home sales, there's quite a bit of capital in there from our home sales and we'd like to designate the interest earned off of that back into the fund so it can be used to also construct more homes.

COMMISSIONER SULLIVAN: There's a motion and a second.

The motion to approve Resolution 2002-167 passed by unanimous [5-0] voice vote.

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X. B. 3. Financial report presentation and summary of the fiscal year end 2002 and financial status report of first quarter fiscal year 2003 [Exhibits 1 & 2]

MS. MILLER: Mr. Chairman, Commissioners, what I'd like to do, what was put into your packet is the format that we've followed for the last couple years on financial reports, but I'd also like to hand out kind of an update to that report. What I mean by that is after it was submitted, I was actually out of town early this week so I said please just submit the summary report for the packet. But I wanted to add some notes to it so you'd be able to see some specific issues that I want to bring out on the financial report.

The first report that I have in the packet is the where we ended up for fiscal year 2002. I put all these at the fund level because to go for a year's detail for each cost center within a fund would be quite extensive of a report. So this just gives you the general overall status of each fund. As you can see, the front page of that report is the general fund. I'm pleased to say that we actually ended up, general fund revenues, within, after we net out the grants, there's a footnote on the last page of the one that was just handed out. [Exhibit 1]. When we net out grants, intergovernmental grants, they skew our revenues a little bit, what we budget and what we actually receive on grants after they're executed and what we spend on grants is dependent upon what grants are fully executed and expended within that year. Unless we have some issue with the grant, they're pretty much a wash in the way of revenues and expenditures. So taking those out of the equation in the general fund, we were within \$348,000 of the estimate revenues for the fund. We came \$348,000 to the good, which on a \$38 million general fund is a very good estimate. Actually in this particular case, \$43 million by the time the year ended, a very good estimate of what -- it's a two percent or one percent error to the estimated revenues.

So we came out with \$348,000 more in revenues than we budgeted, and then on the expense side, we had a positive impact there from spending \$3.4 million less than was budgeted. And that's all the salary savings through vacancies and portions of the budget that are not spent. What we do with that \$3.4 million is budget into the following year our capital package and any transfers into other funds that we can fund through cash where we don't need a recurring revenue.

So the net effect to the general fund last year was a positive increase to the fund balance of around \$3.5 million.

CHAIRMAN DURAN: Where are you on this, Katherine?

MS. MILLER: On the first page of which one?

MS. MILLER: 2002.

CHAIRMAN DURAN: Okay. Thank you.

MS. MILLER: So the two bottom numbers there, when we net out grants, that \$113,000 negative number actually turns out to be \$348,000 positive number on the revenues, and on the expenditure side, we netted about \$3.49 million of what I call fall out from budgeted

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expenditures.

COMMISSIONER TRUJILLO: Does that revert back to the general fund?

MS. MILLER: Mr. Chairman, Commissioner Trujillo, it does. Then that's what we estimate in the spring of 2002, we estimate a certain amount that will fall out of the budget and then that's what we use the following year for our -- so in fiscal year 2003, for capital package.

COMMISSIONER TRUJILLO: So that we can't use these surplus monies, if you will, to address budgetary constraints or deficiencies that exist in Santa Fe County? This morning we were talking about the solid waste program. Could we use some of these extra monies to inject into that program to help it serve the public better?

MS. MILLER: Mr. Chairman, Commissioner Trujillo, that's what we actually do through the preparation of fiscal year 2003 budget. We estimate that a certain amount of expenditures will not be incurred in the year. And we track that all the way through the year, Finance does and we start looking at sending letters to departments asking them what are they going to spend, what aren't they going to spend, and as we get down to May, when we're coming into the Commission for budget approval for the next following year, we've pretty much pinpointed what that number will be. In this case we budgeted about \$2.5 million into different funds. But I'll show you at the end where we actually had one of funds lose \$800,00, and that's the jail fund. And essentially, therefore countywide, when you take out special revenues, the jail fund ate into cash balance by \$800,000, thereby when you take the \$2.5 million that we did budget of cash and \$800,000 that we'll need to replenish in the jail fund at some point, we netted almost exactly where we would be at the end of the fiscal year.

COMMISSIONER TRUJILLO: That's too complicated for me.

CHAIRMAN DURAN: What was the answer to the question? The answer to the question was no?

MS. MILLER: The answer to the question, Commissioner Duran, is that we have already budgeted most of it in fiscal year 2003 and that what we did not budget we will need to offset the loss in the jail for the year. So if you go to -- and basically, the other funds, all the other funds on pages 2 and 3 of that report, came out on the positive side except for the recreation fund, 217. Fund 217 on page 2, about 2/3 of the way down, that's the only one that actually came out where our revenues were not met and we expended everything that we had budgeted. That's the one where the cigarette tax is no longer coming to the County. We have tried through several efforts through our legislators and direct communications with the Department of Tax and Rev. to get this issue resolved and we're still not seeing our designation of cigarette tax. So that's the only fund where we actually, aside from the jail fund, lost money when we net out revenues, actual revenues versus actual expenditures.

So pages 2 and 3, you can see that most of the funds either did not expend all that was budgeted or they had revenues that were slightly higher than what was budgeted. On ones where revenues were lower than budgeted, we did a corresponding decrease to the expenditure side. The one area, when we get to page 4, the last three funds are enterprise funds. Those are the funds that we try to treat like a business. They should generate revenues to cover all of their

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expenses.

The water enterprise fund, you can see they missed their revenue mark by \$500,000 but they also decreased their expenditures to compensate for that and had a net increase to their fund of \$100,000 because they had \$600,000 less in expenditures and \$500,000 less in revenues.

The housing enterprise fund also for the most part came out about \$200,000 ahead for the year, but when we get to the jail fund, 518, what you'll see is that revenues were not what was anticipated. In other words we did not have as many beds sold to outside entities, thereby our revenues were down by \$2.7 million, and our expenditures were only correspondingly down by \$1.9 million. Leaving an \$800,000 loss, and that's not including depreciation on the facility and what not. So the fund itself when you look at our financials when we receive confirmation on our audit from the state auditors, lost almost \$2 million when you include depreciation on the facility and the assets at the jail.

COMMISSIONER TRUJILLO: But those don't have a direct, immediate financial impact on the County, the depreciation on the facility, doesn't have that sort of impact, right?

MS. MILLER: Mr. Chairman, Commissioner Trujillo, that's correct from the standpoint of we don't have to pay out for the depreciation. But from a business perspective, to replace that facility it does have an impact over the years. The actual impact to the County, to the hard dollars in the County right now is the \$800,000 loss. And how that loss was covered without having to come back for a budget adjustment last year is that we budgeted higher revenues and we budgeted higher expenditures. When we didn't receive those revenues, what made that up was the cash balance in the jail fund. Previously we had had better years.

So what you see is that the cash that had built up from the previous years actually went to cover the cost of our inmates.

COMMISSIONER TRUJILLO: That is the most significant negative variance that we have in the spreadsheet, right?

MS. MILLER: Mr. Chairman, Commissioner Trujillo, that's really the only significant negative variance. The other one, as I said was the recreation fund. In total loss to the County, that cigarette tax was about \$50,000, which in a \$38 million general fund is not significant. But \$800,000 in the jail fund is significant for the County.

COMMISSIONER TRUJILLO: So in the vernacular, if we take \$800,000 from \$3.4 million there's still a surplus of \$2.6 million. Which we could allegedly, ostensibly used to address budgetary shortfalls, constraints, the solid waste program, things like that.

MS. MILLER: Mr. Chairman, Commissioner Trujillo, we already budgeted that money in this fiscal year. We estimate that there will be somewhere between \$2 million and \$3 million left over from fiscal year 2002. So we budget that in 2003. We have already budgeted those funds. We have not budgeted the transfer over to the jail to make up for that loss. So we're even.

COMMISSIONER TRUJILLO: We're always anticipating a \$3.4 million surplus, if you will, to carry from one year to the next.

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MS. MILLER: Yes.

COMMISSIONER TRUJILLO: So essentially we're saying we're carrying a zero balance from one year to the next because we're using last year's surplus to subsidize this year's general fund.

MS. MILLER: Mr. Chairman, Commissioner Trujillo, we use it to fund our capital package -- one time expenditures. All the Sheriff's vehicles, the solid waste transfer stations that we did budget improvements for, all the divisions of all the departments and elected officials' offices.

COMMISSIONER TRUJILLO: Why don't we budget a set amount --

CHAIRMAN DURAN: Let's stop doing it that way.

COMMISSIONER TRUJILLO: Spend the money and carry a zero balance to next year.

MS. MILLER: We'd have to cut \$2 million in operating costs.

CHAIRMAN DURAN: From last year.

MS. MILLER: No. Right now, if you'd like to do that. It's the most effective way to use our funds. The idea is to not over-tax taxpayers and to use our recurring funds for recurring expenditures and one-time funds for one-time expenditures. How we determine what are one-time funds are essentially those funds which fall out of the budget. They're left over. Those funds--and we currently have, by the way, our cash reserves are at the statutory level that they should be. We have to keep 25 percent of our general fund budget reserved in cash reserves unbudgeted. But what the state will come back to us and say, if you're building that up too high, then you're essentially over-taxing. They don't want us to have a huge reserve. So this is the most effective way to use the tax dollars that we generate. And that is by estimating what will fall out of the budget using that for one-time expenditures, capital projects, and each year, for what we estimate will fall out of the budget in operating revenues, use that to address our capital needs.

COMMISSIONER TRUJILLO: Why can't we just take it off the top, put it aside for next year? That way we know that we've got \$3.4 or whatever million dollars for capital monies, instead of convoluting it into the overall budget exercise and putting it in the general fund, and anticipating that we're going to save \$3.4 million for capital expenditures. Why not skim it off the top, put it to the side and know that next year this is earmarked for capital allocations?

CHAIRMAN DURAN: It's a little like living outside of our means.

MS. MILLER: Mr. Chairman, Commissioner, what we'd have to do then is cut everybody's budget by effectively seven percent in order to then say, Okay, I know that money will be there. How this happens on the expenditure side is that positions aren't filled. We could do it. We could say you can't fill positions. Then I could tell you exactly how much we'd end up with. Also certain projects don't get completed. Or we bid contracts out and we save money. This is essentially on the expenditure side where we did not spend everything we budgeted. If you'd like, as we go into next year for me to say, Okay, there's a seven percent across the County cut, because that's what they'd have to do. They'd have to take this year's

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expenditures and back off by seven percent so you'd know that that's going to fall out of the budget and we don't budget it.

The way that we do it is the most effective way to do it. We estimate a certain amount, approximately two to three million dollars will fall out of the budget. Therefore we can fund one-time requests with that. We don't want to approve a capital package next year until we know exactly what it is. That's the other option. But I think that that makes it very difficult for departments to plan ahead and set their projects in place as they come into the fiscal year. They would be waiting to find out well, what's available for us?

So that's what I say, it really is what we do. We estimate that there will be an amount. We set it aside by not letting departments spend their vacancy savings. That's how we ensure that we have funds available. It's also why we cut off spending towards the end of the year, so that we have these funds available to budget for capital requirements in the following year.

COMMISSIONER TRUJILLO: It seems like we're holding department heads and elected officials hostage, that they need to fill certain quotas of vacancies to save money at the end of the year. Those processes are dynamic. They change. You can't predict them. They just happen.

MS. MILLER: Mr. Chairman, Commissioner Trujillo, that's not true. If we budgeted at 98 percent of budget then we wouldn't have to require them. If a department keeps their department full the entire time, their funds are available for that. If their department had a vacancy for six months, that time is gone. Therefore that money falls out of their budget into the next year's capital package. If we don't do that, you won't have any money left for capital requirement in the following year. If we were to spend every dime that we budget there would be nothing for capital requirements.

COMMISSIONER TRUJILLO: We could build the vacancies. We could build that process into the budgetary process. That can be built into the process. And you're the pundit, you're the expert. I don't want to debate you.

MS. MILLER: Well, I guess I'm having difficulty following what you're saying. I can give you an example of what I understand that the City has done. I don't know if they still do it, but let's say it costs \$10 million for their wages and salaries. Instead of budgeting \$10 million for all their positions, they'll budget 98 percent of that, \$9.8 million. So that \$200,000, they have to ensure that those vacancies happen or they can't make payroll. We instead budget 100 percent. That way if our departments are full and they use every dollar of what's budgeted, they're allowed to use every dollar of what's budgeted. It's just rare that every department uses every dollar because by the nature of employment there are vacancies. By the nature of government, we don't accomplish everything that we hope to set out to do, or we bid things out and save money in the process. That's the money that comes out of the budget ultimately.

What it really indicates is that we do a good job of budgeting countywide and that we're able to respond to our capital needs in the following year. This is a very strong and solid budget. I think that you'll find that most counties and local governments can't do this. So I don't know what process would work better. It's worked quite well to keep us in a balanced

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budget situation and able to respond to most capital needs. We will never have enough funds to respond to all of our capital needs, but overall, it's a process that works quite well for the County.

COMMISSIONER TRUJILLO: How do we, how do we deal with shortfalls that we don't anticipate? Let's say for example, at the end of the year we don't have a \$3.4 million surplus and we're in the red? How do we deal with that?

MS. MILLER: Mr. Chairman and Commissioner Trujillo, that's one of the reasons the state requires us to have a reserve and it's also where we have built up some of our own reserves. We passed a resolution about two years ago, I believe, to the tune of about \$1.8 million for other reserves, and that included \$500,000 for water issues, \$400,000 for jail issues. I can't remember all of them but there were also employment issues. Those were reserved in case we don't meet budget. So that first we have that before we have to start cutting positions and have hiring freezes. But typically a county will -- the first thing will be to look at the reserves to see if it's a temporary issue. They might be able to make that up with the reserves. If it's an ongoing issue, what we would do is go back and look at -- ask departments and elected officials to look where they could cut and let some of those funds fall out of the budget. And then a third and most drastic is to have a hiring freeze before you have a complete cut. And we've been fortunate to not have to do that.

COMMISSIONER TRUJILLO: We talk about budgetary constraints like we were talking this morning regarding solid waste. Then you see a surplus like this, you get pretty enthusiastic, if you will on maybe you can use some of these monies to address those deficiencies.

MS. MILLER: And, Mr. Chairman, Commissioner Trujillo, we did, in bringing in the capital package this year. But as I said we pretty much ended up, when you net out the losses at the jail and then what we used for capital in this year, exactly even.

COMMISSIONER TRUJILLO: One more question, Mr. Chairman. Are the gross receipt revenues built into this budget?

MS. MILLER: Yes they are.

CHAIRMAN DURAN: Any other questions of Katherine?

COMMISSIONER SULLIVAN: Katherine, just one question. In the blue sheet, as opposed to the green ones, on the column that says budgeted revenues, that column is actually revenues and expenditures, right?

MS. MILLER: Yes. The bottom side. And the white is the expenditures.

COMMISSIONER SULLIVAN: So that column is comparing budgeted revenues and expenditures, but on the green sheet you're only laying out revenues, right?

MS. MILLER: Yes. And then at the very bottom, the total for general fund, we just did on that first page --

COMMISSIONER SULLIVAN: That was a little confusing to me because I couldn't understand why both of those numbers were revenues. But I see on the left side it says expenditures.

MS. MILLER: Yes. And we can adjust this report.

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COMMISSIONER SULLIVAN: Using the same format.

MS. MILLER: Right. And what I was trying to do is show you not just where we came out on budgeted revenues but where we came out on budgeted or actual expenditures relative to budget. So that you could see the net effect.

COMMISSIONER SULLIVAN: You may have covered this before but on the revenues on the green sheets, why are we \$462,000 in deficit on our intergovernmental grant?

MS. MILLER: Mr. Chairman, that's based upon -- we estimate what grants we'll have and so we budget grants. We're going to change this in the next year. We're only going to budget grants as we receive an executed agreement, but what we had previously done and we did it in fiscal year 2002 is when we were told from the state that we received a certain number of grants, we went ahead and budgeted them. Then, if we don't expend that grant, we don't realize the revenue. So even though we have it listed as a budgeted revenue, it might be a three-year grant. So we may not spend it in the first fiscal year that we budget it. So we'll carry that over. We also won't have the expenditure related to it. So it has a net effect of zero and that's why when I was telling you if you took out grants, because we only spend, when we receive a grant, and then we don't get the revenue until after we've expended the money on most of our grants. So the revenue will always lag behind the actual expenditures on grants. So that was why I handed out the sheet that kind of footnoted it without intergovernmental grants in there.

COMMISSIONER SULLIVAN: Thank you.

COMMISSIONER TRUJILLO: Mr. Chairman, what I meant about the GRT are the referendum GRT monies built into this package?

MS. MILLER: Mr. Chairman, Commissioner Trujillo, in fiscal year 2002 they're not, but the next report is our first quarter of 2003, and we did budget in four months of revenue off the new GRT. It comes into effect on January 1 and we will start to receive those revenues in March of 2003.

COMMISSIONER TRUJILLO: So they're in here.

MS. MILLER: Yes. So if there aren't any more questions on fiscal year 2002, I wanted to just touch on fiscal year 2003, a first quarter, to bring you up to date on where we are in fiscal year 2003. It's the same format. This is just the first quarter through September 30 of 2002. The general fund revenues are budgeted to be \$38 million and if you'll notice what we budget in revenues and what we budget in expenditures is exactly equal. We have to present to DFA a balanced budget. So for every revenue that we indicate that we will receive, we have to have a corresponding expenditure.

So you'll see also that there's \$11 million so far in expenditures, which is less than 25 percent for fiscal year 2002 as of the end of the first quarter.

CHAIRMAN DURAN: Is that good?

MS. MILLER: Yes, that means we'll again, if we stay on that pace, have left-over funds at the end of the year to budget for a capital package next year. Then looking at page--

CHAIRMAN DURAN: It's like a savings account, right?

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MS. MILLER: Essentially. We know that we will not spend 100 percent of our budget. If we did, it would be difficult the following year. We would not be able to fund a capital package and things like that. So in that respect it is good. And we try to budget all estimated revenues so that you are able to add new positions and take care of all corresponding expenditures into the next year. One of the things, we try to really hit that number as close as possible so that you have maximum flexibility.

One of the things that would probably not be very good on our part is if say, we estimate \$38 million worth of revenues and we only budget \$36 million of them. Then you're not able to respond to all the needs. And that's how, Commissioner Trujillo, we actually do try to give you the maximum use of the budget of available revenues for positions and for issues throughout the County.

On the second and third page of this report, as you can see most of our funds are relatively good as far as expenditures. Some of them where you might see a high percentage of expenditures relative to the revenues, because if they have capital requirements in the special revenue funds where they immediately encumber those funds through bids, or where funds are seasonal. They're expended in the summer, July, August time frame and then there's not much expenditure throughout the winter months. Sometimes that is the case in the road fund where you have a large percentage of the road fund expenditure already incurred, but then for the next two quarters you'll see a lower percentage used.

If there aren't any questions as far as the special revenue funds, I would like to point out the enterprise funds on page 4, the last three funds again. As it stands right now, budgeted revenues are coming in where they're anticipated and slightly higher in the water enterprise fund and housing fund and corresponding expenditures, however, are a little bit higher. Some of that might be due to encumbrances, but one of the things that we're really working on with the enterprise funds is doing quarterly reports that they need to adjust revenues down because they're not hitting the mark. Then they also need to adjust their expenditures down, to do a decrease to the budget on both sides. So we're going to start looking at those very closely at mid-year to see if we need to make any adjustments based upon current revenues.

And the fund that we're seeing the most difficulty with right now is the jail operations fund, 518. In your handouts we also attached two additional items of information. There's a chart that was handed out that looks like this. [Exhibits 3A & 3B] And just to give you an idea, what we did is we charted the expenditures and revenues at the jail for the last two years. You can see in July 2001, what we budgeted for our own inmate care and other inmate care and debt service, our revenue line, the red line, which is what our revenues will be, it was actually quite -- everything was higher than what was actually occurring at that time. And part of the reason for that is under the contract that we had with Cornell, we made a change to that contract where our inmates, Santa Fe County inmates were \$14, but the operator also essentially all the other beds were at 96 percent of what their rate was. So if they were paying us \$65, if another entity was paying us \$65, \$62.50 was going to the operator, thereby compensating for the low cost of care on our own inmates.

Well, that was a great situation for us because our population was going up and at \$14 a

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day it wasn't such a large hit, but Cornell would not make that offer again when we did the solicitations, nor would any of the other proponents who proposed to run the jail. We ended up awarding a contract to MTC and they had the lowest rate overall for every inmate at a flat rate of \$39 for the first year, \$40 for the second and \$41 for the third year. And you can see the effect of that rate in September/October of 01. You can see our costs just shoot straight up. And that's the difference of \$14 a day versus \$39 a day.

What we hope for is that our revenues off of the other beds will cover debt service, and this is the way that the bonds were structured, that they would cover debt service, the actual cost of care of those other inmates, and a portion of the cost of care of our own inmates. That redline, as you can, many times does not cover debt service and the care of other inmates. And sometimes it just hits it right where the redline. At the beginning, July 02, you can see we actually were covering our debt service and care of other inmates. But our cost of inmates went way above what we budgeted. That's why we have the net effect at the end of the year of \$800,000 of cash. The amount over that bar that's in the middle, where the blue bar is, everything that's above that in blue essentially used cash balance to cover.

So we just graphed that out so you could kind of see the effect of the overall costs of the jail relative to the overall revenues that are quite a bit higher. The difference between that red line and the top of the blue bar is about \$425,000, \$450,000 a month. That's how much our net operating costs after all revenues are, \$450,000 a month.

COMMISSIONER TRUJILLO: And this histogram is going through June of 2003, right?

MS. MILLER: Right. And where it goes flat, if things are to stay right where they are right now, that's the net cost to us is \$450,000 to \$500,000 a month after all of our revenues. The chart behind that that looks like this is kind of an explanation of why this is happening. The top part of the chart is what we budgeted. These are other paying, the very top is the other paying entities. We estimated 120 US Marshal inmates, 25 of the City, 10, Taos County and 25 of other jurisdictions. That's not including our population. At that time, we were averaging a population and had for several months of about 575 to 600. And then we had anticipated 330 of our own inmates.

If you follow that top part all the way over to the right hand side of the paper, you'll see that after we pay the contractor, after we pay MTC, we estimated net revenues of \$1.6 million, \$1.595. Then that second section is all of our fixed costs or our fixed and our variable costs. What that is is our inmates, the care of Santa Fe County inmates, plus debt service and capital replacement and insurance at the facility. That comes to \$6.9 million, almost \$7 million. Offsetting that by \$1.6 million of revenues leaves about \$5.3 million at the adult facility that needs to be covered.

Our transfer this year, fiscal year 2003, was about \$5.3 million, \$200,000 of that allocated for the juvenile facility, leaving \$5.1 million, almost \$5.2 million of money injected by general fund to cover those costs. What's actually happening though, if you take what we have generated from July 1, that little center section. So if you were to take that and budget it over a 12-month period, that transfer would cover \$432,000 a month. But what's actually

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happening since the beginning, our net costs have been \$490,000 a month. When we take that out against what we transferred, it leaves \$3.2 million of our transfer to get us through the rest of the year.

COMMISSIONER TRUJILLO: Katherine, what is this positive 10.76 percent variance in the jail operations fund tell us for 2003.

MS. MILLER: Are you on the revenue sheet?

COMMISSIONER TRUJILLO: Yes, I'm on the revenue sheet.

MS. MILLER: The reason I did this separate sheet here, on the sheet that gives you where we are year to date plus projections, it's not based on what's actually [audio difficulties] the care of inmates, and I'll give you an example. What it is is it just says Okay, if you kept getting this revenue, you'd end up with this amount of revenue at the end of the year, but it doesn't tell you the associated expenditure with that revenue. So for instance on the Department of Corrections, that's a contract where, although we're getting \$53.30 per man-day instead of \$40 to the contractor it costs us \$44.30 to the contractor to take care of those inmates.

So on this report it's just a standard report that projects out revenues. It doesn't take into account any associated costs and that's why I gave you a detail for the jail that would tell you why that is not completely accurate. We might hit that revenue number, but it doesn't tell you the associated expenditures with it. And so what I was trying to explain to you with this chart is although we'll have higher revenues, overall revenues, we're going to have higher expenditures for a net effect to the general fund of possibly \$682,000 less or greater expenditures than our transfer to the jail fund.

And the reason I pointed out fiscal year 2002 was that if I were to map this for 2002 you'd see an \$800,000 negative number at the bottom, and we used our cash balance to cover that. Now we have about \$200,000 in the jail fund. If things continue the way they are we could potentially at the end of June have a \$682,000 loss that would require then a transfer of four hundred and some-odd thousand dollars from the general fund, using up our entire contingency for the jail.

COMMISSIONER TRUJILLO: The other funds aren't as volatile as the jail fund, right? The other funds we can pretty much look at the spreadsheet and the variance is pretty much right on target, except because of the volatile environment at the jail fund you can't predict what's going to happen.

MS. MILLER: Correct. Mr. Chairman, Commissioner Trujillo, that's a very good point because we don't control the expenditures at the jail. We don't control our population at the jail. Why you see this difference, if you notice we budgeted for 330 inmates, which was a reasonable estimate at the time. Well, we are currently averaging 365. That's 35 more inmates than we estimated at \$40 a day. So that's close to a half million dollars right there and we have no control over that from the standpoint of if the judges send them there or if there's higher crime, we can't say, sorry, we're overbudget, you have to go somewhere else on somebody else's tab. So that's part of the reason.

So to explain this just a little bit further, that's the first four months, where we are for

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the first four months of the year, and then if you look at the bottom half, that's our estimate starting with November 1 going forward to June. Two things can help us not have this situation and that is if we're able to keep our US Marshal population up. That is, we budgeted on 120 at \$65 a day. That brings us \$1.1 million of net revenue after we pay our contractor. But if we drop down to 80, there's 40 inmates at \$25 a day of net revenue that we do not receive. But with BCDC opening down in Bernalillo, many of those inmates will go to the Bernalillo facility because they are going to be tried in Albuquerque.

If there's any way that we can work with the US Marshals to keep the population up, that would have a direct impact on our net loss or net revenue for the facility to offset our costs. The second item that can, if there is any way that we can effect a change is in our population. That is a direct expense with no revenue to offset it. That is, if we can keep our population, get our population back down around 325 we also will not see this happen.

I bring this to your attention because it's the most volatile fund that we have and it's one that we don't have a lot of control over. The costs that we do have associated with the jail are relatively fixed, \$40 a day per inmate and our debt service, plus our capital replacement. We don't have any other costs in there. There's nothing for us to trim out of that budget on the expense side. And then the revenue side, we're directly affected by the market, how many surplus beds are out there and how many entities can we get to house their inmates at our facility, and then what per diem can we get for that. If you'll notice, some of our per diems are low and we really need to go back to those entities because we're subsidizing inmate care for them.

If you were to look at the average cost of inmate care, it's probably something more like \$55 to \$65 depending on the amount of service needed for that inmate and we have some counties at \$45 from previous agreements and at \$50. Those really need to be raised to a rate that's commensurate with the cost of the service for them.

CHAIRMAN DURAN: When are we going to start having some meaningful dialogue with our judges relative to the increased number of inmates that we're experiencing because of the programs that they use? Instead of sentencing them for over a year, they do it for less than a year and that results in a major impact on our jail costs. When are we going to have that discussion with them?

MS. MILLER: Mr. Chairman, I know that the County Manager has had discussions like that as well as Greg Parrish and I'd also like to add and I'll defer to Estevan on that issue, but I'd like to add that we're also working with the Association of Counties on this issue and hope to take something for all counties to the legislators this year in 2003 to address this issue, to give us a revenue to address that.

CHAIRMAN DURAN: I thought we had also talked about work-release programs or monitoring programs that would allow them to get out of the jail on that monitoring system. I know we've used that in the past but I thought that we —

MR. LOPEZ: Mr. Chairman, Commissioners, as Katherine mentioned, Greg Parrish has begun discussions with not only the judges but also the DA and really both of those to try and make them aware of some of these issues and to see if there are some things that we

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could do to better manage our overall population. In addition to that, and we'll continue those discussions with the judge's primarily. In addition to that, I think that it's really pretty important that we internally establish better procedures for case management and working with MTC that they make sure that people are released when they're supposed to be released and so forth and we're not holding them additional days and picking up the cost of them.

We're working on all of those fronts so that we can try and manage these numbers, the population and the numbers overall. That includes things like electronic monitoring.

CHAIRMAN DURAN: Can't we put this on kind of a fast track? I think the sooner we can implement these programs the less of a burden that jail's going to be on our general fund.

MR. LOPEZ: This really has come to the forefront in the last few weeks. And Greg's done a great job of really identifying a whole number of areas that we could approach this problem with.

CHAIRMAN DURAN: Okay, we really need to move on. Is there much more you need to tell us?

MS. MILLER: Mr. Chairman, if there's not any questions about this, I had one other issue on the financial report that I'd like to give you and that's concerning our budget for fiscal year 2003 so if there aren't any questions on this individual report —

CHAIRMAN DURAN: Any other questions of Katherine?

MS. MILLER: Then wrapping that up, what I would like to hand out to the Commission and also have Paul Griffin, my budget administrator demonstrate to you, so this will just take a couple minutes, is our fiscal year 2003 budget. Our actual budget document that we prepare for the public and for the Department of Finance and Administration for an award, not just for—we submit a budget with all detail, but this is actually the summary of the budget to be used as a document to hand out to anybody who requests a copy of our budget, to have an understanding of where the Commission actually directs our funds to go, kind of a general overview of our budgeting process and a variety of other issues.

Also, a direction given about, oh, I think it was probably a year to two years ago, was to see if we could make the budget available online. And I really would like to commend Paul. He did an excellent job of taking the document that you see in front of you and making it web-ready. This was quite an accomplishment because everything that you see in that hard document you can access. We have not posted it to the web because part of the reason I'm bringing it to you today is to see if you would like to see that on our website. Paul, if you'd like to go ahead and turn that on.

CHAIRMAN DURAN: Before you do that, Estevan, I have a question. The new Commissioners are going to want to have this presentation made to them also, and I'm wondering if this presentation might be a little premature. Okay. That's fine. Go ahead.

PAUL GRIFFIN (Budget Administrator): This is the hard copy budget and more on a disc in Internet format. If you open the disc up there is a big folder and if you open that folder up there's 525 files. There's another file besides the folder called The Budget Starts Here and that's what you click on. If you have a web browser then it will take you to the table

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of contents and you will be able to start in on the budget. There's a table of contents. There's eight sections in the web budget, just like there are eight sections in the document there and if you click on any one of those eight sections there will be another table of contents for that section.

Take a look through it. There are many, many links between funds and organizations. If you look at the general fund budget you will notice that there will be a lot of revenue sources for the general fund. They are also linked and if you click on those links you will get a four-year, month-by-month history of revenues for that revenue. So if you have questions about any revenues that we're getting, particularly in the general fund, you'll get your answers on this disc. So that's all I need to say about it. We were going to do a dog-and-pony but I don't think we need to do that. Take a look yourself and see what you think about it and let me know.

COMMISSIONER TRUJILLO: Thank you, Paul.

CHAIRMAN DURAN: So this disc, I just loaded it in the computer and I'm looking at it here.

MR. GRIFFIN: Just put it in the computer --

CHAIRMAN DURAN: So this disc would be available to the public. Is that what you're hoping to do?

MR. GRIFFIN: I certainly would like to, because for one thing, it's a lot cheaper to produce than that big, 300-page hard copy document.

CHAIRMAN DURAN: Right. So maybe when we go through the budget we can load this thing. I'm looking at it right now. It has -- and I went to the Budget Starts Here. So it has the general fund.

MR. GRIFFIN: Did you click on that? Look at it. You can click on that and you'll get the sections of the budget.

CHAIRMAN DURAN: Right.

MR. GRIFFIN: Then go to funds if you want to look at the general fund, and then it will have a fund list, then click on the fund list and you'll see the general fund there and then you can get into the general fund and look at everything to do with the general fund.

CHAIRMAN DURAN: Okay. Good.

MR. GRIFFIN: And the funds are all separate pages in the web document and they have a little explanation, each of them, what they constitute, where the revenues come from and so forth and so on. That's a little more detail than you see in the hard copy.

CHAIRMAN DURAN: Is this a read me only file or can we amend it?

MR. GRIFFIN: It's read only I think.

km : The master document is read only. You can mess yours up. So with that, that was the final note to the financial presentation concerning last fiscal year and this fiscal year.

CHAIRMAN DURAN: Okay, any questions of Katherine. Thank you. Maybe we should -- when do you plan on having an introduction to the budget? Because when I came on, that was the most difficult thing for me to understand. And now I'm an expert on it. I doubt that. I still am confused about it. But it's really a difficult thing to understand and it's almost the

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first thing the new Commissioners are going to talk about when they come on board because it happens so quickly.

MS. MILLER: Mr. Chairman, I have offered to the new Commissioners that I would meet with them at any time to go through the entire budget with them. As a matter of fact, I talked to Commissioner Anaya about setting aside an afternoon to do that. And I will be happy to present, I could present this at the first or second meeting --

CHAIRMAN DURAN: Maybe in February.

MS. MILLER: In February?

CHAIRMAN DURAN: When do we start working on it?

MS. MILLER: We will be working, we're going to do a major budget review with all departments in January, early February. Then in February we send out to all department and elected officials' offices their requests for next year's budget.

CHAIRMAN DURAN: Because I think to truly participate in the discussion relative to the budget you need to get to a certain point of understanding. It's just hard to understand at the beginning. For me.

km : I agree it is. If you don't work with this, Mr. Chairman, I think anybody coming in, especially who hasn't worked in government finance, it's very difficult to follow funds and transfers between funds and how we estimate revenues and expenditures.

CHAIRMAN DURAN: So that's it on that, right? Oh, this is the First State Bank thing.

X. B. 4. Request authorization to accept amendment #1 to the professional services agreement #22-0201-FI with First State Bank for fiscal agent services for Santa Fe County

MS. MILLER: Mr. Chairman, Commissioners, we're asking for an extension to the existing agreement we have with First State. When we had to resolicit on the last RFP we estimated about a six-month time frame and the estimate is short of what it's actually taken to get all committee members and proposals in and all the issues that we had. So we are in the process right now of setting up interviews with two of the three respondents to the solicitation and because of the holidays it's pushing everything back and we need to extend this agreement for an additional three months to allow time to select a fiscal agent and if it is different than our existing fiscal agent, time to switch over because we'd have to have new checks printed, etc.

CHAIRMAN DURAN: Do we have a local preference clause in that RFP?

MS. MILLER: Mr. Chairman, what I can tell you is that the two banks that are up for interviews are First National Bank and First State Bank and they are both local banks.

CHAIRMAN DURAN: But did we have that in the RFP?

MS. MILLER: Mr. Chairman, in the RFP there was a section of the evaluation criteria that had to do with local banks and community involvement, yes.

CHAIRMAN DURAN: Estevan, do you think that you could bring forward

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something for us to discuss at one of the meetings after the first of the year where we could have -- not an ordinance, but we would have a standard procedure that any RFP that goes out from Santa Fe County has a local preference element to it? Provided that it's not against the law.

MR. LOPEZ: Mr. Chairman, I could work with Katherine and Steve and try and develop such a thing.

CHAIRMAN DURAN: Or just bring it forward for some discussion so we can find out how the Commission feels about it.

MR. LOPEZ: Okay.

CHAIRMAN DURAN: To develop some kind of policy. Because I like to buy locally. Any questions of Katherine? Okay. Thank you, Katherine.

COMMISSIONER CAMPOS: Mr. Chairman, I would move to extend the contract with First State for three months? Is that correct?

COMMISSIONER VARELA: Second.

CHAIRMAN DURAN: There's a motion and a second. Any discussion?

The motion to extend the contract with First State Bank passed by unanimous voice vote.

A. Community & Health Development Department

1. Request authorization to enter into a memorandum of understanding 323-0093-DW with the City of Santa Fe for DWI compliance monitoring services

FRANK MARGOURILOS (Prevention Specialist): Mr. Chairman, Commissioners, we request authorization, because we've had several attempts in the past through different RFPs to get a contractor to the compliance monitor and we have not had any response and another time we had a response of only one person and after they interviewed the decided not to accept the position. At the municipal court, Judge Francis Gallegos asked us if we would sign a memorandum of understanding so they could use, so we would put the burden on them even though the County would be financing this position to find a compliance monitor. And they can either use someone that already works for them or they can contract it out. That is the reason for this.

Excuse me. I don't come up here often. My name is Frank Margourilos. I'm the prevention specialist for the Santa Fe County DWI program. Does the Commission have any questions on this?

COMMISSIONER SULLIVAN: We lost our chairman. Any questions?

COMMISSIONER TRUJILLO: Is this, Mr. Chairman, is this a new program? Or has this, is this a continuation of an existing program that's already in place?

MR. MARGOURILOS: Mr. Chairman, Commissioner Trujillo, this is an existing program. It's been in place for several years. It's an existing program already.

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COMMISSIONER SULLIVAN: Okay. Just one question. Is this a part-time FTE? It's only \$12,327. Is it going to be a part-time employee?

MR. MARGOURILOS: Mr. Chairman, yes. It's part-time up to 24 hours per week.

COMMISSIONER SULLIVAN: And it's not someone you have on board now?

MR. MARGOURILOS: That's correct.

COMMISSIONER SULLIVAN: Or it is? Is it someone you have on the staff now?

MR. MARGOURILOS: No, it is not.

COMMISSIONER SULLIVAN: And prior to this it's been done by contract.

MR. MARGOURILOS: That is correct.

COMMISSIONER SULLIVAN: And that individual didn't want to continue?

MR. MARGOURILOS: The individual that was doing it before moved on to another position at a private business.

COMMISSIONER SULLIVAN: Okay. And your RFPs were then unsuccessful.

MR. MARGOURILOS: That's correct. We had at least three RFPs that I'm aware of and we just did not get any response except that one time, for whatever various reasons, they did not respond.

COMMISSIONER SULLIVAN: Any other questions?

COMMISSIONER TRUJILLO: Mr. Chairman, if not, move for approval.

COMMISSIONER CAMPOS: Second.

COMMISSIONER SULLIVAN: Motion and a second for approval of the MOU with the City of Santa Fe to provide DWI compliance monitoring.

The motion to approve the MOU with the City passed by unanimous [4-0] voice vote. [Chairman Duran was not present for this action.]

MR. ANAYA: Mr. Chairman, Commissioners, I just briefly want to make a comment about this gentleman. Mr. Margourilos is quickly becoming one of the leaders in the state of New Mexico relative to his prevention efforts for Santa Fe County and across the state of New Mexico. And I just want to say on a daily basis he's got his head down and he's working with the students and kids in all the schools. He was in the Santa Fe *New Mexican* this week for his work with the youth, and he was a key part of that one Friday night presentation that was put on statewide and I just want to let you know that because he's one of the best employees that we have at the County and he's really distinguishing our program and helping the kids across the state.

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X. A. 2. Request approval of amended and restated memorandum of agreement between St. Vincent Hospital and Santa Fe County [Exhibit 4]

STEVE SHEPHERD (Health Division Director): Mr. Chairman, Commissioners, for those that were there this morning, we did review this in the Indigent Fund Board meeting. This is the proposed memorandum of agreement between Santa Fe County and St. Vincent Hospital. Mr. Chairman, I would ask you how you'd care for me to proceed on this, if you'd like me to summarize the document?

COMMISSIONER SULLIVAN: Well, we have two possible courses of action here. We can either move forward to take action on this today. It is listed as an action item, or we can just act on it on the basis of an information document. What's our time table, Steve, on this?

MR. SHEPHERD: Mr. Chairman, with the MOA, assuming we want it in place prior to approval of the sole community provider match for the state, the deadline for the original letters to reach the state is January 15th. Realistically, we need action by the first week of January.

COMMISSIONER SULLIVAN: You've got two documents here. You've got the sole community provider requests - or that's the next item.

MR. SHEPHERD: That's the next item.

COMMISSIONER SULLIVAN: And you've got the MOA.

COMMISSIONER VARELA: Mr. Chairman.

COMMISSIONER SULLIVAN: Commissioner Varela.

COMMISSIONER VARELA: I believe the County Manager said that since this was not in our packet that it would be for discussion purposes only.

COMMISSIONER SULLIVAN: That's what was indicated. There's some push as always to get it done, but as I understand it it's not necessary that we act today. Not absolutely necessary.

MR. SHEPHERD: Mr. Chairman, no. The other option would be if you do have a meeting on January 7th it could be addressed at that time as a final document.

COMMISSIONER SULLIVAN: Were there any concerns brought up in the Indigent Board meeting that you should address?

MR. SHEPHERD: Mr. Chairman, I don't know if I'd call them concerns. There were a number of questions and we did go through it in detail. I don't know if there are any over-riding concerns.

COMMISSIONER SULLIVAN: How would the Commission like to proceed? We can go through the changes in the documents. The two things that concerned me were the accountability provisions of it and that's indicated in this document as being a format acceptable to the County every quarter. That was one concern that I had. And I understand Katherine

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is still working on that along with Steve. I had a concern about better language for designating two members or for recommending, rather, two members on the St. Vincent board so that they would actually be seats that would be in essence held for our membership whereas the board itself would make the final determination.

We seemed to have addressed that in here, haven't we?

MR. SHEPHERD: Mr. Chairman, we do have some language in here but it was also suggested at the Indigent Fund Board meeting this morning that we request that St. Vincent Hospital change its bylaws so that those actually are essentially appointed seats and see if they'll agree to do that. We didn't write it in here because we know that at this point the hospital does not agree with direct appointment, but we also think that it's probably not legal under their bylaws at this point as a non-profit organization, but that that request be made from the County. But there is some language here on recommending that St. Vincent's nominate the recommended appointments from the Board of County Commissioners.

COMMISSIONER SULLIVAN: Who is CFL? You said CFL agreed to that?

MR. SHEPHERD: St. Vincent Hospital, I'm sorry.

COMMISSIONER SULLIVAN: St. Vincent Hospital. So they're in agreement that the positions would be designated by the County. Would they be subject to their review or would they simply be designated by the County?

MR. SHEPHERD: No. No. Basically, the language in here would allow the County to recommend them. Their board would have to essentially elect them.

COMMISSIONER SULLIVAN: If they changed their bylaws.

MR. SHEPHERD: It was discussed and I don't know if you want to say something about this, Commissioner Campos.

COMMISSIONER SULLIVAN: I thought you just said they agreed to it.

MR. SHEPHERD: No, no, no. They don't agree to it.

COMMISSIONER SULLIVAN: They don't agree to that. Okay. Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Chairman, that's what we discussed this morning. We figure there are about 15 or 16 members to the St. Vincent's board right now, and it's pretty much a self-perpetuating board and the discussion this morning was that it probably didn't fairly represent the community at large and that the County, as the representative of the public in this area should have a greater say in making appointments. But St. Vincent's would have to change it's bylaws to permit direct appointments by the County Commission. And that was the discussion we had this morning.

COMMISSIONER SULLIVAN: Okay. And they have not agreed to do that.

COMMISSIONER CAMPOS: They have only agreed to the language on page 2, the very bottom sentence. That's all they're agreeing to do at this point.

COMMISSIONER SULLIVAN: It says they'll nominate two people that we recommend to them.

COMMISSIONER CAMPOS: Yes. Keep in mind there's 15 so if we want to have impact we're probably going to need more than two. I think it's an important issue. I think

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St. Vincent's board is pretty closed.

COMMISSIONER SULLIVAN: Is it an issue that needs to be resolved before this MU is signed.

COMMISSIONER CAMPOS: We're not going to resolve it in the near future. Maybe next year. We have to start aggressively pursuing that with discussions at all level with the administrators of St. Vincent's.

COMMISSIONER SULLIVAN: Okay. Then the third thing that Steve briefed me on at least was that there's a large change, a number of categories such as Arroyo Chamiso Clinic and the Pojoaque Clinic, which heretofore came under this memorandum of understanding are now being taken out of the memorandum of understanding and funded separately by St. Vincent's and those monies are being put into other categories, which might subsequently result in our fees going out for those services. So actually there's seven of them, or six of them that have been deleted that way. So that's a major change. Correct, Steve?

MR. SHEPHERD: Yes, sir. That is a major change. We feel that, especially the hospital program, there are five of those, St. Vincent's has told us that if they're not in the MOA they are going to fund them anyway. There are projects and programs that save them money and benefit the community as well.

COMMISSIONER SULLIVAN: These were taken out at St. Vincent's request.

MR. SHEPHERD: It was a request both of St. Vincent's and the County. I'll put it that way.

COMMISSIONER SULLIVAN: I think, Estevan, you had a question or comment.

MR. LOPEZ: Mr. Chairman, Commissioners, earlier I had mentioned that as of when we were approving the agenda, we hadn't really gotten any feedback from St. Vincent's regarding the draft that we had gotten. However, just after the agenda was approved, Gary Buff from St. Vincent's came and spoke to Steve and I think that they're basically largely in agreement with what is in the document that's before you. So I guess all I would say is that if the Commission were ready to act on this then in my opinion it probably could be acted on. My earlier comments really had to do with the fact that we hadn't, as of that point, really gotten any feedback from St. Vincent's but now we have.

COMMISSIONER SULLIVAN: So let's do what the City does to us. Let's change the language that says St. Vincent's will change their bylaws and send it to them. That's what the City of Santa Fe does. Send our resolutions back to us after they amend them.

MR. SHEPHERD: Mr. Chairman, if you were to choose to approve this today, the only change in this document that would need to be modified or the only section would be on page 5, paragraph 8. The hospital requested that we delete the line in paragraph 8 that is underlined, saying the present designees are, for Santa Fe County, Virginia Vigil and Steve Shepherd, Kevin Henson, alternate. St. Vincent Hospital, Alex Valdez and Gary Buff, Bonnie White, alternate. That one sentence would be deleted and a substitute sentence would be put in there saying that each organization pick the members of its own team and was free to choose alternates and replacements as necessary. That was the only request.

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COMMISSIONER SULLIVAN: Steve, I thought this quarterly team was supposed to include a public member.

MR. SHEPHERD: This is the memorandum of agreement implementation team. This is the team of staff members that --

COMMISSIONER SULLIVAN: Oh, okay. Where is the quarterly review team?

MR. SHEPHERD: The quarterly review team --

COMMISSIONER SULLIVAN: Or the PRC or whatever acronym we're using for it.

MR. SHEPHERD: It is on page 3, section 4, Assessment and Evaluation.

COMMISSIONER SULLIVAN: There are no changes there.

MR. SHEPHERD: The only change is the second paragraph dealing with outcome based evaluation and addressing the priorities of the Call to Action, the Santa Fe County Health Plan.

COMMISSIONER SULLIVAN: Okay. So that's the same. We have eight members on that, three from St. Vincent's, three from the County and one from the public at large and one from the Health Policy and Planning Commission.

MR. SHEPHERD: That's correct.

COMMISSIONER SULLIVAN: So there are no changes to that.

MR. SHEPHERD: No changes to that.

COMMISSIONER SULLIVAN: Are there other questions of Steve?

MR. KOPELMAN: Mr. Chairman, one other minor change I would recommend on page 4, Section 6, paragraph 1. I would add a sentence before that that would say the fourth amendment to the memorandum of agreement shall remain in effect through September 30, 2003, then this agreement shall be effective as of October 1, 2003. To make it clear that there is a document in place that's legal and binding. It's just a little unclear, so I'd recommend that one sentence be added for clarification purposes.

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman, as amended.

COMMISSIONER SULLIVAN: Motion for approval of the draft memorandum of understanding.

COMMISSIONER VARELA: Second.

COMMISSIONER SULLIVAN: And a second. Would we like to be a little more forceful about, I understand, Commissioner Campos, that we have some disagreement on that, or would we like to set a time table for that issue to be worked out as a part of this agreement. That is to say, within four months, for example, the staffs agree to develop a document or some recommended changes to the St. Vincent Hospital bylaws to enable at least two members of that board to be appointed by Santa Fe County. A report or a document or a legal treatise or whatever. What I'm getting at is if we drop it, it gets dropped. If we don't put a time table to do something, nothing gets done. Is that something, Commissioner Campos, would that get something moving?

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COMMISSIONER CAMPOS: I have no idea. Any input from staff here or legal?

MR. KOPELMAN: Mr. Chairman, members of the Commission, there actually is a legal issue with having a third party appointing board members. So I think that we probably need to sit down and try to negotiate with them and I think the best, the way we should deal with it, and I don't want to really talk a lot about negotiating and giving away our hand but I think that probably for us to make recommendations and that they would consider the recommendations and hopefully make those appointments but we really don't have the right to make a board appointment for a third party. They have fiduciary obligations and it's a difficult thing. But I think we can get them to agree that they will work with us so that we can come up and hopefully get two spots so we can make recommendations. But they have to make the actual appointments.

COMMISSIONER SULLIVAN: Okay. We've already asked the Health Policy and Planning Commission to give us some recommendations about these appointments, have we not, Mr. Estremera-Fitzgerald?

JAIME ESTREMER-FITZGERALD: Mr. Chairman, members of the Commission, you've already instructed us to do that and we're going to give you recommendations in January. We may give you more than two and that would be up to you to bring a fourth, but we also promised to bring forward recommendations that are reflective of the community that I think will be pretty hard to just turn down. So I think Mr. Kopelman is right. I think if we are aggressive in presenting good names from the community and there are vacancies, it's pretty difficult to turn them down. So I think we will definitely bring you in January, late January some names.

COMMISSIONER SULLIVAN: Okay. Thank you.

COMMISSIONER CAMPOS: Mr. Chairman, a question.

COMMISSIONER SULLIVAN: Commissioner Campos.

COMMISSIONER CAMPOS: How many vacancies are there presently in the St. Vincent's board?

MR. ESTREMER-FITZGERALD: Well, I wish I could speak totally correct today but I know that the board, I believe has around 18 members and when I looked at the board that they have at the entrance to the hospital there's quite a few vacancies that were missing, no pictures. And I know that as of late there have been some people that have resigned from the board, such as Fred Sisneros. So I know there are vacancies. We can certainly get that information to you real fast.

COMMISSIONER CAMPOS: I've heard there are maybe five or six vacancies.

MR. ESTREMER-FITZGERALD: There could possibly be. Yes.

COMMISSIONER CAMPOS: It's an opportunity at this point to make more than two recommendations, probably in January or February.

COMMISSIONER SULLIVAN: Perhaps that language that we were just talking about could say St. Vincent Hospital will nominate at least two members recommended to serve on the St. Vincent board of directors by Santa Fe County, indicating to them that if the

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Commission does bring forward more than two we might forward more than two, particularly if there are vacancies. Is that acceptable? Yes? No? Staff comment? Is that acceptable to the maker of the motion and the seconder? At least two? Who made the motion? Whoever made the motion agrees to it. Okay. Are there any other issues then?

MR. LOPEZ: Mr. Chairman, I liked being County Attorney for a few minutes. Mr. Chairman, Commissioners, this agreement was really negotiated late on Tuesday afternoon and we reached agreement on it and we've drafted it and done some quick review but I would ask if you move forward to approve this as stated in the motion that we be given a little bit of latitude just to make any minor changes if we find clerical errors or whatever. Any change of substance we would bring back to you if we found anything but I would just ask for the authority to make minor changes if needed.

COMMISSIONER SULLIVAN: Okay. And I would add too that we still don't have this fiscal accountability issue resolved and I think when we get to that quarterly report, what St. Vincent's presented at our joint session with the Health Policy and Planning Commission was a start but it was still, in my judgement incomplete. So we need to move forward. It appears they've made a good faith effort to bring the system up to speed, the financial system for our accountability. For their accountability and our review. But Steve, what do you suggest to keep that effort moving?

MR. SHEPHERD: Mr. Chairman, Commissioner Sullivan, my suggestion for that is that County staff will work with St. Vincent's staff to try to make the adjustments that we talked about at that joint meeting. I think the report will be better. I don't think it will be perfect when it gets here, but I think what needs to happen when it's presented at the end of January is for the Commission to ask for the additional information or changes that they want and I think it will kind of be an evolving process of getting it where we want.

COMMISSIONER SULLIVAN: Okay, further questions of Steve?

The motion to approve the amended and restate MOA between St. Vincent Hospital and Santa Fe County passed by unanimous [5-0] voice vote.

COMMISSIONER SULLIVAN: Mr. Chairman, you're on item A. 3.

CHAIRMAN DURAN: Hey, you're doing a good job.

COMMISSIONER SULLIVAN: Is that being recorded?

COMMISSIONER TRUJILLO: Give him a raise.

COMMISSIONER SULLIVAN: Let's not get into the raise issue again.

CHAIRMAN DURAN: Instead of giving you the chair we'll give you a raise.

COMMISSIONER SULLIVAN: There you go. I'll take the money.

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X. A. 3. Request approval of the sole community provider match funding for Española Hospital, Holy Cross Hospital, Los Alamos Hospital Medical Center and St. Vincent Hospital [Exhibit 5]

MR. SHEPHERD: Mr. Chairman, these are the FY2004 sole community provider requests. The hospitals have requested a total approved amount of \$14,932,525. In this fiscal year that is up from that is the request for this year. Currently in fiscal year 2003 they're receiving \$14,316,182 and change. I have attached some background history that I believe you've seen before in our MOA negotiations. The copies of the actual letters are attached. Staff's recommendation is to approve the following amounts: Española Hospital: \$378,675. This is a reduction from their request. Their request is \$565,200. Staff recommends this reduction because we are limiting each hospital to three percent they're going to get from the state. We do know that they will not get \$565,200 approved by the State Human Services Department.

Holy Cross Hospital, \$2,700. The actually asked for less money than last year. Los Alamos Medical Center, \$42,398. The requested \$43,350. We are again limiting them to three percent that we believe they'll receive from the New Mexico State Human Services Department.

St. Vincent Hospital, \$14,303,275. That does include a three percent increase from the state. I would stand for questions at this point.

CHAIRMAN DURAN: Any questions of Steve?

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

COMMISSIONER VARELA: Second.

CHAIRMAN DURAN: Any further discussion?

The motion to approve the match funding for sole community provider hospitals passed by unanimous [5-0] voice vote.

X. C. Fire Department

- 1. Resolution No. 2002-168. A resolution requesting a budget adjustment to budget monies to fund an EMS captain position for the Fire Department and to budget preventative maintenance costs for the mobile health care van [Exhibit 6]**

STAN HOLDEN (Fire Chief): Mr. Chairman, members of the Commission, the Fire Department has worked closely with St. V's for some time now on this project to bring a mobile health care van to our community and what we've asked for in return for our commitment from the Fire Department in assisting St. V's in this effort is to fund an amount of money equal to \$75,000 for a year, and what you have in front of you is a budget adjustment

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request for half of your, for the rest of this fiscal year to assist St. V's in accomplishing this project. And I stand for questions.

CHAIRMAN DURAN: So this individual is going to be paid \$75,000 a year?

CHIEF HOLDEN: Mr. Chairman, no. This is the entire budget. That includes monies for maintenance of the vehicle. The mobile health care van and storage of the health care van as well. The budget for the term employee, the salary would be for a full year \$45,448. That would be a full year. We're not asking to budget that much now, because this position wouldn't take effect until January so we only need to budget half that amount.

COMMISSIONER TRUJILLO: Move for approval, Mr. Chairman.

COMMISSIONER SULLIVAN: Second, and I have a question.

CHAIRMAN DURAN: I just have -- I don't have any questions.

COMMISSIONER SULLIVAN: Stan, who owns the van?

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, the County will own the van.

COMMISSIONER SULLIVAN: And it will be housed, as I recall from your discussion before, out at our emergency facility out on Route 14.

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, it will be housed at the Public Safety Building.

COMMISSIONER SULLIVAN: Okay. So we're manning it. We own it, and could you explain what St. Vincent's role is in it?

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, we will not actually man the vehicle. The manning for the vehicle will come from an external contract with St. V's to an outside source to hire health care providers to actually staff the van. What we're committing to is staff time and housing and maintaining the vehicle, and in return, St. V's is going to provide us funding for this EMS captain's position. That's the agreement.

COMMISSIONER SULLIVAN: I see. So the EMS captain's position has nothing to do with the van. It's just a quid pro quo?

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, almost. We commit an inordinate amount of time currently through the assistant chief of EMS and working cooperatively with St. V's on this project, and we expect that arrangement will continue after this MOA is in place and the project has been implemented. That means that the time that Chief Henson spends on the project, now we will have this captain's position to take on a part of that load that he has borne since we started this project six or eight months ago. Now we're to this point and we hope that what we'll be able to do is continue to allow Chief Henson to participate in the process, not only on the mobile health care van but the other MOA items that the Commission wants to have accomplished as part of that agreement.

COMMISSIONER SULLIVAN: Who determines where the van goes and what its schedule is?

CHIEF HOLDEN: Mr. Chairman, Commissioner Sullivan, I think that will be done in concert with the MOA committee and St. V's. That's part of the negotiation about where the vehicle will be responding to. All those questions have yet to be answered in my

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understanding. That's not a part of this agreement.

COMMISSIONER SULLIVAN: No, but it is a part of it that St. Vincent's is going to be contracting out to someone to staff the van. Who drives the van?

CHIEF HOLDEN: That will be an employee of the contractor.

COMMISSIONER SULLIVAN: An employee of the contractor.

CHAIRMAN DURAN: An employee of the contractor.

COMMISSIONER SULLIVAN: An employee of the contractor who St. Vincent's is contracting with.

CHIEF HOLDEN: That's correct.

CHAIRMAN DURAN: So what's this captain going to do?

CHIEF HOLDEN: Again, Chief Henson spends an inordinate amount of time participating in this process. The time that he spends has to be made up somehow. In other words, we have a 2,080 hour employee standing here who puts in about 3,000 hours a year. He gets compensated for 2,080 hours. What we're asking for from St. Vincent's in return is we need somebody, if we're going to continue this amount of support for your program and for your projects. We need somebody that we can then hire throughout the field to take on the responsibilities that he is no longer able to do. Training volunteers is a primary issue. It's been one of my sticking points about participating in this project from the very get-go.

It's a very worthwhile project and I think it's going to be very beneficial for the community. They're going to work closely with us. We're going to maintain the vehicle. The County's going to own the vehicle. So we're going to be intimately involved to make sure it's a successful program. But in return, our volunteers stand not to benefit from the training that they need. So we need somebody in that place who will be the EMS captain to go out and be able to do that work.

CHAIRMAN DURAN: So Mr. Henson here is overworked and underpaid.

COMMISSIONER SULLIVAN: He didn't say underpaid. He just said overworked.

CHIEF HOLDEN: As all of us are.

CHAIRMAN DURAN: Okay. I got it now.

COMMISSIONER TRUJILLO: Call for the question.

COMMISSIONER SULLIVAN: That's all the questions I have, Mr. Chairman.

The motion to approve Resolution 2002-168 passed by unanimous [5-0] voice vote.

X. D. Land Use Department

- 1. Request authorization to accept and award a professional service agreement to the highest qualified respondent for RFP #23-05, the Santa Fe Community College District fiscal impact study**

JACK KOLKMEYER (Planning Director): Good afternoon, Mr. Chairman,

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Commissioners. Thank you. Santa Fe County Land Use Department and Purchasing Division request authorization to award a professional services agreement to Economic and Planning Systems from Denver, Colorado for the Santa Fe Community College District fiscal impact study. I believe in your packet you have a copy of the professional services agreement and the agreed upon budget. RFP #23-05 was sent out to 13 firms all together. The Santa Fe County Purchasing Division received back six proposals consisting of one from BBC Research and Consulting out of Denver, Colorado, Duncan and Associates from Austin, Texas, Economic and Planning Systems, also from Denver with a local planning and attorney Bob Odland, Elliot D. Pollack and Company who are from Scottsdale, Arizona, Economics Research and Associates from San Francisco, California, and the University of New Mexico Bureau of Business and Economic Research from Albuquerque.

After reviewing the written proposals, the evaluation team determined oral interviews and presentations with the top rated firms were necessary to clarify proposed services and to conduct a thorough evaluation of the top RFPs. The following firms made oral presentations: Economics Research and Associates, Duncan and Associates, BBER, and Economic and Planning Systems. UNM BBER, during the oral presentation stated that their proposal did not include a market analysis and that it would a separate proposal for that effort. As a result, they were determined non-responsive to the requirements of the RFP.

The combination of written and oral presentation scores resulted in Economic and Planning Systems and Bob Odland being the highest rated firm. The County subsequently entered into negotiations with EPS and the proposed price was negotiated from \$82,805 to a contract price of \$75,211, inclusive of applicable gross receipts tax. This price is determined fair and reasonable for the required services based on the proposed prices and services submitted by all offerors.

As you may recall, when we spoke to you about this about a month ago, funding for the project was short by approximately \$35,000. We had a discussion with you at that time and requested contributions from the Commission and contingency funds, and that was laid out as follows and we hope that you're still in the spirit of giving at this point. Commissioner Sullivan, \$10,000, Commissioner Campos, \$10,000, Commissioner Duran, \$5,000, and from the contingency funds, \$10,000.

CHAIRMAN DURAN: I never said I'd give that \$5,000.

MR. KOLKMEYER: You never did?

CHAIRMAN DURAN: Katherine twisted my arm.

MR. KOLKMEYER: But you did agree.

CHAIRMAN DURAN: She made me do it.

COMMISSIONER TRUJILLO: How much money do I have left over?

CHAIRMAN DURAN: You're in debt.

COMMISSIONER TRUJILLO: Zero?

MR. KOLKMEYER: Santa Fe County Land Use Department and Finance Department recommend award of a professional service agreement to EPS, Economic Planning Systems for the execution of the Santa Fe Community College fiscal impact study upon

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allocation of adequate funding. I would like to point out that there's one additional change that we made to the professional services agreement and you can find that on page 8 and it is under the indemnity clause in the first paragraph, the end of the first sentence. In your packet it reads, "The contractor agrees to defend, indemnify and hold harmless the County and their official agents and employees from and against any and all claims, actions, suits, or proceedings of any kind brought against said parties for or on account of any matter arising from any performance of services provided by the contractor under this agreement." It should read, "... any negligent performance.." So we've added the word negligent into that and I believe that is the only additional change that needs to be made and myself, Katherine and Roman stand to answer any questions that you may have.

CHAIRMAN DURAN: Any questions of staff?

COMMISSIONER CAMPOS: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Campos.

COMMISSIONER CAMPOS: Mr. Kolkmeier, how long do you think it will take for this process to be finished?

MR. KOLKMEYER: We would like to do this is seven months from beginning to end.

COMMISSIONER CAMPOS: When do you think you're going to start?

MR. KOLKMEYER: We would like to, contingent upon your decision today, we would like to then be able to get the professional service agreement signed by the end of the month, with EPS, and conduct our first meetings with them within the first week or two of January.

COMMISSIONER CAMPOS: Great.

MR. KOLKMEYER: Immediately.

COMMISSIONER CAMPOS: Thank you.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner Sullivan.

COMMISSIONER SULLIVAN: I had just two areas that I wanted to comment on and one to suggest some language. By the way, that indemnity language that you read is different from what we have in our contracts. So I'm assuming we got close to the final draft and you just read out is what we have here.

CHAIRMAN DURAN: It's not exactly the same.

COMMISSIONER SULLIVAN: It's not exactly the same, even without the "negligent." Do we have the final one here?

MS. MILLER: Mr. Chairman, Commissioner Sullivan, this was a draft that we had sent through the County and then on to the contractor and I had to put something in the packet last Friday. But that was their one requested change which they came back to us with on Monday and we took that through legal. So that is the only change to the contract from what's in your packet.

CHAIRMAN DURAN: Are you okay with that?

COMMISSIONER SULLIVAN: I was just saying, other than the "negligent"

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the language is not the same, but if it's okay with legal it's fine with me. I just, under the scope of work on page, at the end of Task 3.1, Capital Facilities Financing, and this is where my understanding is they look at different mechanisms for funding infrastructure. We always say how are we going to build the facilities and so forth. And the very last sentence says the contractor shall consider modifications to existing cost-sharing agreements, developer contributions, impact fees and/or the formation of special assessment districts in the recommendations.

I would like to have the Board consider language to add something similar to this language. It makes for a long sentence but it would read something to the effect, "The formation of special assessment districts in the recommendations, and -- this is the new language, and the effect of property tax increases from special assessment districts on affordable housing and residents' willingness to contribute to other taxes, such as school bond and open space elections." I think that's an issue that we've discussed at great length.

CHAIRMAN DURAN: Could you say that one more time?

COMMISSIONER SULLIVAN: Sure. It makes a long sentence and you can make it into a second sentence, but I would say, and --

CHAIRMAN DURAN: This would be after the last sentence?

COMMISSIONER SULLIVAN: After the word "recommendations" in the last sentence. "And the effect of property tax increases from special assessment districts on affordable housing -- and those could be positive or negative, depending on how they looked at it, on affordable housing and residents' willingness to contribute to other taxes, such as school bond and open space elections."

It's an area we debated at some length as to whether we could do special assessment districts and it increases the taxes by 50 percent or whatever it might increase, will those residents, will we be forming financially gated communities or will those residents be more interested, or less interested rather, in school bond elections and participating in voting in favor of open space issues and other countywide issues, feeling that they're already heavily burdened.

CHAIRMAN DURAN: Don't you think that's already covered though in the special assessment district, where it says, "and/or the formation of special assessment districts"?

COMMISSIONER SULLIVAN: Well, no, I don't. I think it talks about the formation of them, financially they can be formed, but I think we need to at least get their recommendations from other areas of the United States where they've worked as to what the effect of those districts have been on the residents' participation in other elections, on elections. I don't think it's something that takes a lot more to do in the study. I don't think it's more quantitative. I don't think they have to go out and conduct a survey. I think all we're asking for is their professional opinion in that regard.

CHAIRMAN DURAN: On the impact those special assessment districts would have on the residents' willingness to participate in bond issues and stuff like that. Or approve bond issues. Okay.

COMMISSIONER SULLIVAN: Correct. That's language to that effect. My language is not sacred, obviously.

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CHAIRMAN DURAN: Did you get that Steve?

MR. KOPELMAN: Yes, Mr. Chairman, that's fine.

CHAIRMAN DURAN: I don't have a problem with that. How about you guys?

COMMISSIONER SULLIVAN: That was one area. And just one other area -- well, I take it back. There's two. On page 3, in Task 2.1.2 in the middle of the page, the last sentence, could you explain what that means? The sentence is, "The contractor will use recently prepared budget models from other County projects to inform this budget modeling effort."

CHAIRMAN DURAN: What page are you on?

COMMISSIONER SULLIVAN: Page 3, about in the middle, the bottom paragraph of Task 2.1.2. My question is what does it mean to use other budget models from other County projects to inform this budget model?

MR. KOLKMEYER: Commissioner Sullivan, it's my understanding that in any other projects where we've used multipliers of this type for expenditures and revenues, for example, the Public Safety and Public Works buildings and obviously the jail, but we don't want to -- any of the models that we use we would look at the multiplier type modeling that we have used in those to just verify if in fact they would be applicable.

COMMISSIONER SULLIVAN: So the use of the word "inform" is kind of --

MR. KOLKMEYER: Well, it might be applicable. Applicable might be a might be a better word.

COMMISSIONER SULLIVAN: If it's applicable, or to contribute or to -- I just didn't understand the word "inform." You're using other multipliers to crank into the budget model.

MS. MILLER: Mr. Chairman, Commissioner Sullivan, yes. Basically, what it is, the word "inform" was just a word when we were discussing the scope. They use information that we currently have, taking our existing budget and how we budget for capital projects and they would take that information into the other model. In other words, our history of how we've done things and inform or use it as a basis for modeling.

COMMISSIONER SULLIVAN: As long as they understand it. The last thing that I have, we've discussed this before and no one seemed to know, and I didn't certainly, where the City's impact fee discussions and deliberations were going. I think Diane from the RPA had some knowledge of it, but I did see today that they've put out a very large public hearing notice for the City's impact fee and it's not just the city, it includes the Extraterritorial Zone too. And they're having a public hearing on January 8th on the land use assumptions relating to possible adoption of impact fees, including the Extraterritorial Zone.

COMMISSIONER SULLIVAN: So I thought that we might want to go and see what they have to say.

MS. ELLIS-GREEN: Mr. Chairman, I actually was at a meeting last week regarding this. They've done land use assumptions and are intending to take that in front of the City Council in January I believe. What they're looking at for the County's involvement has to do with regional parks and roads only and to do improvements within the five miles and within the city, but for the County to possibly collect impact fees for roads and regional parks.

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COMMISSIONER SULLIVAN: And give them to the City?

MS. ELLIS-GREEN: Some of the improvements would be within the city; some would be within the five-mile.

CHAIRMAN DURAN: So what happens with impact fees? So who's going to establish impact fees in the EZ?

MS. ELLIS-GREEN: Mr. Chairman, the Board would need to do that, this Board. What the City is doing at the moment is going in front of the City. Their plan doesn't necessarily mean that the County has to get involved with this. They could just do impact fees in the city. But what they're then hoping to do is once they've established their assumptions is to sometime next year come in front of this Board regarding their assumptions and then regarding the possible impacts. If it's within the two-mile and within the five-mile I believe the EZA and the BCC would also have to review and approve that before we started collecting any kind of impact fee.

COMMISSIONER SULLIVAN: The purpose of my bringing it up, Mr. Chairman, is I just felt that since part of the scope of work includes a review and recommendations regarding impact fees, it's not an impact fee analysis, but impact fees is one of the things that they're going to be studying and making recommendations on, that we include a clause that they at least coordinate with this impact fee process and see how it would mesh in with their recommendations. It would be certainly useful, I think for the Commission. We haven't received a report from them or anything but I understand according to this legal notice that there is now a report entitled the Santa Fe five-mile area impact fee land use assumptions available at the City Council.

MR. KOLKMEYER: Commissioner Sullivan, my suggestion would be that we don't necessarily, we wouldn't need to add a clause in this contract for that because we planned for the consultant to meet with the RPA, to meet with the City and these land use assumptions, one of the interesting things about where we are in this process right now is all this stuff is coming together and we're starting to all use the same information, the RPA. We'll be looking at that as one of the mechanisms, one of the potential funding mechanisms. I don't know as we necessarily need to single that particular effort out because it may be that they impact fee research that we do here would in fact be different than what the City has done.

COMMISSIONER SULLIVAN: It may well be. I'm just suggesting that we mention it and if it's covered and if the consultant knows that it's covered then that's fine. But I just don't want the consultant coming back and saying, Well, it wasn't a part of the contract to do that and that's an extra 50 hours and I need an extra so-many dollars to coordinate with this committee. If you've established with them that they'll be doing that.

MR. KOLKMEYER: Commissioner Sullivan, if you look at Task 1.3, it states in there that - see if I can find it again. The contractor shall also review and analyze available growth forecasts including data from the City, state and Regional Planning Authority, and that would be an area where we'd make sure that they knew that impact fee study had been undertaken with the City.

COMMISSIONER SULLIVAN: And I want to clarify that these forecasts that

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they're doing of residential, office, retail, industrial development for the 2002 to 2030 time period are just for the Community College District. Is that correct?

MR. KOLKMEYER: Well, the ones that they will be doing will be just for the Community College District. But we will be, as I just said, we'll be using, we're going to try to use common data about forecasts. So that the work that the RPA and the work that we've done in the past will all be brought together. So we were hoping that the methodology for it and the forecast will be the same that everybody uses in the future. But it will be derived for the Community College District. Correct.

COMMISSIONER SULLIVAN: It's not a population or a market projection for all of Santa Fe County. It's just for the Community College District. Is that correct? This is the Community College District fiscal impact study so I assume you're talking there about the demographic trends and forecasts for the Community College District.

MR. KOLKMEYER: Yes.

COMMISSIONER SULLIVAN: Okay. What I just wanted to be sure that we're not doing is just force-feeding the contractor with our own data and assumptions, which is obviously going to produce our own same results. I think what we want from the contractor is an independent analysis. If they see differences. I think we have to make available that data and that analysis, but if they see differences they need to have the freedom to make their own recommendations.

MR. KOLKMEYER: Well, the contractor is going to prepare the forecast, not us. So we'll give them what information we have, what the RPA has, what the City's used and what we've used for the general plan and let them, as you say, prepare the forecast for the Community College District for us.

COMMISSIONER SULLIVAN: We don't mention Jemez y Sangre forecasts, which are also water-related forecasts. Will they be looking at those?

MR. KOLKMEYER: Yes. We'll look at all the forecasts. We've discussed with them in fact.

COMMISSIONER SULLIVAN: Okay. That's all the questions I had, Mr. Chairman.

CHAIRMAN DURAN: Okay, what's the pleasure of the Board?

COMMISSIONER TRUJILLO: Move for approval.

CHAIRMAN DURAN: Is that with Commissioner Sullivan's --

COMMISSIONER TRUJILLO: As amended.

COMMISSIONER SULLIVAN: Second. Glad to see this moving forward.

CHAIRMAN DURAN: Oh, Katherine Miller would like to offer some words of wisdom.

COMMISSIONER SULLIVAN: Whatever Katherine wants the answer is of course.

MS. MILLER: Mr. Chairman, the only thing that I would request, because that amendment may incur additional costs -- if we're going to look at willingness, they may have to go talk to homeowners and things like that about their willingness and might require additional

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surveying time on the contractor's part. If the contractor is not amenable to just adding that in and they've been very good to work with up to this point but adding that in with no additional costs -- what I would request is that we go ahead and approve the agreement as it is and then bring an amendment for it if there's any, negotiate that issue with the contractor and amend the contract, so that we can move forward in January.

What I am concerned about is that they might say, Well, we can't just do that under the current compensation and it would hold it up again until we have another meeting.

CHAIRMAN DURAN: What if we approved it with a condition that if they require more money that you have the right to go up to \$5000 more?

km : That would be fine. Or that we do it in an amendment to it as opposed to in the original agreement.

COMMISSIONER CAMPOS: That would be cleaner, I think, Mr. Chairman. Just leave the language as is. You approach them. See if there's going to be additional compensation, we can make an amendment. That's the cleanest way of doing it.

CHAIRMAN DURAN: Okay. I'm okay with that. So then the motion would be that -- would you amend your motion?

COMMISSIONER SULLIVAN: Commissioner Trujillo made the motion.

CHAIRMAN DURAN: Should we leave it out?

COMMISSIONER TRUJILLO: Leave it out.

CHAIRMAN DURAN: And then come back to us with --

COMMISSIONER SULLIVAN: But with the direction that -- it's the Commission's direction that they want it in. So the only issue is is it going to be more compensation or is it not going to be more compensation?

CHAIRMAN DURAN: We definitely want it in, at some point.

MS. MILLER: Yes, and I don't think it will be an issue at all with the contractor. I just, what I was afraid of is if we sent it back it would hold it up again until our next meeting because then we wouldn't be able to execute it as you'd requested. So if it does require any change, my only request was that we be able to approve the agreement as it is and do it in an amendment. Otherwise, if there is no compensation change and they agree to it, just to add it in.

COMMISSIONER SULLIVAN: Well, Mr. Chairman, let me make a suggestion, Katherine. Let me suggest that we approve it as it's currently been moved. But that you send that change with a contract back and point it out to them, interlineate it, point it out to them. Say this is a change that the Commission requested. Will there be any cost addition for this work? If so, please advise and they'll get back to you and they'll either say yes or no, and if they say yes, then you have the authority to go ahead and sign the agreement without it and then negotiate an amendment for that.

MS. MILLER: Okay.

COMMISSIONER SULLIVAN: Would that work?

MS. MILLER: That would be fine. I just wanted to make sure that we carried out you wishes and didn't stop the process.

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CHAIRMAN DURAN: Okay. Thanks a lot.

The motion to award the Community College District fiscal impact study contract to EPS as amended by Commissioner Sullivan passed by unanimous [5-0] voice vote.

CHAIRMAN DURAN: I'm sorry, it's just my birthday and I didn't want to spend all day here.

MS. MILLER: And I had one other clarification, that is that the funds as described in the memo except for the amount that would come from contingency, Commissioner Campos has said he would give. And I won't twist your arm any harder for any more money, Commissioner Duran.

CHAIRMAN DURAN: That's okay. I don't think I have any left, do I?

MS. MILLER: That was your last \$5,000.

CHAIRMAN DURAN: So you can twist, but I don't think you can get anything more.

COMMISSIONER CAMPOS: How about Javier? How much did he leave us with?

MS. MILLER: That's gone too.

COMMISSIONER SULLIVAN: Commissioner Gonzales bequeathed me his money.

CHAIRMAN DURAN: Why don't you budget the money you're going to get next year.

X. F. Matters from the County Manager

MR. LOPEZ: Mr. Chairman, I do have a couple of things that I'd like to say under Matters from the County Manager. Mr. Chairman, on behalf of County staff, I want to say thank you to Commissioner Trujillo and Commissioner Varela for the community service that you've given this County and for the support that you've given the staff. We all have a great deal of respect for both of you. And I on a personal level feel like I've made two very dear friends and I thank you for everything you've done for us and for the County.

And given that it is the final meeting where these two Commissioners will be here, previously on the discussion regarding the possible use of the Hagerman well, Commissioner Varela had talked about wanting to remain engaged with County staff in the study of impacts of using that well and I think he had meant to bring that up earlier and perhaps it slipped his mind so I just wanted to ask if he wanted to say anything about that at this point.

COMMISSIONER VARELA: Thank you, Estevan. We had discussed that issue about the Hagerman well earlier and my possible limited involvement as the scope of work develops as to possible impacts to the community and I was just wondering if the Commission was amenable to allowing me to participate in limited discussions involving that issue to assure

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that there's no impact to the community.

CHAIRMAN DURAN: I think that's great. I had a conversation with the Commissioner about it and my thought was that he brings some knowledge to the table that would be helpful and being a resident of the La Cienega area, we could use someone else, someone who has some knowledge about what we're trying to do and our goals and be able to have him interact, or ask him to assist us when we have to interact with the community down there to talk about that Hagerman well. And to also bring the community's concerns for us to consider. So I would welcome his participation.

COMMISSIONER CAMPOS: I do too. I think Commissioner Varela has been very involved in discussions with City Councilors the last few months on Hagerman and other issues, so I would agree that his participation would be a very positive thing for the County and the community of La Cienega.

COMMISSIONER SULLIVAN: I agree, Commissioner, Chairman Duran, that Commissioner Varela could serve us well. I've been in several of those meetings with him with the City and he's taking a pragmatic look at that Hagerman well and we could designate him a colonel aide-de-camp or something of that sort and send him down to La Cieneguilla and have him spread the gospel.

CHAIRMAN DURAN: You could be the deputy Commissioner.

COMMISSIONER TRUJILLO: Alternate. Alternate Commissioner. I'd just like to say that it's been a wonderful eight years. When I first came into Santa Fe County I was able to play basketball and now I'm walking out with a cane but that's okay. I'm looking at it from a positive perspective and I really appreciate being accepted into Santa Fe County and to the Santa Fe County family by the employees and by the elected officials. Our relationship, as I said before, will permeate the walls of our offices and of our chambers and we will converge around the fountain of life. These eight years have been wonderful. I said before that life is a reflection of, life is like a mirror and the reflection of the last eight years will illuminate the path of the rest of my life. I really thank you and I've enjoyed your friendship and your continued friendship and together we made a difference. Thank you.

CHAIRMAN DURAN: You made a big difference.

COMMISSIONER VARELA: Mr. Chairman, very briefly, I'd just like to thank Governor Johnson for allowing me the opportunity to get to know all of you and to work with you and I'm especially thankful for the few short months to be able to try and help out the residents of my district and doing what I could do in that short span of time and also sorry that I couldn't accomplish what I would like to have but I gave it my best and I also wanted to say that I was very appreciate of staff and the County is extremely, all the residents of the county should be extremely grateful that we have such a wonderful, dedicated, hard-working and professional staff. Thank you.

CHAIRMAN DURAN: Hopefully we haven't seen the end of you. Maybe we'll see more of you here.

COMMISSIONER VARELA: Possibly, Mr. Chairman.

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X. G. Matters from the County Attorney

MR. KOPELMAN: Mr. Chairman, I think this is a very, very special place to work. I think the people here are really, really committed to public service, and it's a very special place. It's different than any other place I've worked. It's because of the people and it comes from the top down and I just really want to thank Marcos from the bottom of my heart for everything. And also José. He's been great to work with for the short period. And it's people like you two that really make this place different and special. So I just wanted to throw that out. Thank you.

CHAIRMAN DURAN: Executive session?

MR. KOPELMAN: Mr. Chairman, we could even do this if you'd like in open session. It's really quick. We just want to get direction, we're coming to the home stretch on the Eldorado hearing before the Public Regulatory Commission. Gerald Gonzalez has been handling the case for the County and we're at the very end stage where we need to take a formal position on the briefing. It's really up to the Commission. We can really give you a very short, two-minute as to where we are, what we were hoping to do is get the Commission's support on that position.

CHAIRMAN DURAN: Why don't you do that?

- X. G. 1. Discussion of pending or threatened litigation**
- a. Discussion of in the matter of the joint application of El Dorado Utilities, Inc., for all approvals necessary for the sale and purchase of the El Dorado Utilities, Inc. water system by Utilities, Inc. and for ownership and operation of the system by Utilities, Inc. of New Mexico, PRC Case No. 3707**

CHAIRMAN DURAN: I was wondering why we had to go into executive session.

MR. KOPELMAN: It's just that it's a litigated case so we put it down there, but we -

CHAIRMAN DURAN: We're not opposed to the utility being purchased, are we?

MR. KOPELMAN: I'll let Gerald kind of give the position where things are at.
GERALD GONZALEZ (Assistant County Attorney): Good afternoon, Mr. Chairman, members of the Commission. This case went to hearing on December 12th and 13th. We had two days of hearing before the hearing examiner, Bill Herman. Prior to arriving at the hearing there was a staff motion that was filed by the PRC staff asking to stay the hearing and

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all the proceedings on the basis that the Water and Sanitation District election had tilted the dynamics in terms of the public interest, so that from a public welfare standpoint, the fact that the election had occurred and that the voters had overwhelmingly responded with a decision to go forward with the purchase of the Water and Sanitation District now shifted the dynamics in that case.

During the case there were two issues that we explored on behalf of the County. One was the question of what would happen to cost of acquisition in the event that the Commission went ahead and approved the acquisition before any condemnation actions proceeded in the district court. And it was my assessment that based on the testimony it seems clear that if the Commission approved the acquisition of the utility by Utilities, Inc. and Utilities, Inc. of New Mexico that the costs of acquiring that by the Water and Sanitation District would be increased, if nothing else by sheer legal fees because the testimony on the part of Utilities, Inc. was if the purchase was approved and they consummated it, then they would resist a condemnation, thereby increasing the costs of acquisition.

There are also some indications that other costs of acquisition might increase once Utilities, Inc. acquired El Dorado Utilities because the system would be condemned as a whole and it appears that additional costs for condemning a new billing system would be part of what they would have to pay for if ownership, if the transition ownership were made from El Dorado Utilities over to Utilities, Inc.

The other testimony that we explored had to do with transitions. In the event that the Commission were to approve the sale and it were to be consummated and then the condemnation proceeded successfully, then the other thing that those rate payers in that area would have to deal with is the disruption of transitioning from El Dorado Utilities to Utilities, Inc. systems, from Utilities, Inc. systems over to Water and Sanitation District systems. So there were at least two major factors from the standpoint of the testimony that we heard that seemed to indicate that there are reasons to have concern about having the Commission approve the sale and have the sale consummated before any condemnation proceedings occur.

I have to tell the Commission that there was also testimony indicating that New Mexico Finance Authority would not release the funding for the condemnation until certain other ancillary legal matters were settled by the Water and Sanitation District. As you know, there's a challenge in the district court to the authority of that district to go ahead and proceed with the condemnation. Our initial assessment is that the weight of authority seems to be on the side of the Water and Sanitation District and they will probably prevail in that litigation, and once they do the funding would be released.

But that's the basic issue, is what position are we going to take in the briefing that goes to the hearing examiner and then eventually to the Commission. The hearing examiner specifically expressed a desire to hear a position from the County on that and I think was weighing very seriously the whole public welfare/public interest argument that was made by the Commission staff in their motion to stay proceedings. It's my assessment that the reason they proceeded with the hearing was that it gives the Commission the option to go either way. But that's where we left it at this point. Briefs are due on January 8th, so by that time I have to have

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a position formulated and that's the reason I sought direction from the Commission. And I'd be happy to answer any questions.

COMMISSIONER SULLIVAN: Mr. Chairman.

CHAIRMAN DURAN: Commissioner.

COMMISSIONER SULLIVAN: Gerald, so the Commission, when you say Commission, you mean the Public Regulatory Commission.

MR. GONZALEZ: That's correct.

COMMISSIONER SULLIVAN: Not the County Commission. Staff recommended a stay so that the issue of the condemnation could be dealt with first?

MR. GONZALEZ: That's correct.

COMMISSIONER SULLIVAN: And they're asking us, do we agree with that train of thought?

MR. GONZALEZ: Well, they have not asked but the hearing examiner has asked what the County's position is, whether it's supportive of the staff position? Do we have some other position that ought to be accounted for in making his recommendation to the Commission.

COMMISSIONER SULLIVAN: What's the Water and Sanitation District's position?

MR. GONZALEZ: The Water and Sanitation District has taken the position that allowing the sale to proceed would increase the costs of condemnation.

COMMISSIONER SULLIVAN: So they feel the hearing should be stayed.

MR. GONZALEZ: Well, the hearing has already occurred, but they feel that any further proceedings ought to be stayed. That's correct.

COMMISSIONER SULLIVAN: Until the condemnation proceeds.

MR. GONZALEZ: Proceeds.

COMMISSIONER SULLIVAN: That seems reasonable to me, just as one voice in the matter.

COMMISSIONER CAMPOS: I would agree. That's how I would prefer that we go.

COMMISSIONER TRUJILLO: It's been a long time in coming. We need to go that route.

MR. GONZALEZ: Okay. Thank you, Mr. Chairman.

CHAIRMAN DURAN: That's adequate direction?

MR. GONZALEZ: I believe so.

MR. KOPELMAN: Yes. Thank you, Mr. Chairman, members of the Commission.

CHAIRMAN DURAN: Well, I want to thank you all for joining me today for my birthday and I hope you have a pleasant evening.

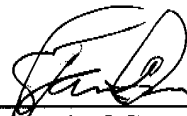
COMMISSIONER SULLIVAN: Many more fun birthdays like this —

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XII. ADJOURNMENT

Chairman Duran declared this meeting adjourned at approximately 3:10 p.m.

Approved by:

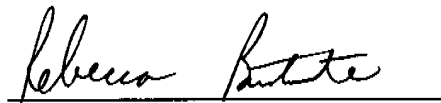


Board of County Commissioners
Paul Duran, Chairman

Respectfully submitted:


Karen Farrell, Commission Reporter

ATTEST TO:

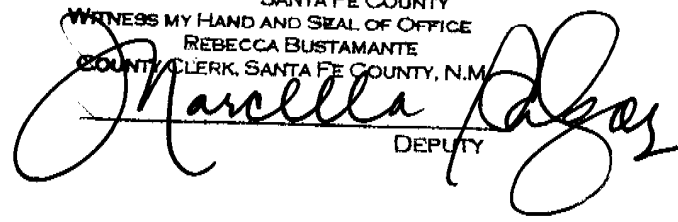

REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK

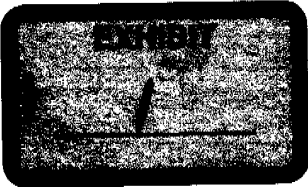


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COUNTY OF SANTA FE
STATE OF NEW MEXICO } 98
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED
FOR RECORD ON THE 27 DAY OF Feb A.D.
20 03 AT 10:17 O'CLOCK A.M.
AND WAS DULY RECORDED IN BOOK 2357
PAGE 757-869 OF THE RECORDS OF

SANTA FE COUNTY
WITNESS MY HAND AND SEAL OF OFFICE
REBECCA BUSTAMANTE
COUNTY CLERK, SANTA FE COUNTY, N.M.


DEPUTY



SANTA FE COUNTY

FY 2002 ANALYSIS OF BUDGETED VS. PROJECTED REVENUES WITH EXPENDITURES

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Revenue Source Description	FY 2001	FY 2002						Difference Budget vs. Actuals	% Variance	Total Variance
	Actuals Thru 6/30/01	Actuals Thru 6/30/02	A/R @ 6/30/01	A/R @ 6/30/02	Adj. Actuals Thru 6/30/02	Budgeted Revenues				
TOTAL TAXES - LOCAL EFFORT	20,271,702	21,684,452	-	-	21,684,452	21,562,042	122,410	0.57%		
TOTAL GROSS RECEIPTS TAXES	6,229,142	6,462,763	-	-	6,462,763	6,150,000	312,763	5.09%		
TOTAL TAXES - STATE SHARED	963,273	929,595	-	-	929,595	948,000	(18,405)	-1.94%		
TOTAL LICENSES & PERMITS	330,269	345,883	9,777	13,149	349,255	328,250	21,005	6.40%		
TOTAL FEES / CHARGES FOR SERVICES	2,124,020	3,238,890	917,581	517,387	2,838,696	2,836,183	2,513	0.09%		
TOTAL FINES & FORFEITS	87,786	58,142	-	-	58,142	68,756	(10,614)	-15.44%		
TOTAL MISCELLANEOUS REVENUES	1,857,717	1,477,423	-	-	1,477,423	1,491,179	(13,756)	-0.92%		
TOTAL INTERGOVERNMENTAL GRANTS	2,070,360	2,539,997	826,925	661,929	2,375,001	2,837,437	(462,436)	-16.30%		
TOTAL SUBSIDIES	575,494	493,471	101,912	987,416	1,378,976	1,445,953	(66,977)	-4.83%		
TOTAL GF CASH BALANCE BUDGETED	-	-	-	-	5,756,996	5,756,996	-	0.00%		
TOTAL OPERATING TRANSFERS IN	1,590,436	472,546	-	-	472,546	472,546	-	0.00%		
TOTAL GENERAL FUND (101) EXPENDITURES	36,100,198	37,762,182	1,828,937	2,179,361	40,409,422	43,897,344	3,487,922	7.95%	7.69%	

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SANTA FE COUNTY

FY 2002 ANALYSIS OF BUDGETED VS. PROJECTED REVENUES WITH EXPENDITURES

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Revenue Source Description	FY 2001	FY 2002					Difference Budget vs. Actuals	% Variance	Total Variance
	Actuals Thru 6/30/01	Actuals Thru 6/30/02	A/R @ 6/30/01	A/R @ 6/30/02	Adj. Actuals Thru 6/30/02	Budgeted Revenues			
TOTAL CORRECTIONS FUND (201)	196,468	193,813			208,278	197,315	20,813	10.57%	49.72%
EXPENDITURES					167,818	197,315	29,497	14.95%	
TOTAL PROPERTY VALUATION FUND (203)	647,278	601,367	72,488		674,766	976,797	(311,298)	(31.82%)	13.01%
EXPENDITURES					737,874	976,797	238,923	24.46%	
TOTAL ROAD FUND (204)	1,534,259	2,347,879			2,626,078	2,570,127	55,951	2.16%	10.76%
EXPENDITURES					2,193,138	2,399,167	206,029	8.59%	
TOTAL EMERGENCY SERVICES FUND (205)	95,772	117,399			174,610	174,610	0.00%	0.00%	26.28%
EXPENDITURES					128,719	174,610	45,891	26.28%	
TOTAL FARM & RANGE FUND (208)	1,304	7,189			7,800	7,800	(107)	(1.37%)	33.06%
EXPENDITURES					5,114	7,800	2,686	34.44%	
TOTAL FIRE PROTECTION FUND (209)	1,697,901	1,985,002	200	500	2,062,500	2,070,463	7,963	0.38%	64.94%
EXPENDITURES					1,624,965	2,070,463	445,498	21.52%	
TOTAL LAW ENFORCEMENT FUND (211)	72,999	75,210			81,728	81,728	0.00%	0.00%	1.82%
EXPENDITURES					80,243	81,728	1,485	1.82%	
TOTAL ENVIRONMENTAL FUND (212)	666,787	702,940			703,248	661,157	42,091	6.35%	20.08%
EXPENDITURES					661,157	661,157	-	0.00%	
TOTAL LODGING TAX FAC. FUND (215)	188,980	187,793			191,798	125,875	65,923	52.41%	22.76%
EXPENDITURES					123,083	125,875	2,792	2.22%	
TOTAL LODGING TAX INV. FUND (216)	289,006	359,861			359,869	211,222	148,647	69.99%	24.27%
EXPENDITURES					207,439	211,222	3,783	1.79%	
TOTAL RECREATION FUND (217)	19,725	980			980	19,000	(18,020)	(91.00%)	-98.00%
EXPENDITURES					19,000	19,000	-	0.00%	
TOTAL UNIFORMS (REGIONS) FEES FUND (218)	145,714	184,500			187,300	220,050	32,750	17.47%	37.06%
EXPENDITURES					185,745	220,050	34,305	15.59%	
TOTAL UNIFORMS FUND (228)	4,125,246	4,085,387			4,291,380	4,088,960	202,420	4.95%	6.99%
EXPENDITURES					4,006,227	4,088,960	82,733	2.02%	
TOTAL FIRE FIGHTING FUND (222)	1,316,200	1,431,345			1,431,345	2,285,253	853,908	60.00%	16.72%
EXPENDITURES					1,926,428	2,285,253	358,825	15.70%	
TOTAL ECONOMIC DEVELOPMENT FUND (223)	26,000				21,164	21,164	0.00%	0.00%	0.00%
EXPENDITURES					21,164	21,164	-	0.00%	
TOTAL FEDERAL FORFEITURE FUND (225)		10,721			10,721	10,721	0.00%	0.00%	119.25%
EXPENDITURES					-	10,721	10,721	100.00%	
TOTAL SECTION 501(C)(3) FUND (227)	1,263,499	1,065,796	24,176	13,821	1,303,813	1,689,584	385,771	29.60%	4.63%
EXPENDITURES					1,617,346	1,689,584	72,238	4.28%	

SANTA FE COUNTY

FY 2002 ANALYSIS OF BUDGETED VS. PROJECTED REVENUES WITH EXPENDITURES

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Revenue Source Description	FY 2001	FY 2002						Difference Budget vs. Actuals	% Variance	Total Variance
	Actuals Thru 6/30/01	Actuals Thru 6/30/02	A/R @ 6/30/01	A/R @ 6/30/02	Adj. Actuals Thru 6/30/02	Budgeted Revenues				
TOTAL HOUSING SPEC. REV. FUND (230)	2,379,897	2,179,985			2,319,273	2,366,859	46,586	75.44%	103.15%	
EXPENDITURES					1,776,049	2,456,850	680,801	27.71%		
TOTAL DEVELOPER FEES FUND (231)	53,449	50,798			50,798	50,798	0	100.00%	97.44%	
EXPENDITURES					40,229	409,130	368,901	90.17%		
TOTAL EMS HEALTH CARE FUND (232)	2,236,034	4,594,527	47,087		4,316,937	5,154,019	201,887	4.52%	53.64%	
EXPENDITURES					2,591,234	5,154,009	2,562,775	49.72%		
TOTAL MED. SUPPLIES/TRAILS FUND (233)	244,900	78,561			207,356	158,758	78,600	48.34%	142.04%	
EXPENDITURES					11,657	158,758	147,101	92.68%		
TOTAL COMM. DEV. BLOCK GRANTS FD (25)	297,202	267,224	366,532	294,391	289,036	264,173	24,863	8.04%	59.86%	
EXPENDITURES					129,893	264,171	134,278	50.83%		
TOTAL POWER RESTORATION FD (26)						300,000	280,000	100.00%	-6.67%	
EXPENDITURES					20,000	300,000	280,000	93.33%		
TOTAL IMP. OR IMPROV. FUND (300)	534,454	67,463			192,379	997,037	804,658	81.95%	-7.73%	
EXPENDITURES					179,961	997,037	817,076	81.95%		
TOTAL ROAD PROJECTS FUND (311)	692,482	2,224,266	324,351	749,282	2,324,003	4,771,397	1,155,589	24.22%	0.40%	
EXPENDITURES					3,615,808	4,771,397	1,155,589	24.22%		
TOTAL STATE SPEC. APPROP. FUND (318)	632,170	288,384	105,840	20,784	352,164	1,407,639	1,138,450	80.88%	8.03%	
EXPENDITURES					269,189	1,407,639	1,138,450	80.88%		
TOTAL GOV. LEARN. PROCEEDS FUND (340)		1,293,268			1,294,298	1,259,000	34,298	2.72%	10.66%	
EXPENDITURES					1,159,014	1,259,000	99,986	7.94%		
TOTAL GOV. SERIES 1997 FUND (350)	366,867	67,321			2,610,408	2,600,405	9,993	0.38%	5.42%	
EXPENDITURES					2,369,388	2,600,405	231,017	8.88%		
TOTAL GOV. SERIES 2001 FUND (359)	8,556,218	3,339,880			8,725,748	8,774,882	49,134	0.56%	73.23%	
EXPENDITURES					2,349,795	8,774,882	6,425,087	73.22%		
TOTAL FAC. BOND PR. PROCEEDS FUND (37)	774,868	84,573			5,590,091	5,326,558	263,533	9.50%	16.30%	
EXPENDITURES					4,462,634	5,326,558	863,924	16.22%		
TOTAL PRE-TAX REV. BOND FUND (380)	15,337	4,337			412,073	412,073	0	0.00%	2.02%	
EXPENDITURES					412,073	412,073	-	0.00%		
TOTAL GOV. 1996 SERIES FUND (388)	465,760	5,170,414			11,304,246	11,163,086	101,160	0.91%	69.19%	
EXPENDITURES					3,540,644	11,163,086	7,622,442	68.28%		
TOTAL GOV. DEBT SERVICE FUND (401)	2,605,824	3,004,798			3,004,798	2,803,798	201,000	7.17%	7.34%	
EXPENDITURES					2,798,948	2,803,798	4,850	0.17%		
TOTAL ENVR. CRT. BOND DEBT SVC. (402)	168,413	167,738			167,738	167,738	0	0.00%	0.57%	
EXPENDITURES					166,780	167,738	958	0.57%		

SANTA FE COUNTY

FY 2002 ANALYSIS OF BUDGETED VS. PROJECTED REVENUES WITH EXPENDITURES

2351829

Revenue Source Description	FY 2001	FY 2002					Difference Budget vs. Actuals	% Variance	Total Variance
	Actuals Thru 6/30/01	Actuals Thru 6/30/02	A/R @ 6/30/01	A/R @ 6/30/02	Adj. Actuals Thru 6/30/02	Budgeted Revenues			
TOTAL GOV. LOAN DEBT SVC FUND (400) EXPENDITURES	25,888	240,266			271,767	307,336	35,569	11.57%	57.75%
TOTAL GOV. BOND DEBT SVC (400) EXPENDITURES	448,902	428,088			422,315	422,315	-	0.00%	1.08%
TOTAL FIRE REV BOND DEBT SVC (400) EXPENDITURES	542,816	545,711			545,711	545,711	-	0.00%	0.00%
TOTAL REGIONAL PLANNING AUTHORITY EXPENDITURES	100,000	283,494	37,800		193,486	313,672	120,186	38.32%	57.96%
TOTAL WATER ENTERPRISE FUND (506) EXPENDITURES	1,137,862	1,239,379			1,248,926	1,850,225	601,299	32.50%	5.27%
TOTAL HOUSING ENTERPRISE FUND (617) EXPENDITURES	1,057,340	1,615,000	98,423	185,018	1,430,192	1,489,940	59,748	4.01%	14.36%
TOTAL JAIL OPERATIONS FUND (618) EXPENDITURES	10,405,742	8,204,652	1,807,878	2,104,672	11,350,304	13,273,335	1,923,031	14.49%	-6.07%

NOTES:

Adjusted actuals include cash balance rebudgeted for prior year encumbrances
Actual expenditures also include encumbrances

3. General Fund variance percentage on revenues :		Actuals	Budget	Variance
By adjusting General Fund revenue actuals for intergovernmental grants, a positive variance exceeding budget was experienced.	Revenues	43,783,845	43,897,342	(113,497)
	Less Grants	(2,375,001)	(2,837,437)	462,436
	Adjusted Revenue	41,408,844	41,059,905	348,939

4. Increase to General Fund cash balance budgeted in FY03 towards capital package, employee compensation packages, and operating transfers.

5. Water and Jail Enterprise funds experienced lower actual revenues than budgeted.
Housing Services revenue, when adjusted for home sales, experienced lower actual revenues than budgeted.

6. Housing Special Revenue Fund variance percentage on revenues		Actuals	Budget	Variance
By adjusting Special Revenue Fund revenue actuals for home sales, a lower positive variance exceeding budget was experienced.	Revenues	4,310,403	2,456,850	1,853,553
	Less Home Sales	(1,619,770)	-	(1,619,770)
	Adjusted Revenue	2,690,633	2,456,850	233,783



SANTA FE COUNTY

FY 2003 ANALYSIS OF BUDGETED VS. PROJECTED REVENUES WITH EXPENDITURES

2351830

Revenue Source Description	FY 2002	FY 2003							Difference Budget vs. Projected	% Variance
	Actuals Thru 9/30/01	Actuals Thru 9/30/02	A/R @ 6/30/02	A/R @ 9/30/02	Adj. Actuals Thru 9/30/02	Projected Thru 6/30/03	Budgeted Revenues			
TOTAL TAXES - LOCAL EFFORT	503,696	535,448	-	-	535,448	23,389,039	23,148,479	240,560	1.04%	
TOTAL GROSS RECEIPTS TAXES	1,737,067	1,225,478	-	-	1,225,478	4,527,049	4,550,000	(22,951)	-0.50%	
TOTAL TAXES - STATE SHARED	234,134	131,389	-	-	131,389	525,556	850,400	(324,844)	-38.20%	
TOTAL LICENSES & PERMITS	68,485	63,310	13,149	-	50,161	273,512	287,673	(14,161)	-4.92%	
TOTAL FEES / CHARGES FOR SERVICES	225,603	357,012	16,457	-	340,555	1,077,171	948,648	128,523	13.55%	
TOTAL FINES & FORFEITS	14,755	16,424	-	-	16,424	65,696	56,733	8,963	15.80%	
TOTAL MISCELLANEOUS REVENUES	389,336	227,585	-	-	227,585	1,000,478	1,009,959	5,517	0.55%	
TOTAL INTERGOVERNMENTAL GRANTS	402,639	564,229	661,929	379,422	261,722	2,655,619	2,642,368	13,251	0.50%	
TOTAL SUBSIDIES	56,574	361,608	987,416	-	(625,808)	579,447	477,839	101,608	21.26%	
TOTAL GF CASH BALANCE BUDGETED	1,439,249	1,049,536	-	-	1,049,536	4,198,142	4,198,142	-	0.00%	
TOTAL OPERATING TRANSFERS IN	94,387	116,340	-	-	116,340	465,359	465,359	-	0.00%	
TOTAL GENERAL FUND (101)	5,165,824	6,641,358	1,678,345	379,422	2,345,888	36,707,265	36,628,800	13,465	0.04%	
EXPENDITURES					11,401,461	38,635,600	38,635,600	-	0.00%	

SANTA FE COUNTY

FY 2003 ANALYSIS OF BUDGETED VS. PROJECTED REVENUES WITH EXPENDITURES

2351831

Revenue Source Description	FY 2002	FY 2003							Difference Budget vs. Projected	% Variance
	Actuals Thru 9/30/01	Actuals Thru 9/30/02	A/R @ 6/30/02	A/R @ 9/30/02	Adj. Actuals Thru 9/30/02	Projected Thru 6/30/03	Budgeted Revenues			
TOTAL COLLECTIONS FUND (201)	7,900	1,311			1,311	161,045	161,045		0.00%	
EXPENDITURES					37,794	181,045	181,045	-	0.00%	
TOTAL PROPERTY VALUATION FUND (203)	84,980	18,906			18,906	695,702	695,702	(15,813)	-2.13%	
EXPENDITURES					146,524	695,702	695,702	-	0.00%	
TOTAL ROAD FUND (204)	879,887	698,385			698,385	2,558,110	2,558,110	(6,300)	-0.25%	
EXPENDITURES					864,436	2,558,110	2,558,110	-	0.00%	
TOTAL EMERGENCY SERVICES FUND (206)	117,488	116,889			116,889	181,480	181,480	-	0.00%	
EXPENDITURES					44,700	181,480	181,480	-	0.00%	
TOTAL FARMERS MARKET FUND (208)	1,828	1,828			1,828	8,600	8,600	-	0.00%	
EXPENDITURES					5,000	8,600	8,600	-	0.00%	
TOTAL FIRE PROTECTION FUND (209)	1,089,322	1,089,322			1,089,322	1,971,765	1,971,765	-	0.00%	
EXPENDITURES					991,996	1,971,765	1,971,765	-	0.00%	
TOTAL LAW ENF. PROTECTION FUND (211)	87,940	73,000			73,000	81,425	81,425	-	0.00%	
EXPENDITURES					20,910	81,425	81,425	-	0.00%	
TOTAL CIVIL CRT FUND (212)	191,738	206,189			206,189	798,000	798,000	(28,311)	-3.18%	
EXPENDITURES					199,500	798,000	798,000	-	0.00%	
TOTAL CAPITAL OUTLAY CRT.FD (214)						2,564,000	2,564,000	-	0.00%	
EXPENDITURES					20,750	2,564,000	2,564,000	-	0.00%	
TOTAL LODGING TAX FAC. FUND (215)	81,568	84,328			84,328	149,592	149,592	-	0.00%	
EXPENDITURES					115,841	149,592	149,592	-	0.00%	
TOTAL LODGING TAX ADV. FUND (216)	98,888	100,228			100,228	221,009	221,009	(20,781)	-11.43%	
EXPENDITURES					199,275	221,009	221,009	-	0.00%	
TOTAL RECREATION FUND (217)	25	25			25	500	500	-	0.00%	
EXPENDITURES					-	500	500	-	0.00%	
TOTAL CLERK RECORD. FEES FUND (218)	40,847	47,387			47,387	317,105	317,105	(2,104)	-0.67%	
EXPENDITURES					101,770	317,105	317,105	-	0.00%	
TOTAL INDUENT FUND (220)	1,484,523	1,187,280			1,187,280	4,631,441	4,631,441	(3,318)	-0.07%	
EXPENDITURES					4,282,522	4,631,441	4,631,441	-	0.00%	
TOTAL FIRE TAX 1/4% FUND (222)	748,228	808,267			808,267	2,460,136	2,460,136	(48,978)	-2.04%	
EXPENDITURES					955,908	2,460,136	2,460,136	-	0.00%	
TOTAL ECONOMIC DEVELOPMENT FUND (223)		2,164			2,164	21,164	21,164	-	0.00%	
EXPENDITURES					21,164	21,164	21,164	-	0.00%	
TOTAL FEDERAL PERFECTION FUND (224)		7,569			7,569	7,569	7,569	-	0.00%	
EXPENDITURES					-	-	-	-	#DIV/0!	

SANTA FE COUNTY

FY 2003 ANALYSIS OF BUDGETED VS. PROJECTED REVENUES WITH EXPENDITURES

2351832

Revenue Source Description	FY 2002	FY 2003						Difference Budget vs. Projected	% Variance
	Actuals Thru 9/30/01	Actuals Thru 9/30/02	A/R @ 6/30/02	A/R @ 9/30/02	Adj. Actuals Thru 9/30/02	Projected Thru 6/30/03	Budgeted Revenues		
TOTAL SECTION 8 VOUCHER FUND (227)	284,719	318,285	39,821		289,773	1,489,311	1,688,640	(198,829)	-2.32%
EXPENDITURES					1,539,787	1,698,640	1,698,640	-	0.00%
TOTAL HOUSING SPEC. REV. FUND (230)	11,700	781,062			779,092	1,488,341	1,488,471	545,479	46.47%
EXPENDITURES					106,699	1,043,471	1,043,471	-	0.00%
TOTAL DEVELOPER FEES FUND (231)	117,220	7,845			7,845	30,581	30,581	-	0.00%
EXPENDITURES					30,581	30,581	30,581	-	0.00%
TOTAL EMS HEALTH CARE FUND (232)	1,784,175	1,785,395	180,205		1,304,958	7,488,673	7,488,193	37,480	0.51%
EXPENDITURES					4,151,032	7,450,193	7,450,193	-	0.00%
TOTAL WLD. PERMITS/TRAILS FUND (233)	113,840	56,488			56,488	265,942	265,942	-	0.00%
EXPENDITURES					14,722	265,942	265,942	-	0.00%
TOTAL COMM. DEV. BLOCK GRANTS PD (234)		78	282,861	489,241	116,102	199,540	199,540	-	0.00%
EXPENDITURES					-	199,540	199,540	-	0.00%
TOTAL SPENTINER RESTORATION PD (235)		3,389			3,389	15,761	15,761	-	0.00%
EXPENDITURES					15,761	15,761	15,761	-	0.00%
TOTAL HSG. CAP. IMPROV. FUND (247)	44,712	21,788			21,788	816,828	816,828	-	0.00%
EXPENDITURES					474,980	816,828	816,828	-	0.00%
TOTAL HSG. IMPROV. PROJ. FUND (211)	1,288,178	176,808	748,888	118,828	448,734	1,478,754	1,478,754	191,626	1.33%
EXPENDITURES					593,772	1,478,754	1,478,754	-	0.00%
TOTAL STATE SPEC. APPROP. FUND (216)	88,425	21,782	20,784	18,888	18,888	1,194,684	1,194,684	-	0.00%
EXPENDITURES					41,902	1,194,684	1,194,684	-	0.00%
TOTAL EQUI. LEAS. PROCEEDS FUND (204)		308,343			308,343	427,635	427,635	4,392	0.00%
EXPENDITURES					328,775	427,635	427,635	-	0.00%
TOTAL GOV. SERIES 1987 FUND (208)	548,882	614,932			614,932	2,028,445	2,028,445	7,563	0.37%
EXPENDITURES					1,777,633	2,028,445	2,028,445	-	0.00%
TOTAL GOV. SERIES 2001 FUND (209)	2,785,937	304,983			304,983	1,229,473	1,229,473	27,488	2.24%
EXPENDITURES					1,244,038	1,229,473	1,229,473	-	0.00%
TOTAL FAC. BOND INT. PROCEEDS FUND (210)	1,288,501	461,774			461,774	637,755	637,755	4,081	0.64%
EXPENDITURES					80,337	637,755	637,755	-	0.00%
TOTAL TRE. TAX REV. BOND FUND (249)	104,738	438			438	438	-	438	#DIV/0!
EXPENDITURES					-	-	-	-	#DIV/0!
TOTAL GOV. LEV. SERIES FUND (205)	689,700	1,921,488			1,921,488	7,685,701	7,685,701	-	0.00%
EXPENDITURES					34,707	7,685,701	7,685,701	-	0.00%

SANTA FE COUNTY

FY 2003 ANALYSIS OF BUDGETED VS. PROJECTED REVENUES WITH EXPENDITURES

2351833

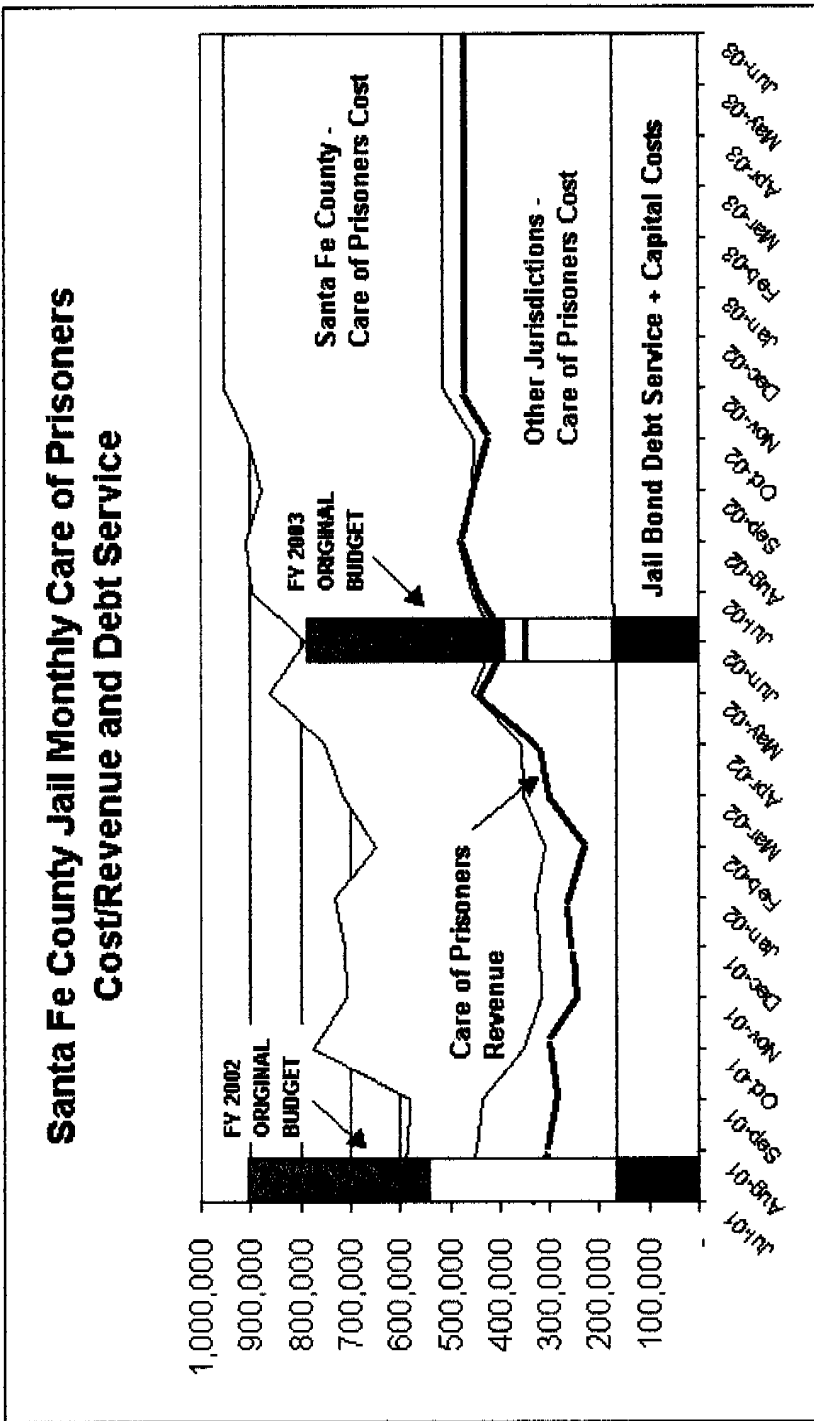
Revenue Source Description	FY 2002	FY 2003						Difference Budget vs. Projected	% Variance
	Actuals Thru 9/30/01	Actuals Thru 9/30/02	A/R @ 6/30/02	A/R @ 9/30/02	Adj. Actuals Thru 9/30/02	Projected Thru 6/30/03	Budgeted Revenues		
TOTAL NON DEBT SERVICE FUND (401)	37,646	41,884			41,884	3,822,575	3,822,575	11,684	0.31%
EXPENDITURES					2,225,391	3,822,575	3,822,575	-	0.00%
TOTAL GENERAL BOND DEBT SVC (402)	41,884	42,434			42,434	170,534	170,534	-	0.00%
EXPENDITURES					169,556	170,534	170,534	-	0.00%
TOTAL LOAN DEBT SVC FUND (403)	149,485	54,621			54,621	377,185	377,185	149	0.04%
EXPENDITURES					-	377,185	377,185	-	0.00%
TOTAL GOV. REV. BOND DEBT SVC (404)	113,490	100,599			100,599	422,475	422,475	-	0.00%
EXPENDITURES					153,738	422,475	422,475	-	0.00%
TOTAL GOV. REV. BOND DEBT SVC (405)	136,428	136,666			136,666	542,618	542,618	-	0.00%
EXPENDITURES					530,963	542,618	542,618	-	0.00%
TOTAL ECONOMIC DEVELOPMENT AUTHORITY		47,303			47,303	238,856	238,856	47,303	0.34%
EXPENDITURES					76,094	238,856	238,856	-	0.00%
TOTAL WATER ENTERPRISE FUND (516)	290,504	448,979			448,979	2,036,776	2,036,776	448,213	21.98%
EXPENDITURES					1,049,856	2,036,776	2,036,776	-	0.00%
TOTAL WASTE SVCS ENTERPRISE FUND (517)	273,479	375,809	100,014	100,000	384,978	1,321,300	1,321,300	100,500	14.82%
EXPENDITURES					512,664	1,321,300	1,321,300	-	0.00%
TOTAL GENERAL OPERATIONS FUND (518)	2,643,850	3,812,960	2,124,875	2,539,277	2,539,277	14,405,752	12,533,479	(1,872,273)	-14.94%
EXPENDITURES					2,188,553	14,405,752	12,533,479		

NOTES:

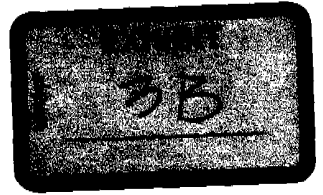
1. Actual revenues include operating transfers in and out at 25% of the annual amounts
2. Actual expenditures also include encumbrances



2351834



2351835



Budgeted Revenues and Expenditures at Adult Detention Facility

Other Jurisdictions	Avg. Daily Population	Per Diem	Gross Revenue	Payment to Operator & Fixed Costs	Net Revenue
US Marshall	120	\$65	\$2,847,000	\$1,741,050	\$1,105,950
City of Santa Fe	25	\$59	\$538,375	\$362,719	\$175,656
Taos County	10	\$50	\$182,500	\$145,088	\$37,413
Other	25	\$70	\$638,750	\$362,719	\$276,031
Facility Net Revenues					<u>\$1,595,050</u>
Santa Fe County	330	\$0	\$0	\$4,787,888	
Debt Service				\$1,928,220	
Insurance, Capital Maintenance				\$265,600	
				\$6,981,708	-\$6,981,708
Net Operating Loss					<u>-\$5,386,658</u>
Juvenile Net Operating Transfer					200,000
Actual Budgeted Operating Transfer for Adult Facility					<u>-\$5,186,658</u>
Monthly Projected Revenues				\$149,588	
Monthly Projected Expenditures				\$581,809	
Net Monthly Cost					-\$432,221
Actual Revenues YTD				\$1,757,601	
Actual Expenditures YTD				-\$3,721,146	
Net Monthly Cost YTD					-\$490,886
Year to Date Remaining Funds from GF Transfer					<u>\$3,223,112.17</u>

Estimated Revenues and Expenditures Based on Projected Populations

Other Jurisdictions	Ave. Daily Population	Per Diem	Gross Revenue	Payment to Operator & Fixed Costs	Net Revenue
US Marshall	80	\$65	\$1,248,000	\$768,000	\$480,000
NM State DOC	135	\$53	\$1,618,988	\$1,345,613	\$273,375
City of Santa Fe	30	\$59	\$424,800	\$288,000	\$136,800
Taos County	19	\$50	\$228,000	\$182,400	\$45,600
Rio Ariba County	14	\$45	\$151,200	\$134,400	\$16,800
Other	15	\$70	\$252,000	\$144,000	\$108,000
Facility Net Revenues					<u>\$1,060,575</u>
Santa Fe County	365	\$0	\$0	\$3,504,000	
Debt Service				\$1,285,480	
Insurance, Capital Maintenance				\$177,067	
				\$4,966,547	-\$4,966,547
Projected Net Operating Loss for Remainder of Fiscal Year (Covered by General Fund)					<u>-\$3,905,972</u>
Estimated Budget Shortfall by June 2003					<u><u>-\$682,859.50</u></u>

Santa Fe County St. Vincent Hospital MOA FY-2003: Amendment #5					12/20/02
Item Reference	Item	FY-2003 MOA Amount	FY-2004 Proposed MOA	MOA Funding Summary	Notes
County Expenditures					
IA	MOA Coordination	100,000	165,000	65,000	
IIA	EMS Medical Services	1,472,000	1,775,000	303,000	
IIB	E-911 Addressing	250,000	0	(250,000)	
IVE	Maternal Child Health Care	130,000	140,000	10,000	
VB	Indigent Inmate Care	129,000	300,000	171,000	
VC	PARA Transit\Senior Medical Transport	120,000	65,000	(55,000)	
VD	Indigent Care Funding	607,000	764,000	157,000	
Totals for County Expenditures		2,808,000	3,209,000	401,000	

Other Community Programs

IIIA	Care Connection	200,000	350,000	150,000	1
IIIB	Case Management for Jail Inmates	0	0	0	2
IVA	Mobile Healthcare Unit	180,000	350,000	170,000	3
IVB	Health Services\Project ANNI\Physicians	400,000	380,000	(20,000)	4
IVC	Health Care Marketing & Outreach	38,000	38,000	0	
IVD	County Health Care Days	10,000	10,000	0	
IVF	Supplemental Healthcare Funding	180,000	0	(180,000)	5
VA	Clinic Health Care Support	350,000	425,000	75,000	6
VIA	Arroyo Chamiso Expansion of Hours	163,000	0	(163,000)	7
VIB	Pojoaque Clinic Support	110,000	0	(110,000)	7
VIC	Su Vida Adolescent Behaviour Support	158,000	0	(158,000)	7
VID	Skilled Nursing Beds	125,000	0	(125,000)	7
VIE	Indigent Pharmacy Program	40,000	0	(40,000)	7
Totals for Other Community Programs		1,954,000	1,553,000	(401,000)	

Totals for County Expenditures and OC Programs		4,762,000	4,762,000	0	
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MEMORANDUM OF AGREEMENT
AMENDED AND RESTATED

2351837

This Amended and Restated Memorandum of Agreement (hereinafter referred to as MOA) is entered into by and between the Boards of Santa Fe County Commissioners (hereinafter referred to as "The County" or "SFC") and St. Vincent Hospital (hereinafter referred to as "SVH").

Section I – Statement of Purpose

The purpose of this agreement is twofold:

1). To establish a harmonious and productive collaboration between the County and SVH. This agreement addresses tasks of health and human service outreach, resource building, planning and coordination outlined in the Scope of Work that SVH will conduct with and for the benefit of the County.

2). This Agreement incorporates and restates the following previous Agreements:

- Memorandum of Agreement signed and dated August 29, 2000
- Memorandum of Agreement Amendment # 1 signed and dated February 13, 2001
- Memorandum of Agreement Second Amendment signed and dated December 7, 2001
- Memorandum of Agreement Third Amendment signed and dated January 5, 2002
- Amendments and Modification to the Third Amendment signed and dated July 16, 2002
- Memorandum of Agreement Fourth Amendment signed and dated September 18, 2002

Section II – Background

WHEREAS, public funding and budget cuts necessitate intensive community-wide planning and coordination of health and human service delivery for purposes of efficiency; and

WHEREAS, SVH is a not-for-profit corporation providing hospital inpatient and outpatient services for residents of the County and serving as a regional referral center for the region surrounding the County; and

WHEREAS, SVH recognizes an ethical responsibility to provide health services to its community in accordance with its role as sole community provider, its corporate purposes as a tax-exempt charitable organization and its mission; and

WHEREAS, the cooperation between the County and SVH to coordinate and facilitate the effective delivery of health and human services will greatly increase local ability to access funding for these purposes; and

WHEREAS, the County and SVH shall utilize the established County Health Policy & Planning Commission for recommendations and assistance relative to the implementation of this agreement; and

WHEREAS, the provision of services as outlined below would contribute to SVH's fulfillment of its community and regional public health responsibilities; and

WHEREAS, the County and SVH desire to enter into this agreement and have been strongly encouraged to do so by public and private funding sources; and

WHEREAS, it is mutually recognized that this agreement shall not be construed to affect the jurisdiction of Federal, State, County or other local government agencies which exist as a matter of law.

NOW, THEREFORE be it understood that the parties shall work in good faith to implement the following:

Section III – Project Development and Implementation

A. Initiate planning and coordination of health and human services delivery

1. The processes set forth in this agreement are intended to outline the efforts that shall be conducted by SVH in conjunction with the County to plan and coordinate the efficient and culturally sensitive delivery of health and human services in Santa Fe County.
2. SVH will cooperate with the County to explore models for a countywide financing and delivery method for indigent health care services. This will include centralized case management, centralized data and billing systems, a specific scope of services, and the integration of substance abuse treatment and prevention with other health services.
3. SVH will cooperate with the County to create a coordinated delivery plan for health and human services to be endorsed by the County.

B. Resource Development

1. SVH will cooperate with the County to seek local, state, federal and private resources on behalf of the County for programs serving County residents that will fall within the scope of the County and SVH endorsed plan.
2. SVH will cooperate with the County to establish an ongoing clearinghouse capacity to provide information about available resources and to offer technical assistance to build and promote local health and human service organizations.
3. SVH will nominate two members recommended to serve on the St. Vincent's

Board of Directors by Santa Fe County.

C. Advocacy and Outreach

1. SVH will cooperate with the County to develop or participate in the development of social impact statements addressing actions that might affect the well being of residents or the social fabric of Santa Fe County.
2. SVH will cooperate with the County to build community awareness and support through community education activities related to health and human services.
3. SVH will cooperate with the County to conduct outreach campaigns on topics affecting the health status of residents of Santa Fe County on an as-needed basis, at the request of the County and according to the will of the SVH Board of Directors and Administration.

Section IV – Assessment and Evaluation

SVH and SFC shall have equal representation on a Progress Review Committee (PRC) that shall serve as the evaluation team for the progress of, and shall make the necessary decisions in regard to, the activities described herein. The PRC shall have the overriding decision making authority in regard to all aspects of the MOA and all specified expenditures. The PRC shall consist of three members from SVH and three members from SFC, a member that is not associated with either SVH or SFC, and a representative from the Santa Fe County Health Policy and Planning Commission, as recommended by the PRC and approved by the SFC Board of County Commissioners and SVH. The SFC members and the SVH members shall be appointed by the County Manager in respect to the SFC members and by the President and CEO of SVH in respect to the SVH members. The PRC meetings may also be attended by staff of, and counsel to, SVH and SFC and serving in an advisory role. The PRC shall meet quarterly at a minimum. The PRC will receive, review and then submit the quarterly reports prepared by the MOA Team, to the Board of County Commissioners.

SVH and SFC will work towards promoting and implementing outcome based evaluation that address Health Priorities stated in the 2002 Health Improvement Plan, "A Call to Action."

Section V – Conflict Resolution

In the event of disagreement over the implementation or interpretation of this agreement, the parties agree to work together in good faith to resolve the disagreement. If these efforts are unsuccessful, either party may request that a mediation board be established. The mediation board shall be comprised of five (5) members, two (2) selected by each party and the fifth chosen by the four members so appointed. Decisions of the Board

shall be by simple majority and shall be non-binding; however, the parties agree to participate in such mediation and to consider the board's decision in good faith.

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Section VI – General Provisions

1. This Agreement shall be effective as of ~~August 29, 2000, with services for year one commencing on October 1, 2000, and services for year two commencing on October 1, 2001 and continuing in effect until September 30, 2002. Services for year three will commence on October 1, 2002 and continue in effect until September 30, 2003. October 1, 2003 and continue in effect until September 30, 2004.~~
2. This Agreement shall be re-negotiated according to the following timeline:
 - ~~November 1, 2002~~ 3, 2003: SVH shall submit a Sole Community Provider request to SFC in the manner prescribed by the NM Human Services Department, Medical Assistance Division.
 - ~~November 8, 2002~~ 5-21, 2003: SVH and SFC representatives re-negotiate the terms of the MOA.
 - ~~December 6, 2002~~ 9, 2003: Draft MOA is prepared and presented to the SFC Board of County Commissioner (BCC) and SVH Board of Directors.
 - ~~December 17, 2002~~ 16, 2003: Sole Community Provider request and MOA are put on SFC BCC Agenda
 - ~~December 31, 2002~~ 30, 2003: SFC BCC Meeting.
3. The dollar amounts set out under "Scope of Services", below represent SFC's and SVH's estimates of the amounts needed for each service over the course of the year. SVH does not undertake to expend more than the stated amount for any service.
4. In recognition of SVH's willingness to assume financial responsibility for certain County public health services which, at the present time, will continue to be provided by county personnel, SVH agrees to remit to SFC a monthly installment of ~~\$ 174,750, plus applicable Gross Receipts Tax, payable 30 days in arrears starting on October 31, 2000 and ending on September 30, 2001, and \$ 190,891, plus applicable Gross Receipts Tax, payable 30 days in arrears starting on October 31, 2001 and ending on September 30, 2002, \$ 212,500 payable on October 31, 2002 and ending on September 30, 2003, and \$ 267,417, payable~~ thirty (30) days in arrears, starting on October 31, 2003 and ending on September 30, 2004. These payments which are to be considered interim payments pending study of the suitability of SVH assuming direct responsibility, shall encompass the following services, as further detailed under "Scope of Services":

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- Item IA :MOA Coordination
- Item IIA :EMS Medical Services
- ~~Item IIB :E 911 Addressing~~
- Item IVE :Maternal and Child Health Care
- Item VB :Ineligible Indigent Care
- Item VC :PARA Transit/Senior Medical Transport
- Item VD :Indigent Primary Care Funding

5. Nothing in this agreement shall be construed to give either party the power to bind the other to any agreement not approved by the second party's board, i.e., the Board of County Commissioners or the SVH Board, respectively.
6. This agreement in no way shall limit the ability or the authority or either party to seek their own resources, implement their own plans, or deliver services as they see fit.
7. Except as herein specifically set forth, all of the provisions of the Memorandum of Agreement entered into between the parties hereto, with the effective date of August 29, 2000 shall remain in full force and effect. This amendment supersedes in its entirety, the Memorandum of Understanding between St. Vincent Hospital and the County of Santa Fe dated February 15, 2000 and its terms and conditions shall be deemed terminated.
8. The Memorandum of Agreement Team ("MOA Team") is created to implement and administer the terms and conditions of the Agreement. The MOA Team shall be appointed by the SFC Manager and SVH. The MOA team is authorized to award or expend funds in accordance with the written PRC guidelines. For decision making purposes, the MOA Team shall consist of two members from SFC and two members from SVH. The present designees are: SFC – Virginia Vigil and Steve Shepherd (Kevin Henson, alternate); SVH –Alex Valdez and Gary Buff (Bonnie White, alternate). Alternates, and replacements, may be designated by each party as necessary. (DO WE NEED TO BE SO SPECIFIC ?)
9. Any services and funds not completed or expended in previous MOA's and/or Amendments in year one or two shall carry-over ~~to year three~~ until further disposition by the parties. On an annual basis before November 15, ~~2002~~ 2003 the MOA Team shall evaluate carry over funds for recommendation to the PRC, and agreements shall be amended as if required to implement.
10. ~~Within 60 days from September 18, 2002, St. Vincent will submit a report prepared by accounting staff and reviewed by an independent Certified Public Accountant, that recommends modifications to St. Vincent accounting and reporting of SCP funds, that will make the accounting and reporting more compatible with Santa Fe County's fund accounting system. SVH, through the PRC, will deliver to SFC a detailed accounting of expenditures of Memorandum~~

of Agreement and SCP funds, to include a narrative, no later than thirty (30) days after the close of quarters ending December 31, 2003, March 31, 2004, June 30, 2004. An annual report shall be due to SFC on October 31, 2004 for the year ending September 30, 2004. The report shall be in a format that is agreed upon by, and acceptable to SFC.

IN WITNESS THEREOF, the parties have executed this Amended and Restated Memorandum of Agreement on the dates below specified.

Paul Duran, Chairman
Santa Fe County

Rebecca Bustamante
Santa Fe County Clerk

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

Steven Kopelman
Santa Fe County Attorney

Date

ST. VINCENT HOSPITAL

John Lucas, M. D.
President and CEO

Date

SCOPE OF SERVICES

I. COORDINATION OF HEALTH AND HUMAN SERVICES

A. SVH will participate in the coordination/monitoring of the planning for, and delivery of, health services between SFC and SVH as outlined in this Agreement through the development of liaison activity between the two entities.

Cost: Year 1	_____	\$100,000
Cost: Year 2	_____	\$100,000
Cost: Year 3	_____	\$100,000
Cost: Year 4	_____	\$165,000

B. SVH intends to assist SFC with the provision of the following array of health and human services:

- EMS Medical Services
- ~~E 911 Addressing~~
- Santa Fe Care Connection
- Mobile Healthcare Unit
- Health Services in Santa Fe County
- Healthcare Marketing and Outreach
- County Health Days
- Maternal and Child Health Care
- Specialty Healthcare Funding
- Clinic Healthcare Support
- Ineligible Indigent Care
- PARA Transit
- Indigent Care Funding
- ~~Arroyo Chamiso Expansion of Hours~~
- ~~Pojoaque Clinic Support~~
- ~~Su Vida Adolescent Behavioral Health Support~~
- ~~Skilled Nursing Beds~~
- ~~Indigent Pharmacy Program~~

This shall be done either through the establishment of a unique SVH department, or through a contractual arrangement with another entity or affiliate. SVH will fund this activity on an annual basis to provide the administrative oversight necessary to coordinate services and provide direct care where required.

II. Emergency Medical Services

A. Staffing of EMS Stations

SVH agrees to assist SFC with the provision of Emergency Medical Services twenty-four (24) hours a day, seven (7) days a week at four (4) EMS stations

located in the four quadrants of Santa Fe County. The provision of these services includes funding the cost of Emergency Medical Technicians and Dispatchers at each location. ~~The cost of these services will increase by no more than 3% per year over the next two years.~~

Cost: Year 1	_____	\$1,423,000
Cost: Year 2	_____	\$1,465,690
Cost: Year 3	_____	\$1,472,000
Cost: Year 4	_____	\$1,775,000

B. E-911 Addressing

SVH will assist SFC with the completion and maintenance of rural addressing for all residents in Santa Fe County.

Cost: Year 1	_____	\$209,000
Cost: Year 2	_____	\$300,000
Cost: Year 3	_____	\$250,000
Cost: Year 3	_____	\$

III. CARE COORDINATION

A. Santa Fe Care Connection

SVH will assist SFC with the provision of screening, assessment and referral services for individuals that are in need of mental health services, alcohol and substance abuse treatment and/or in-patient services. Staff workers made up of Screeners and Compliance Monitors will provide the services

The funding for this program, as designated below, may be used for amongst other things, to purchase, lease, renovate or construct a facility or for the administration/operations of the program.

Referral of Patients to Center:

Patients will be referred to the center from a variety of stakeholders.

Referral Sources for Patients:

Patients will be referred to a variety of providers for the provision of care.

Cost: Year 1	_____	\$350,000
Cost: Year 2	_____	\$287,000
Cost: Year 3	_____	\$200,000
Cost: Year 4	_____	\$350,000

IV. HEALTH EDUCATION & OUTREACH

A. Mobile Healthcare Unit

The funding for the program, as designated below, may be used for, amongst other things, to procure, lease, operate, equip, purchase or maintain a mobile healthcare unit to be used to provide healthcare screening, assessment and treatment to Santa Fe County residents. A reserve fund for non-routine maintenance will be established and maintained in the amount of \$ 25,000. A fiscal agent for this reserve fund will be designated by the Progress Review Committee.

Cost: Year 2	_____	\$100,000
Cost: Year 3	_____	\$180,000
Cost: Year 4	_____	\$350,000

B. Health Services in Santa Fe County

~~SVH agrees to coordinate with SFC and Santa Fe County public school systems to expand health services throughout the county. SVH will use existing programs where possible while simultaneously taking advantage of untapped public resources aimed at improving access to health care through the schools. SVH also agrees to provide preventative and limited primary care services to underserved communities in Northern and Southern Santa Fe County through the use of a mobile unit and existing resources.~~

~~SVH also agrees to assist SFC and the City of Santa Fe with health education and outreach services to the residents of public housing, and Section 8 housing clients. Education and outreach will be conducted at mutually agreed upon sites. The number of families in various types of public housing is as follows:~~

Housing Provider	Number of Families
SFC Public Housing	221
Section 8 Housing (City and County)	721
Santa Fe Civic Public Housing	581
Total Number of Families	1,523

SVH agrees to deliver, or contract for the delivery of, health services to Santa Fe County residents. The method of delivery of these services, and dollar amounts devoted to specific services shall be determined by the PRC.

Services may include:

Coordinating with SFC and public school systems serving Santa Fe County residents to deliver Project ANN dental and vision services.

Researching and contractually delivering, when developed, a program that can reimburse private physicians treating Santa Fe County residents. The Progress Review Committee will have the authority to designate the vehicle for delivery of the program, limit the number and type of participating physicians and clients, as well as defining the eligibility of clients.

Researching and developing a program providing financial assistance to Santa Fe County residents in order to purchase prescription medicines.

Cost: Year 1	\$400,000
Cost: Year 2	\$400,000
Cost: Year 3	\$400,000
Cost: Year 4	\$380,000

C. Healthcare Marketing and Outreach

SVH agrees to provide and coordinate marketing and outreach services in order to inform all citizens of SFC in a consolidated manner of the health and human services available to them. Included in the effort is the promotion of collaboration among the various service providers. The vision may include ~~includes~~ a brochure and Public Service Announcements (PSA's) at a minimum.

Cost: Year 1	\$100,000
Cost: Year 2	\$38,000
Cost: Year 3	\$38,000
Cost: Year 4	\$38,000

D. County Health Day(s)

SVH agrees to participate in up to two (2) County Health Days for the benefit of the residents of Santa Fe County and SFC employees. The Health Days will include a variety of screenings and the capacity for referrals from a location provided to SVH by SFC. These funds may also be used by SVH and SFC to provide other health programs and benefits to Santa Fe County residents and employees.

Cost: Year 1	\$10,000
Cost: Year 2	\$10,000
Cost: Year 3	\$10,000
Cost: Year 4	\$10,000

E. Maternal Child Health Community Infant Project

SVH will assist SFC with the provision of maternal child health services to include, at a minimum, home visits and parenting skills, as well as the administration of the program itself as required.

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The current service providers and cost per year are:

Cost: Year 1	_____	\$105,000
Cost: Year 2	_____	\$130,000
Cost: Year 3	_____	\$130,000
Cost: Year 4	_____	\$140,000

F. Specialty Healthcare Funding

~~SVH agrees to fund the following specialty healthcare services for Santa Fe County residents. The Team may choose to administer the funds as detailed below, but may apportion the funds differently as program needs are developed.~~

Pojoaque Wellness Center	\$50,000	Mammogram Services	\$60,000
Dialysis Center Treatment	\$50,000	Smoking Cessation	\$20,000

Cost: Year 2	_____	\$180,000
Cost: Year 3	_____	\$180,000

V. COUNTY HEALTH CARE PROVISION AND UNDERWRITING

A. Clinic Healthcare Support

SVH agrees to provide technical assistance, provider support, and any other assistance or support deemed necessary by SVH and SFC; to health care clinics, and other organizations as solely determined by SVH and SFC, serving Santa Fe County residents, using a needs-based methodology.

Cost: Year 1	_____	\$300,000
Cost: Year 2	_____	\$350,000
Cost: Year 3	_____	\$350,000
Cost: Year 4	_____	\$425,000

B. Support for Services Provided not Eligible for Indigent Fund Reimbursement

SVH agrees to provide support through other non-profit organizations for services provided to patients where care has not heretofore been eligible for reimbursement under the SFC Indigent Fund.

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Cost: Year 1	\$200,000
Cost: Year 2	\$175,000
Cost: Year 3	\$129,000
Cost: Year 4	\$300,000

C. PARA Transit/Senior Medical Transport

SVH will assist SFC with the provision of transportation and outreach services to the handicapped and senior citizens of SFC.

Cost: Year 1	\$ 60,000
Cost: Year 2	\$120,000
Cost: Year 3	\$120,000
Cost: Year 4	\$ 65,000

D. Indigent Care Funding

SVH agrees to assist SFC in providing indigent primary care to Santa Fe County residents.

Cost: Year 2	\$103,000
Cost: Year 3	\$349,000
Cost: Year 4	\$764,000

VI. Access to Hospital Care and Services

A. Arroyo Chamiso Expansion of Hours

~~St. Vincent agrees to expand Clinic services to 4 nights a week and all day Saturday.~~

Cost: Year 3	\$163,000
Cost: Year 4	\$

B. Pojoaque Clinic Support

~~St. Vincent agrees will provide funds to continue operating the operations of the Pojoaque Clinic.~~

Cost: Year 3	\$110,000
Cost: Year 4	\$

C. Su Vida Adolescent Behavior Health Support

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St. Vincent agrees to support Su-Vida's adolescent behavior health in the following amounts:

La Madera School Based Program	\$50,000
Residential Treatment Enhancement	\$50,000
Psychiatric Services Enhancement	\$38,000
Outpatient Indigent Care	\$20,000

E. Skilled Nursing Beds

St. Vincent agrees to purchase non-hospital beds for indigent clients who need further care, but have no appropriate place to convalesce.

Cost: Year 3 \$125,000

F. Indigent Pharmacy Program

St. Vincent agrees to provide pharmacy products to patients being released from the Hospital who cannot afford them.

Cost: Year 3 \$40,000

Total Cost: Year 3 \$596,000

Total Cost: Year 4 \$0

Total Cost of Services within the Scope of Services: Year 1 \$3,307,000

Total Cost of Services within the Scope of Services: Year 2 \$3,758,923

Total Cost of Services within the Scope of Services: Year 3 \$4,762,000

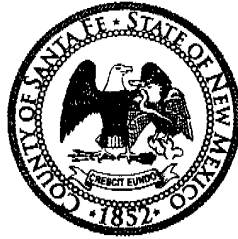
Total Cost of Services within the Scope of Services: Year 4 \$4,762,000

Total Cost of Services within the Scope of Services: Year 1, 2, 3, & 4
\$11,597,923 (Exclusive of Gross Receipts)

Marcos P. Trujillo
Commissioner, District 1

Paul Duran
Commissioner, District 2

Javier M. Gonzales
Commissioner, District 3

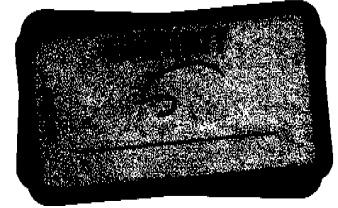


Paul Campos
Commissioner, District 4

Jack Sullivan
Commissioner, District 5

Estevan R. Lopez
County Manager

2351850



Memorandum

To : Santa Fe Board of County Commissioners

From : Steve Shepherd *SS*
SF County Community Health Division
SF County Community Health & Development Department

Date : December 19, 2002

Subject : **FY-2004 Sole Community Provider Requests.**

Issue:

Espanola Hospital, Holy Cross Hospital, Los Alamos Medical Center, and St. Vincent Hospital have submitted Sole Community Provider (SCP) requests to Santa Fe County in the amount of \$ 14,932,525 for consideration by the Santa Fe Board of County Commissioners (BCC).

Background:

Each year the four SCP hospitals in the Santa Fe area must request the County's participation in the Sole Community Provider Program. Generally, requests must be approved by the participating County and be submitted by the Hospital to the Medical Assistance Bureau of the NM Department of Human Services no later than January 15 of each year. In federal fiscal year 2003, the hospitals are receiving \$ 14,316,182.54. The hospitals have requested \$ 14,932,525 for federal fiscal year 2004. The NM Department of Human Services will determine the actual amount that will be allocated to the hospitals in the period from October 1, 2003 to September 30, 2004 after all approved requests are received. In no event can that amount exceed the amount requested.

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Staff Recommendation:

Staff recommends approval of the requests in the following amounts:

Espanola Hospital	\$ 378,675
Holy Cross Hospital	\$ 20,700
Los Alamos Medical Center	\$ 42,398
St. Vincent Hospital	\$ 14,303,275
Total	\$ 14,745,669

Staff recommends writing down Espanola Hospital's request from \$ 565,200 to \$ 378,675 for the following reasons:

Fiscal year 2003 approved claims, as of December 2002, amount to \$ 84,257.56. These claims to date suggest an estimated approval amount of \$ 168,515.11. However, we feel that the hospital will submit claims to justify the amount of \$ 378,675.

Staff recommends writing down Los Alamos Hospital's request from \$ 43,350 to \$ 42,398 for the following reasons:

Fiscal year 2003 approved claims, as of December 2002, amount to \$ 10,450.04. These claims to date suggest an estimated approval amount of \$ 20,900.08. However, we feel that the hospital will submit claims to justify the amount of \$ 41,685.

The New Mexico Human Services Department limits increases to a hospitals' SCP amount utilizing an index. This year we believe that the increase will be approximately 3.0%.

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12/20/02

Santa Fe County
Sole Community Hospital Funding

FY-2004 Projected Base					
Hospital Name	SF County Match	NM HSD Contribution	Total Projected Base Funding	FY-2004 Hospital Requests	Requested -vs- Projected
Hospital Name	27.000%	73.000%	Total	FY-2004	Requested
Espanola Hospital	102,243.00	276,432.00	378,675.00	565,200.00	186,525.00
Holy Cross Hospital	5,757.00	15,564.00	21,321.00	20,700.00	(621.00)
Los Alamos Hospital	11,448.00	30,950.00	42,398.00	43,350.00	952.00
St. Vincent's Hospital	3,861,885.00	10,441,390.00	14,303,275.00	14,303,275.00	0.00
Totals	3,981,333.00	10,764,336.00	14,745,669.00	14,932,525.00	186,856.00

FY-2004 Projected Supplemental					
Hospital Name	SF County Match	NM HSD Contribution	Total Additional Funding	FY-2004 Hospital Requests	Requested -vs- Projected
Hospital Name	0.000%	0.000%	Total	FY-2004	Requested
Espanola Hospital	0.00	0.00	0.00	0.00	0.00
Holy Cross Hospital	0.00	0.00	0.00	0.00	0.00
Los Alamos Hospital	0.00	0.00	0.00	0.00	0.00
St. Vincent's Hospital	0.00	0.00	0.00	0.00	0.00
Totals	0.00	0.00	0.00	0.00	0.00

FY-2004 Total Projected SCP Funding					
Hospital Name	SF County Match	NM HSD Contribution	Total Projected & Additional	Total FY-2004 Hospital Requests	Total Requested -vs- Projected
Hospital Name	SF County Match	NM HSD Contribution	Total	Total FY-2004	Total
Espanola Hospital	102,243.00	276,432.00	378,675.00	565,200.00	186,525.00
Holy Cross Hospital	5,757.00	15,564.00	21,321.00	20,700.00	(621.00)
Los Alamos Hospital	11,448.00	30,950.00	42,398.00	43,350.00	952.00
St. Vincent's Hospital	3,861,885.00	10,441,390.00	14,303,275.00	14,303,275.00	0.00
Totals	3,981,333.00	10,764,336.00	14,745,669.00	14,932,525.00	186,856.00



**ESPAÑOLA
HOSPITAL**

December 5, 2002

Santa Fe County Indigent Claims Board
c/o Santa Fe County Courthouse
P.O. Box 276
Santa Fe, New Mexico 87504-0276

2351853

RE: Sole Community Hospital Payment request for New Mexico State fiscal year
July 1, 2003 through June 30, 2004.

To whom it may concern:

This letter is to comply with State regulations regarding the Española Hospital.
Request is hereby made for Sole Community Hospital payment approval for the fiscal
year July 1, 2003 through June 30, 2004.

The requested amount for this period is \$565,200. This is based on claims of
approximately \$565,000 in 2002, and an expected increase in eligibility due to an
expansion of services covered.

Your consideration in this matter would be greatly appreciated.

Sincerely,

Marcella A. Romero
Administrator

MAR/mo

1010 Spruce Street • Española, NM 87532
(505) 753-7111 • FAX (505) 753-7216

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health of individuals, families and communities.***

An affiliate of Presbyterian Healthcare Services



REQUEST FOR SOLE COMMUNITY HOSPITAL PAYMENT ADJUSTMENT

Española Hospital, a qualified sole community hospital under Medicaid regulations, hereby requests a Medicaid sole community hospital payment in the amount of \$565,200 for the period of July 1, 2003 through June 30, 2004. The basis for this request is contained in Attachment A of this document.

12/06/02
Date

Marcella A. Romero
Marcella A. Romero
Administrator
Española Hospital

COUNTY APPROVAL

The **Santa Fe** County Board of Commissioners has reviewed and approves the sole community hospital payment submitted by **Española Hospital**, in the amount of \$565,200 and as delineated by Attachment A of this document. This approval in no way commits this county for any inter-county amount due from another county.

Date

Paul Duran, Chairman
Santa Fe County Board of Commissioners

Attest:

Rebecca Bustamante
Santa Fe County Clerk

1010 Spruce Street • Española, NM 87532
(505) 753-7111 • FAX (505) 753-7216

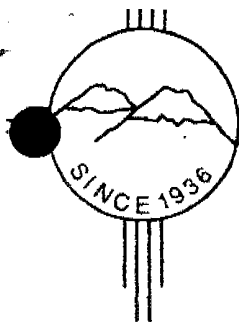
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health of individuals, families and communities.*

An affiliate of Presbyterian Healthcare Services

2002 Sole Community

Rio Arriba	Approved	\$2,646,338.52	
	Denied	\$482,585.42	
	Pending	\$570,344.00	
	Supplemental Pending	\$0.00	
	Supplemental Paid	\$896,324.11	
	Sub Total	\$4,595,592.05	
	Dec/2002 Estimated	\$159,092.22	
	Total	\$4,754,684.27	
Santa Fe	Approved	243597.21	
	Denied	10403.00	
	Pending	283867.78	
	Sub Total	537867.99	
	Dec/2002 Estimated	27327.12	
	Total	\$565,195.11	
Taos	Approved	82682.85	
	Denied	52652.00	
	Pending	1123.00	
	Sub Total	136457.85	
	Dec/2002 Estimated	16536.58	
	Total	\$152,994.43	

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HOLY CROSS HOSPITAL

1397 Weimer Road
P.O. Box DD
Taos, New Mexico 87571
(505) 758-8883
FAX (505) 751-5719

2351856

November 7, 2002

Mr. Steve Shepherd
Santa Fe County Indigent Administrator
PO Box 276
Santa Fe, NM 87504-0276

RE: Sole Community Provider

Dear Mr. Shepherd:

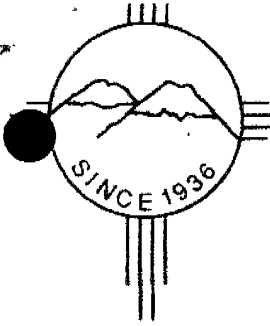
Enclosed is Holy Cross Hospital's Request for the Sole Community Provider Payment amount for the fiscal year July 1, 2003 to June 30, 2004. Please note that our request to the New Mexico Human Services Department includes Santa Fe County in the amount of \$20,700.00. Michael Aragon, State of New Mexico Medical Assistance Division, has requested that the amount approved by Santa Fe County should be stated on the County Approval. Could you please fax signed documents to my attention at 505-751-5718 as soon as possible and send original signatures to me to be forwarded to Michael Aragon?

Prompt presentation to the County Commissioners for approval would be greatly appreciated. If I can provide any further clarification, please do not hesitate to contact me at 505-751-5705.

Sincerely,

Ken Verdon
CFO

KV/ss



HOLY CROSS HOSPITAL

1397 Weimer Road
P.O. Box DD
Taos, New Mexico 87571
(505) 758-8883
FAX (505) 751-5719

To: The Sole Community Provider Fund

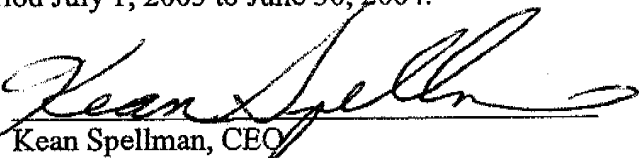
2351857

From: Taos Health Systems, dba Holy Cross Hospital

Date: November 7, 2002

Taos Health Systems, Inc. dba Holy Cross Hospital, a sole community hospital under Medicaid regulations, hereby requests a Medicaid sole community hospital payment in the amount of \$20,700.00 for the period July 1, 2003 to June 30, 2004.

Dated: 12/5/02


Kean Spellman, CEO
Taos Health Systems, Inc.

COUNTY APPROVAL

The Santa Fe County Board of Commissioners has reviewed and approved the sole community hospital payment request submitted by Taos Health Systems, Inc. dba Holy Cross Hospital in the amount of \$20,700.00.

Dated: _____

Chairman
Santa Fe County Board of Commissioners

Attest: _____

County Clerk



LOS ALAMOS
MEDICAL CENTER

3917 West Rd., Los Alamos, NM 87544

Steve Shepherd
102 Grant Ave
PO box 276
Santa Fe, NM 87504-0276

11/25/02

2351858

Re: Sole community hospital payment agreement.

Enclosed please find the Sole Community Hospital Adjustment form.
Thank you for the reminder of this for agreement.

Sincerely;

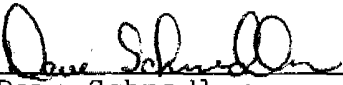
Dave Schnedler

2351859

REQUEST FOR SOLE COMMUNITY HOSPITAL PAYMENT ADJUSTMENT

Los Alamos Medical Center, a qualified sole community hospital under Medicaid regulations, hereby requests a Medicaid sole community hospital payment in the amount of \$43,350.00 for the period of July 1, 2003 through June 30, 2004. The basis for this request is contained in Attachment A of this document.

Dated: 11-25-02


Dave Schnedler
Los Alamos Medical Center

COUNTY APPROVAL

The Santa Fe County Commission has reviewed and approves the sole community hospital payment request submitted by Los Alamos Medical Center in the amount of \$43,350.00 for the period July 1, 2003 through June 30, 2004, and as delineated by Attachment A of this document. This approval in no way commits this county for any inter county amounts due from another county.

Dated: _____

County Commission Santa Fe County
Paul Duran, Chairperson

Attest: _____
Rebecca Bustamante
Santa Fe County Clerk

2351860

ATTACHMENT A

Sole Community Hospital Payment Request for Los Alamos Medical
Center for the Period July 1, 2003 through June 30, 2004

<u>Santa Fe</u>	\$43,352.00
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November 27, 2002

2351861

Mr. Steve Shepherd, Director
Santa Fe County Indigent Claims Board
P.O. Box 276
Santa Fe, NM 87504-0276

Re: Sole Community Hospital Payment Request for New Mexico Department of Human Services, Fiscal Year July 1, 2003 through June 30, 2004

Dear Mr. Shepherd and County Commissioners:

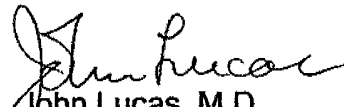
This letter is to comply with State regulations regarding St. Vincent Hospital. Therefore, request is hereby made for Sole Community Hospital Payment approval for the fiscal year July 1, 2003 through June 30, 2004.

St. Vincent Hospital's requested amount for this period is \$14,303,275. This is based on St. Vincent's prior year payments approved in FY 2002, supplemental payments, and an expected 3 percent increase in eligibility due to an expansion of services covered.

If you have any questions regarding this matter, please contact Dr. Gary Buff, Vice President of Planning, at 820-5982.

Your consideration in this matter is, as always, greatly appreciated.

Sincerely,


John Lucas, M.D.
President and CEO

cc: Michael Aragon, New Mexico Human Services Department

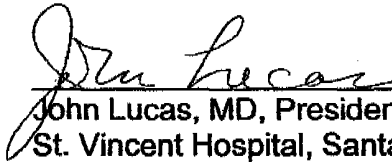


2351862

REQUEST FOR SOLE COMMUNITY HOSPITAL PAYMENT ADJUSTMENT

St. Vincent Hospital, a qualified Sole Community Hospital under Medicaid regulations, hereby requests a Medicaid Sole Community Hospital Payment in the amount of \$14,303,275 for the period of July 1, 2003 through June 30, 2004.

Dated: 11/27/02



John Lucas, MD, President/CEO
St. Vincent Hospital, Santa Fe, NM

COUNTY APPROVAL

The Santa Fe County Board of Commissioners has reviewed and approved the Sole Community Hospital Payment request submitted by St. Vincent Hospital in the amount of \$14,303,275 for the period of July 1, 2003 through June 30, 2004, and as delineated by Attachment A of this document. This approval in no way commits the county for any inter-county amount due from another county.

Dated: _____

Santa Fe County Board of Commissioners

Attest: _____

Rebecca Bustamante
Santa Fe County Clerk

2351863

Santa Fe County Sole Community Hospital Funding			11/05/02
FY-2004 Projected Base			
Hospital Name	27.000% SF County Match	73.000% NM HSD Contribution	Total Base Funding
Espanola Hospital	102,243.00	276,432.00	378,675.00
Holy Cross Hospital	5,757.00	15,564.00	21,321.00
Los Alamos Hospital	11,448.00	30,950.00	42,398.00
St. Vincent's Hospital	3,861,885.00	10,441,390.00	14,303,275.00
Totals	3,981,333.00	10,764,336.00	14,745,669.00

FY-2004 Projected Supplemental			
Hospital Name	0.000% SF County Match	0.000% NM HSD Contribution	Total Additional Funding
Espanola Hospital	0.00	0.00	0.00
Holy Cross Hospital	0.00	0.00	0.00
Los Alamos Hospital	0.00	0.00	0.00
St. Vincent's Hospital	0.00	0.00	0.00
Totals	0.00	0.00	0.00

FY-2004 Total Projected SCP Funding			
Hospital Name	SF County Match	NM HSD Contribution	Grand Total
Espanola Hospital	102,243.00	276,432.00	378,675.00
Holy Cross Hospital	5,757.00	15,564.00	21,321.00
Los Alamos Hospital	11,448.00	30,950.00	42,398.00
St. Vincent's Hospital	3,861,885.00	10,441,390.00	14,303,275.00
Totals	3,981,333.00	10,764,336.00	14,745,669.00

2351864

Santa Fe County Sole Community Hospital Funding			11/05/02
FY-2003 Base			
Hospital Name	25.903% SF County Match	74.097% NM HSD Contribution	Total Base Funding
Espanola Hospital	95,229.00	272,416.00	367,645.00
Holy Cross Hospital	5,362.00	15,338.00	20,700.00
Los Alamos Hospital	10,662.00	30,501.00	41,163.00
St. Vincent's Hospital	3,376,037.00	9,657,595.00	13,033,632.00
Totals	3,487,290.00	9,975,850.00	13,463,140.00

FY-2003 Supplemental			
Hospital Name	36.911% SF County Match	63.089% NM HSD Contribution	Total Additional Funding
Espanola Hospital	0.00	0.00	0.00
Holy Cross Hospital	0.00	0.00	0.00
Los Alamos Hospital	0.00	0.00	0.00
St. Vincent's Hospital	229,980.27	623,062.27	853,042.54
Totals	229,980.27	623,062.27	853,042.54

FY-2003 Total SCP Funding			
Hospital Name	SF County Match	NM HSD Contribution	Grand Total
Espanola Hospital	95,229.00	272,416.00	367,645.00
Holy Cross Hospital	5,362.00	15,338.00	20,700.00
Los Alamos Hospital	10,662.00	30,501.00	41,163.00
St. Vincent's Hospital	3,606,017.27	10,280,657.27	13,886,674.54
Totals	3,717,270.27	10,598,912.27	14,316,182.54

2351865

Santa Fe County Sole Community Hospital Funding			11/05/02
FY-2002 Base			
Hospital Name	26.770% SF County Match	73.230% NM HSD Contribution	Total Base Funding
Espanola Hospital	95,831.00	262,149.00	357,980.00
Holy Cross Hospital	5,541.00	15,159.00	20,700.00
Los Alamos Hospital	10,730.00	29,351.00	40,081.00
St. Vincent's Hospital	3,291,896.00	9,005,061.00	12,296,957.00
Totals	3,403,998.00	9,311,720.00	12,715,718.00

FY-2002 Supplemental			
Hospital Name	26.200% SF County Match	73.800% NM HSD Contribution	Total Additional Funding
Espanola Hospital	0.00	0.00	0.00
Holy Cross Hospital	0.00	0.00	0.00
Los Alamos Hospital	0.00	0.00	0.00
St. Vincent's Hospital	103,233.00	290,786.00	394,019.00
Totals	103,233.00	290,786.00	394,019.00

FY-2002 Total SCP Funding			
Hospital Name	SF County Match	NM HSD Contribution	Grand Total
Espanola Hospital	95,831.00	262,149.00	357,980.00
Holy Cross Hospital	5,541.00	15,159.00	20,700.00
Los Alamos Hospital	10,730.00	29,351.00	40,081.00
St. Vincent's Hospital	3,395,129.00	9,295,847.00	12,690,976.00
Totals	3,507,231.00	9,602,506.00	13,109,737.00

Santa Fe County Sole Community Hospital Funding			11/05/02
FY-2001 Base			
Hospital Name	26.321% SF County Match	73.679% NM HSD Contribution	Total Base Funding
Espanola Hospital	39,420.00	110,347.00	149,767.00
Holy Cross Hospital	1,985.00	5,554.00	7,539.00
Los Alamos Hospital	10,803.00	30,240.00	41,043.00
St. Vincent's Hospital	1,178,857.00	3,299,898.00	4,478,755.00
Totals	1,231,065.00	3,446,039.00	4,677,104.00

FY-2001 Supplemental			
Hospital Name	26.680% SF County Match	73.320% NM HSD Contribution	Total Additional Funding
Espanola Hospital	66,010.00	180,828.00	246,838.00
Holy Cross Hospital	3,322.00	9,100.00	12,422.00
Los Alamos Hospital	18,089.00	49,553.00	67,642.00
St. Vincent's Hospital	1,974,025.00	5,407,641.00	7,381,666.00
Totals	2,061,446.00	5,647,122.00	7,708,568.00

FY-2001 Total SCP Funding			
Hospital Name	SF County Match	NM HSD Contribution	Grand Total
Espanola Hospital	105,430.00	291,175.00	396,605.00
Holy Cross Hospital	5,307.00	14,654.00	19,961.00
Los Alamos Hospital	28,892.00	79,793.00	108,685.00
St. Vincent's Hospital	3,152,882.00	8,707,539.00	11,860,421.00
Totals	3,292,511.00	9,093,161.00	12,385,672.00

SANTA FE COUNTY

RESOLUTION 2002 - _____

2351867

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on December 20, 2002, did request the following budget adjustment:

Department / Division: Fire Administration / Mobile Health Care Van Fund Name: EMS-Health Care Fund (232)

Budget Adjustment Type: Increase Fiscal Year: 2003 (July 1, 2002 - June 30, 2003)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
232	0801	341	95-00	Charges for Services / Other (St. Vincent's MOA)	37,500	
TOTAL (if SUBTOTAL, check here _____)					37,500	

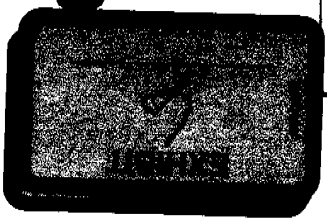
BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
232	0801	421	10-26	Term Employees	22,724	
232	0801	421	10-25	Overtime	1,136	
232	0801	421	20-01	FICA / Regular	1,409	
232	0801	421	20-02	FICA / Medicare	330	
232	0801	421	20-03	Retirement Contributions	4,320	
232	0801	421	20-05	Health Care	2,236	
232	0801	421	20-06	Retirement Health Care	295	
232	0801	421	40-04	Vehicle Maintenance	5,050	
TOTAL (if SUBTOTAL, check here _____)					37,500	

Requesting Department Approval: Stan Holder Title: Chief, Santa Fe County Fire Dept. Date: 12/16/02

Finance Department Approval: William Miller Date: 12-20-02 Entered by: _____ Date: _____

County Manager Approval: _____ Date: _____



SANTA FE COUNTY

RESOLUTION 2002 - _____

DEPARTMENT CONTACT:

Name: R. Carlos Nava

Dep/Div: Fire Administration

Phone No.: 992-3072

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT* (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

2351868

- 1) Please summarize the request and its purpose.
This request is to establish the FY 2003 operating budget for the Santa Fe County Mobile Health Care Van. This request is a result of the MOA between Santa Fe County and St. Vincent's Hospital.
- 2) Why was this request not included in the fiscal year 2003 Operating Budget?
This information was unknown at the time.
- 3) Is the transfer recurring or non-recurring and what are the future funding impacts of this request?
Once established, this budget will be a part of the annual operating budget.
- 4) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
 - a) If this is a state special appropriation, cite statute and attach a copy.
This request is not a state special appropriation.
 - b) If this is a state or federal grant, cite grant name, number, award date and amount.
This request is not a state or federal grant.
 - c) If this request is a result of Commission action, please cite and attach a copy of supporting documentation.
This request is not the result of Commission action.
 - d) Please identify other funding sources that can be used to match this request.
N/A
- 5) If this request impacts the Capital Purchases category, please detail items to be purchased and what they will be used for.
This request does not impact the Capital Purchases category.
- 6) Does this request have an FTE impact for the department/division? If request increases FTE, include number of positions, position type (term, permanent, etc.), and the future funding impact and revenue source.
This request will add one FTE to the Santa Fe County Fire Department.
Position: Captain, Fire Department, EMS Division
Type: TERM, dependent on funding through Santa Fe County - St. Vincent's MOA
Tool #: 8004-00012

SANTA FE COUNTY

RESOLUTION 2002 - _____

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This 20th Day of December 2002.

2351869

Santa Fe Board of County Commissioners

Paul Duran, Chairperson

ATTEST:

Rebecca Bustamante, County Clerk

Approved As To Form.

By _____
Steve Kopelman, County Attorney