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BOARD OF COUNTY COMMISSIONERS

SANTA FE, NEW MEXICO

SPECIAL MEETING

JULY 2, 1999

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

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SANTA FE COUNTY
SPECIAL MEETING
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July 2, 1999

This special meeting of the Santa Fe Board of County Commissioners was called to order at approximately 1:00 p.m. by Vice Chairman Joe Grinë in the Santa Fe County Commission Chambers.

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

Members Present

Commissioner Joe Grinë, Vice Chairman
Commissioner Richard Anaya
Commissioner Marcos Trujillo
Commissioner Javier Gonzales
Commissioner Paul Duran, Chairman [late arrival]

Members Absent

None

APPROVAL OF AGENDA

VICE CHAIRMAN GRINÉ: We need approval of the agenda as it's been amended.

DAVID WOLF (County Manager): Mr. Chairman, there's two amendments. First amendment is item five and it's amended to read "Emergency Ordinance 1999-8: An emergency ordinance prohibited the use of engine retarders on State Road 84/285 in the vicinity of Santa Fe County and the Santa Fe Opera and State Road 285 in the vicinity of Route 502 Nambe intersection."

The second amendment is the adjournment is changed to item six on the agenda.

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Upon motion by Commissioner Gonzales and second by Commissioner Anaya the agenda was unanimously approved as amended.

APPROVAL OF EMERGENCY ORDINANCE: Emergency Ordinance 1999-8:

An emergency ordinance prohibited the use of engine retarders on State Road 84/285 in the vicinity of Santa Fe County and the Santa Fe Opera and State Road 285 in the vicinity of Route 502 Nambe intersection.

CHRIS GRAESER (Assistant Attorney): Commissioners, as you know the folks from the Opera have been asking for an ordinance prohibiting jake brakes. We did a resolution a couple of months ago, and as it turns out the State Highway Department wants us to pass an ordinance before they'll put up signs that are ready to go.

This is an emergency ordinance declaring a danger to the public health, safety and welfare involved with jake brakes at the opera within a mile in either direction of Route 502 on State Road 285.

I believe you got a copy of the ordinance -- and we've had a couple of comments about the changes and I think we also have all the changes in the ones that you have. You'll notice section four of this provision preventing jake brakes except in bona fide emergencies because people have raised that there are real safety issues and at times trucks need to be able to use engine retarders to slow down. Hopefully, that language will cover that somewhat and allow people to use them when they need to.

And, again, as I stated it's an emergency ordinance and will take effect as soon as it gets passed and recorded. I'm open to any questions.

COMMISSIONER TRUJILLO: Mr. Chairman.

VICE CHAIRMAN GRINÉ: Yes.

COMMISSIONER TRUJILLO: So after it gets passed and recorded we, the county, coordinates with the State Highway Department to put up signs banning jake brakes at these intersections.

MR. GRAESER: Mr. Chairman, Commissioner Trujillo, that's correct. There is some overlapping in jurisdiction and it does get a little confused, but the Highway Department is in charge of putting up the signs. I'm not sure if they have the ones prepared for farther north on 285 by the interchange. I know they have the ones prepared for the Opera.

COMMISSIONER TRUJILLO: What's the time line that we anticipate

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for the signs to go up? The reason I'm asking is because I've been getting a lot of calls regarding the ordinance in the community that I represent. I represent both communities and especially the one in Pojoaque area by the 502 intersection is ecstatic about this ordinance. They have been having to deal with noise pollution, if you will, for the last 18 months and it's a major despaired impact on their quality of life. Some of those sand/gravel trucks and then carriers and things like that go to the top of the hill, they see the stop light and they accelerate to beat the light and if they don't they hold the jake brakes. And a lot of times they even use the jake brake at 2 o'clock in the morning it could be out of spite -- I don't know. But this has certainly been a major problem and I would like to see the sign go up as soon as possible.

VICE CHAIRMAN GRINÉ: I did some checking with Robert Martinez yesterday and they did promise to at least put two signs up today, one going north and one going south between the Opera because tonight is opening night.

COMMISSIONER TRUJILLO: Very good.

VICE CHAIRMAN GRINÉ: But I don't know about the rest and when they'll be able to do it.

ROBERT MARTINEZ (Public Works): Mr. Chairman, Commissioners, yesterday we spoke with Miguel at the State Highway Department and they are prepared to put the no jake brake signs at the opera location. We weren't aware yesterday when we spoke with Miguel that it would also be 502 and Nambe intersection. I'm presuming that they can do that within a couple of weeks.

I believe that they can use the jake brakes under an emergency situation. So it doesn't do away with them all together.

COMMISSIONER TRUJILLO: The issue is that they're being used all the time.

MR. MARTINEZ: Yes, correct.

COMMISSIONER TRUJILLO: And hopefully, that will help out.

MR. GRAESER: Mr. Chairman, I'd like to add that at the request of the State Highway Department, we also added in the final language in section four that, "if at any time this ordinance conflicts with published State Highway Department regulations or policies the later shall apply," because the State Highway Department is right now trying to establish a statewide policy regarding jake brakes. And they were concerned that once they do have a policy in effect that they wanted to be able to have control.

VICE CHAIRMAN GRINÉ: Okay, thank you, Chris. Any other questions of Chris?

This is a public hearing; is there anyone that wants to speak for or against this

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issue please step forward.

GREG PORTER: Greg Porter, 1546B Bishops Lodge Road. I am here as chairman of the board of the Santa Fe Opera and I want to urge the commissioners to pass this resolution because sound is one of the most important things that we deal with at the opera and unfortunately during the past year the sound of jake brakes has really been intrusive in the new theater. Our acousticians for a year told us that the most important thing we could do to limit the intrusion of unwanted sound is to have a resolution like this passed.

We would really appreciate if the Commissioners would adopt it. Thank you.

VICE CHAIRMAN GRIÑÉ: Thank you very much. Any one else?

PAUL HORPEDAHL: My name is Paul Horpedahl, 101 Mateo Circle North, here in Santa Fe.

I'm the technical director of the Santa Fe Opera and have been working very closely with acousticians and highway personnel trying to help mitigate some of the noise factors. And as Mr. Porter stated the conclusions have been drawn: the biggest impact to protect opera from unwanted noise during performances is with the jake brakes.

I urge you and ask you to please pass this ordinance. Thank you.

VICE CHAIRMAN GRIÑÉ: Thank you. Any one else? If not, what is the pleasure of the Commission?

Commissioner Anaya moved to approve emergency Ordinance 1999-8 establishing the prohibition of the use of engine retarders/jake brakes on State Road 84/285 in the vicinity of Santa Fe County and the Santa Fe Opera and State Road 285 in the vicinity of Route 502 Nambe intersection. The motion was seconded by Commissioner Gonzales and passed by unanimous roll call vote with Commissioner Anaya, Commissioner Griñé, Commissioner Gonzales, and Commissioner Trujillo all voting in the affirmation.

[Chairman Duran joins the meeting at his time]

EXECUTIVE SESSION

Limited Personnel Matters

Commissioner Gonzales moved to go into executive session to discuss limited personnel matters. Commissioner Anaya seconded the motion which passed unanimously upon roll call vote with Commissioner Anaya, Commissioner Griñé,

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Commissioner Trujillo and Chairman Duran all voting in the affirmative.

[The Commission met in executive session from 1:20 to 1:45.]

Upon unanimous voice vote on motion by Commissioner Anaya and second by Commissioner Gonzales the Board returned to open session.

COMMISSIONER ANAYA: For the record, the only thing that was discussed was limited personnel matters.

VICE CHAIRMAN GRINÉ: Welcome aboard, Sam Montoya. He has just been hired to be our next County Manager and he will report to work on Tuesday morning at 8 o'clock.

COMMISSIONER ANAYA: Mr. Chairman, for the record and probably for the benefit of the press, he'll be coming in at the exact same salary as David Wolf. And perhaps in the near future, we'll be contemplating a contract; that's for the record.

VICE CHAIRMAN GRINÉ: Any further comments.

COMMISSIONER GONZALES: Yes, Mr. Chairman. To express my gratitude to Mr. Montoya for coming in. I haven't had a chance to publicly thank David Wolf for what he has done for this county. David came in with myself and Commissioner Trujillo and certainly was part of the changes that Commissioner Anaya joined us in for years ago to change the county in a new direction. He has done just that. Serving as finance director, director of our water services and then coming in to the county manager's position which we know has been a very difficult year. But a year certainly where progress has been made in the area of constituent services and fiscal responsibility and that's a home run in any county when you can accomplish those two area.

David, certainly a personal thank you -- I have enjoyed learning from you and know that your heart was in serving this county and I believe that our new manager is going to have that same level of commitment but you should be commended by not only every commissioner and every employee but every citizen of this county for what you've done and for the direction that you're taking the county. Thank you.

For Mr. Montoya, I certainly want to extent my gratitude because of the wealth of experience that you bring to us and where you'll be able to continue to take the county and this is nice progression that is occurring here. We're now very financially stable and we're moving programmatically in the areas of land use and in the area of health policy and economic development and you're bringing just numerous amounts

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of experience from serving in county government in the past to serving for the legislature just recently as a chief of staff for the majority leaders. Serving certainly in the Anaya administration and federally I understand that you've done some work out there -- so, it's exciting now in Santa Fe to know that we're passing the reins from an individual who has been able to reestablish respect and credibility in this government and turn it over to an individual who has experience that establishes respect and credibility. That's exciting and I want to thank you for you agreeing to take on this position because it is a difficult one. We're not all always the easiest people to work with but I think everyone has their heart in the right place. So, I'm sure you'll enjoy that as we go forward.

We encourage our staff to embrace you and for you to embrace our staff because they're very hard working people and they care also about the work that they're doing. Thank you, and thank you, Mr. Chairman.

COMMISSIONER ANAYA: Mr. Chairman.

VICE CHAIRMAN GRINÉ: Commissioner Anaya.

COMMISSIONER ANAYA: I have to echo, Commissioner Gonzales's remarks. David and I want to thank you for all the productivity that you provided and all the energy that you gave to Santa Fe County. All those efforts have been realized in a string of effects on your life as taking over the transition and everything else. And I want to thank you for your volunteerism so of speak, on the transition effort with Sammy here, you know, and helping in all that you can. And I wish you the best. A hand to David Wolf.

[Applause for David Wolf]

COMMISSIONER TRUJILLO: Mr. Chairman. I don't think I have enough words to commend David Wolf for the job that he has done in Santa Fe County. Coming in and bearing the right attitude, carrying the right expertise and essentially growing in the work force from the water to county manager, finance the whole gamut. This is a confluence now that this county is going in a positive direction and we're bringing Samuel Montoya who has copious expertise and the torch will be passed to an individual that can carry this county in the direction that we want it to go.

When we first, Javier and I, ran for county commissioner we made a commitment to the community that county government would be responsive and user-friendly and that's what has happened. And we are always accountable to not only the employees but the public and our community because commissioners are elected for a couple of terms but what they leave behind is in perpetuity.

I thank you very much, David, and welcome Mr. Samuel Montoya.

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MR. WOLF: Thank you.

VICE CHAIRMAN GRINÉ: I also like to echo a little bit more about Sam is that finally it took me three tries to bring him here. I got to admit that a year ago when we knew that Domingo was already wanting to step out, he was one of the first ones I thought of was Sam. And before we even gave any consideration to go in-house with David -- so I had a chance to visit with him a year ago and he said yes but we had to wait until about October and I told Sam that we can't wait -- we need somebody now because we were going through a qualified audit at the time and it was about completed already at the time so we said maybe something else will come up and I told him that we would keep in touch.

So the second time arose again, and that was the beginning of December when Rosanna Vasquez resigned from the county. I ran into Sam again and said, 'Sam, I got this position available; are you interested?' Of course he says, 'Yeah, but can't I get more money than Rosanna was making?' I says, 'I don't think so.' I says, 'But you never know. Maybe at the start of the new fiscal year it's a possibility that that can happen.' So that didn't mature.

So when David Wolf, Friday morning, starting giving those calls to us it took me half a day to find his home number and sure enough we got a hold of him by that afternoon and called around, I don't know, about 5 or 6 o'clock on Friday and I caught Sam at home. And I says, 'Sam,' I says, 'This is it. If you want the job.' So you know, a couple of news articles between the commissioners that broken out that - that you know, there was some speculation as to who it would be. So in all good honesty of Sam he says I need to talk to each one of us in the next few days and I says you should because we all carry different caliber up here. Sometimes we cross fire between each other but we always attempt to keep it up here and not drag it out and move forward.

Sam, I thank you very much. I took me three times but it worked. I'm not a giver-up. Cause I know what kind of man you are and all of the qualifications that you're bringing forward all the way from the federal level, municipal league, from county government and also I did a little research that I was talking to somebody about it who wasn't too familiar with all the details but I'm sure it'll come out that you happen to be one of the few of the individuals who applied for a fellowship, which was a national urban fellowship, a few years ago and he succeeded in getting that fellowship and was able to attend a nice university some Washington D.C. and had about a year on the job training -- no, two years of on the job training and one year in school and I believe in working those two years you worked for the National League in the city of Washington D.C. I don't know all the details but you know he's

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an incredible individual and we're bringing in a lot of man to this county. A lot of manpower talent. So he's got a lot of experience behind and it's good.

David, we hate to see you leave. Here, again, I want to thank you for everything. We did come to sometime disagreements but we always stayed on board and continued as business as ever. We probably agreed on about 95 percent of the things and there was always that 5 percent that sometimes got pretty rough but like I tell you that's the way I am. If I feel like calling somebody I am going to call in and it's usually in terms of business. So thank you again David, for your tenure here and it's too bad that you couldn't stay here any longer. And welcome on board, Sam.

MR. WOLF: Mr. Chairman, if I might just say a couple of words. I wanted to thank all the commissioners for their comments and I also want to thank the commission for their vision and the direction. You guys have set the direction on the initiatives that we have pursued and a lot of the accomplishments that we have been able to have over this last year to 13, 14 months. I wanted to thank you for that and for giving me the flexibility to work on these issues and implement them.

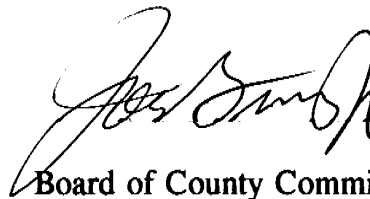
I also want to thank all the staff. Everybody has stepped up to the plate and they've done whatever it has taken to get the job done and they have done an excellent job. The staff deserves all the credit for what we've accomplished at the detail level and I want to really thank them and I want to wish Sam and you guys the best going forward.

Thank you.

ADJOURNMENT

Upon motion by Commissioner Gonzales and second by Commissioner Anaya, this meeting was adjourned at approximately 2:00 p.m.

Approved by:



Board of County Commissioners
Joe Grinë, Vice Chairman

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Respectfully submitted:

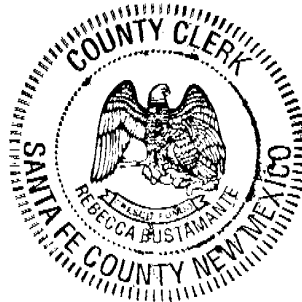
Karen Farrell

Karen Farrell, Commission Reporter

ATTEST TO:

Rebecca Bustamante

REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK



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COUNTY OF SANTA FE)SS
STATE OF NEW MEXICO)

I hereby certify that this instrument was filed
for record on the 24 day of Aug A.D.
19 99, at 3:49 o'clock Pm
and was duly recorded in book 1078,
page 782-791 of the records of
Santa Fe County.

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

[Signature]
Deputy