1. CALL TO ORDER

2. SILENT INNVOCATION AND PLEDGE OF ALLEGIANCE

3. ANNOUNCEMENT OF ADDITIONS AND CHANGES TO THE AGENDA

4. PROCLAMATIONS
   A. COMMISSION: Veterans Day Proclamation
      Presentation of Proclamation.

      ATTACHMENTS:
      • Veterans Day Proclamation 10.22.13 (DOC)

5. CERTIFICATES AND AWARDS

6. PUBLIC COMMENT

7. MINUTES APPROVAL

8. APPROVAL OF CONSENT AGENDA
   A. ECONOMIC DEVELOPMENT: Consent Agreement for Solar Mosaic, Inc
      Motion to approve Administrative Resolution AR 2013- authorizing a consent to assignment agreement by Bernalillo County, New Mexico in favor of Solar Mosaic, Inc., a Delaware
In January 1, 2011, the County executed documents approving the issuance of industrial revenue bonds for the benefit of US Food Service, Inc. On May 15, 2012, US Food Service entered into a Solar Generating Facility Equipment Lease with sun Three ABQ, LLC, a New Mexico limited liability company for a term of 20 years. The 375 kW AC photovoltaic system will be located on the rooftop of the building. Solar Mosaic, Inc is sun Three ABQ’s lender and will be using the solar equipment as collateral. By executing the consent agreement, Bernalillo County agrees that the Solar Generating Equipment is the personal property of sun Three ABQ, LLC and is not a fixture or improvement to the US Foods Building.

Bernalillo County will have no right, title or interest in the Solar Generating Facility Equipment and allows the developer to retrieve their panels in the event US Foods were to default. In addition, this Administrative Resolution authorizes the Chair to execute the Consent Agreement.

ATTACHMENTS:
- County CTA 20131009 EXECUTION VERSION (PDF)
- EXHIBIT A - SunThree_ABQ_Solar Lease (PDF)
- Resolution (D2) (PDF)
- Copy of FAFCONSENTSOLARMOSAIC 10-16-13 (XLSX)

B. PURCHASING: Indigent Burial/Cremation Services Agreement Amendment #1

Motion to:
1. Approve Amendment #1 to extend the term to 10/31/2015;
2. Approve exceeding the monetary threshold of $150,000
3. Authorize County Manager to execute any subsequent amendments to the agreement.

The Bernalillo County Purchasing Department administers the Unclaimed/Indigent Cremation Program for deceased persons who have passed away within the geographical boundaries of Bernalillo County.

New Mexico Mortuary Services is under contract with Bernalillo County to provide direct cremation only. The contract was awarded from a formal RFB solicitation and executed on October 31, 2011 for an initial term of 2 years. This amendment will extend the termination date to October 31, 2015.

Staff is recommending approval of Amendment #1 and approval pursuant to Administrative Resolution No. AR 2012-17, for the purchase of services, which exceed $150,000.00.

ATTACHMENTS:
- Amendment #1-NMS (DOC)
- Financial Analysis Form (XLSX)

9. ADOPTION OF ORDINANCE/AMENDMENT TO COUNTY CODE

A. PLANNING & DEVELOPMENT SERVICES: Amendment to Comprehensive Zoning Ordinance

  Conduct Public Hearing
Motion to adopt Ordinance 2013-___ an amendment to the Bernalillo County Comprehensive Zoning Code.

The proposed amendment is intended to add new language to the Comprehensive Zoning Code and provide a use category that is not currently defined in the zoning code.

The proposed amendment would allow the use of a Park Model RV as a Conditional Use in the A-2 zone. The Park Model is a specific type of recreational vehicle designed as a dwelling unit intended for long term permanent placement built on a single chassis, mounted with or without wheels, and meant to remain in one location for extended periods of time. The amendment would also allow, through a Conditional Use permit, the temporary use of a Recreational Vehicle on a property during construction in the R-1 and A-1 residential zone.

Any applications for either of these uses will require public notice and a public hearing by the Zoning Administrator. This amendment was mailed to all County recognized neighborhood associations in July 2013 and discussed by the County Planning Commission at the August 2013 hearing.

ATTACHMENTS:
* RV Park Trailer (DOC)

10. ADOPTION OF RESOLUTION

A. COUNTY MANAGER: Administrative Resolution Supporting the New Mexico Association of Counties (NMAC) 2014 Legislative Priorities

Motion to approve Administrative Resolution AR 2013-___ supporting the NMAC 2014 Legislative Priorities.

NMAC requests that the Board of County Commissioners (BCC) adopt a resolution in support of the NMAC priorities before the end of November, and has reached out to each of New Mexico's counties requesting support and offering to present said priorities to each BCC. These resolutions enable the NMAC to demonstrate to the state legislature that it indeed has local and statewide support for the priorities.

At the October 8, 2013, Administrative Meeting, Bernalillo County's NMAC Board Member, Maggie Toulouse Oliver, and NMAC Lobbyist, Tasia Young, introduced NMAC's 2014 legislative package, and provided a brief narrative for each of the seven priorities:

* Delinquent Property Tax Payments
* Delinquent Property Tax List
* Notice of Liens
* Medicaid Benefits Suspension
* County Correctional Facility Gross Receipts Tax
* Property Tax Equity
* Real Property Sales Disclosure

NMAC staff will work with the appropriate legislative interim committee/s to present the priorities and will also make a presentation of the priorities at the joint New Mexico Association of Counties and Municipal League meeting in November.
Management reviewed the proposed priorities prior to the NMAC Board approval in August, and is in support of all selected priorities. If approved, a copy of the signed Resolution will be forwarded to NMAC as soon as practicable.

ATTACHMENTS:
- Support Resolution (DOC)
- 2014 NMAC Legislative Priority Book (PDF)

B. CLERKS OFFICE: A Resolution Designating Bernalillo County Voting Convenience Center Precinct Consolidations for the 2014 Primary and General Elections

Motion to approve Administrative Resolution AR 2013-designating Voting Convenience Center precinct consolidations for the 2014 Primary and General Elections.

In accordance with NMSA, Section 1-3-2, 1978, as amended, the Board of County Commissioners is required to designate the polling place of each precinct no later than the first Monday in November of each odd numbered year for the 2014 Primary and General Elections. The polling places are required to “provide individuals with physical mobility limitations an unobstructed access to at least one voting machine.”

In accordance with NMSA, Section 1-3-4, 1978, as amended, the Board of County Commissioners is requested to approve a consolidation of 441 regular voting precincts into 52 Voting Convenience Center precincts.

The Office of the County Clerk has determined the polling places for each precinct within Bernalillo County that meet the requirements set forth in Section 1-3-2 and 1-3-4 NMSA 1978.

In accordance with NMSA, Section 1-6-20, 1978, the Board of County Commissioners is required to designate an absent voter precinct for absent voting purposes only.

ATTACHMENTS:
- Administrative_Resolution (DOC)
- Precinct Consolidation_Election Proclamation_RAM (XLS)
- Financial Analysis Short Form BOE VCC 101113 RAM (XLSX)
- 2013 Voting Convenience Center Proposal-RAM Final 101113 (DOCX)

C. LEGAL: A Resolution Correcting Clerical Mistakes in the Adoption of Amendments to and Subsequent Codification to the Bernalillo County Animal Care Services Ordinance

Motion to adopt Administrative Resolution AR 2013-to correct clerical mistakes in the adoption of amendments to and subsequent codification to the Bernalillo County Animal Care Services Ordinance.

Recently an Animal Advocate contacted county officials and pointed out three clerical errors in the amendments to the Bernalillo County Animal Care Services Ordinance enacted in the administrative meeting held on November 27, 2012, and amended in the administrative meeting held on February 26, 2013. The three errors are entirely clerical. The first two errors, § 6-31, Definition of Adequate Shelter, and § 6-64 Sale and Display of Animals, are copying errors that do not affect the ordinance’s validity. As such they may be corrected by resolution. The final error, the omission of the italicized words contained in the version passed by this Commission by
the Compiler, is also a copying error that may be corrected by resolution
The passage of this Resolution correcting the above-described copying errors will result in the Bernalillo County Animal Care Services Ordinance more accurately reflecting the intent of this Commission when it enacted the Ordinance and its amendments.

ATTACHMENTS:
- Resolution Correcting Clerical Mistakes in Animal Care Services Ordinances (PDF)

D. HEALTH PROTECTION/HEALTH PROMOTION: Food Establishment Permit Fee Increase

Motion to:

1. Repeal AR-25-2010.

2. Approve Administrative Resolution AR 2013- approving the new fee schedule.

Bernalillo County charges fees to obtain health permits for food establishments including bars, restaurants, grocery stores, mobile food trucks, and temporary events. Fees for health permits in the unincorporated area of Bernalillo County have not changed since 2005 (AR67-2005) and are currently lower than those in the City of Albuquerque as well as similar counties in the region. Actual revenue from food establishment permit fees in the unincorporated Bernalillo County in FY13 was $71,507.67. The proposed fee structure could potentially increase revenue to $121,324.17.

AR 25-2010 which is being repealed, did not increase fees, but reorganized the categories of fees to more closely align with those described by neighboring jurisdictions. For example, there was previously no category for Institutional Kitchen, Seasonal Permit, and different types of mobile food vending units. AR-25-2010 was brought before the Board of Commissioners as part of a modification to the Health and Sanitation ordinance which included the adoption of the FDA Food Code. The proposed fee structure keeps the categories established in AR 25-2010.

Approval of the proposed fee structure will bring Bernalillo County fees in line with those of neighboring jurisdictions and will help meet the costs of the Health Protection program. Modest increases would become effective immediately; establishment fees based on gross receipts and those for bar/taverns will be increased over a two year period.

ATTACHMENTS:
- 2013 AR to Update Food Establishment Inspection Fees in two steps (DOC)
- FAF for Fee Increase (XLSX)
- Gradual Fee Adjustment (DOCX)
- Fee Comparison Table (DOCX)
- 2010 Admin Resolution for Food Establishment Permit Fees (PDF)

11. APPROVALS

A. COUNTY MANAGER: Nomination for Filling Vacancy for House of Representatives District 50

Motion to select one nominee to be submitted for consideration by the Governor as an appointment to fill the vacancy in the House of Representatives, District 50.
NMSA 1978 §7-7C-5 provides that if a vacancy occurs in the office of representative for any reason, for a representative district situated within two or more counties, the board of county commissioners for each county in the representative district shall submit one name to the governor; and the governor shall appoint the representative to fill the vacancy from the list of names so submitted. The appointment to fill the vacancy shall be for a term ending on December 31 subsequent to the next succeeding general election, which in this case would be in 2014.

At its August 27 Administrative Meeting, the Board discussed the process for filling the House of Representatives District 50 seat left vacant by the unfortunate and untimely passing of The Honorable Stephen Easley. District 50 encompasses parts of Bernalillo, Santa Fe, Torrance and Valencia counties. The Board directed the County Manager to issue a Press Release, which was issued at 12:18 pm on August 28, inviting interested persons to submit letters of interest and resumes to the Office of the County Manager. Because minimal response was received, the matter was brought up for discussion at subsequent meetings.

As of Monday, October 21, 2013, at 10:00 am, six resumes have been received by, or forwarded to, the County Manager; two have been rescinded, four are still under consideration:
  Vickie Perea
  Debbie Ortiz
  Ann Jenkins
  Matthew McQueen

ATTACHMENTS:
- HouseVacancyStatute (DOCX)
- Perea (PDF)
- Ortiz (DOC)
- Jenkins (PDF)
- McQueen (PDF)

12. BOARD AND COMMITTEE APPOINTMENTS

A. COUNTY MANAGER: Arts Board Appointment District 3

Motion to approve the appointments of Sarah Hartford to the Arts Board representing
Commission District 3.

Bernalillo County Code Chapter 18, Article II created the Arts Board. The Board is comprised of 10 members whose terms shall be for three years. The intent of this Board is to promote and encourage private and public programs to further the development of public awareness of and interest in the arts and cultural properties, to increase employment opportunities in the arts and to encourage the integration of art into the architecture of County structures.

Ms Sarah Hartford has extensive experience in art direction, management, writing and teaching which makes her an ideal candidate to take on a leadership role as art teacher, an administrator, program coordinator or a curriculum developer. She has a New Mexico Level I K-12 Art Teaching License. From 2010 to present she has been a Student Teacher, Art, for Grades K-6, at the Montessori Elementary School in Albuquerque, NM. She was also a teacher of Art at other schools throughout her career in Art. Ms. Hartfords term is a 3 year term expiring October 22, 2016.
ATTACHMENTS:
- Sarah Hartfor Resume Arts Board Oct 2013 (PDF)

13. COMMUNICATIONS

14. DISCUSSION

A. COUNTY MANAGER: Fifty-First Legislature, Second Session, 2014 - Legislative Policy and Priorities

Introduce and discuss proposed legislative policy and priorities for Bernalillo County for the Fifty-First Legislature, Second Session 2014.

Shoats and Weaks, Inc., County lobbyists recommend that the County establish legislative funding requests and develop its legislative policy resolution in order to meet with legislators for sponsorship. The County Manager, Deputy County Managers and lobbyists have been meeting throughout the year for updates during the interim to strategize on drafting the proposed legislative policy and priorities for the 2014 Legislative Session.

Shoats and Weaks held meetings with the County Manager, Commissioners and respective legislators in each district to discuss the results of the 2013 legislative session. A major point of discussion and concern was the importance of providing information to non-profit organizations prior to their project requests to legislators. Additional meetings with Commissioners, legislators and County staff before the end of the year and prior to the 2014 Session will be organized by Shoats and Weaks, Inc.

The attached draft resolution identifies specific legislative requests; supports Legislator sponsored capital outlay that is consistent with the priorities set by the County; and opposes any legislation that proposes revenue reductions; adversely affects funding sources, or diminishes the County's regulatory authority. The capital outlay priorities have emerged from the Infrastructure Capital Improvements Plan adopted by the Board in September and delivered to DFA September 30, 2013. With the Board's directive, staff will finalize the draft resolution and present for Board approval at the November 12, 2013 Commission meeting.

ATTACHMENTS:
- DRAFT AR 51st Leg 2nd Sess 2014 (DOC)

B. Initiative for Open School Yards in Bernalillo County

Staff will deliver a short report on actions over the past year related to Administrative Resolution 2012-78 which called for the development of a plan to enable neighborhood residents to utilize school playgrounds and facilities after school hours as part of a larger effort to reduce obesity and related diseases in Bernalillo County.

ATTACHMENTS:
- CINCH infographic_OpenSchoolyards (PDF)
- AR 2012-78 (PDF)
- CTIP PPO 3 0_Active Living _Joint Use (PDF)
- Joint Use Resolution Final Report 2013 (PDF)

C. University of New Mexico Hospital Report to the Board of County Commissioners
Presentation of report by Steve McKernan, UNMH CEO.

ATTACHMENTS:
- UNMH Quarterly report for September 2013 (PDF)

15. ANNOUNCEMENT OF NEXT COMMISSION MEETING:
   A. Tuesday, November 12, 2013 Board of Finance Meeting @ 4:30 p.m., Vincent E. Griego Chambers
   B. Tuesday, November 12, 2013 Administrative Meeting @ 5:00 p.m., Vincent E. Griego Chambers

16. SIGNING OF OFFICIAL DOCUMENTS

17. ADJOURNMENT OF MEETING