

# VALENCIA COUNTY BOARD OF COMMISSIONERS

## REGULAR MEETING

**SEPTEMBER 18, 2000**

### MINUTES

Chairman Alicia Aguilar Called THE MEETING TO ORDER at 4:11 p. m.

PRESENT	ABSENT
Alicia Aguilar, Chairman	
Aurelio H. Padilla, Vice-Chairman	
S. T. Frank Pando, Member	
Eloy Giron, Member	
Helen Baca, Member	
James Fernandez, County Manager	
Thomas Garde, County Attorney	
	Kandy Cordova, County Clerk
Press and Public	

**EXECUTIVE SESSION**

Chief Deputy County Clerk Corrine G. Sedillo read the Agenda for the Executive Session. Commissioner Pando stated that he wanted to discuss a matter of potential litigation and that he had already discussed with County Attorney Thomas Garde the matter of Vincent Chavez who continues to inquire of him regarding a sign ordinance. Upon inquiry of Mr. Garde by Chairman Aguilar, he stated that the matter needed to be addressed. Mr. Garde then gave direction on how to proceed. A motion was made to go into Executive Session by Commissioner Pando with a second by Commissioner Giron. Motion carried.

Commissioner Pando moved to return from Executive Session with a second by Commissioner Giron. Motion carried.

Mrs. Carol Anaya reported that during Executive Session a discussion was held on the resignation of David Gutierrez and Leo Madrid and seasonal employment for Trinity Ortega. She requested approval of her report. Commissioner Giron made a motion to approve her report with a second by Commissioner Pando. Motion carried.

County Attorney Thomas Garde reported that under potential or pending litigation, a discussion was held regarding the ramifications of the Personnel Ordinance as to involvement of County Commissioners. He stated further that a discussion was held regarding the land split in 1996 involving Mr. Garcia and the complaint raised by Steven Romero. He stated that no action was taken on either item. Chairman Aguilar stated that for disclosure the Commission did do a walk-through at the Valencia County Adult Detention center, which is not yet complete.

Commissioner Padilla made a motion that the foregoing disclosed matters were all that were discussed in Executive Session. Commissioner Baca seconded the motion. Motion carried.

**PLEDGE OF ALLEGIANCE**

Mr. William Dean led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Chief Deputy County Clerk Corrine Sedillo read the Agenda. County Manager James Fernandez requested that Item b, Presentation of Property Tax Rates be deleted from the Agenda and referred the Commission to Section 7-38-33, 34 and 35, contained in their respective packets. He stated that because of a delay in receipt of rates from the New Mexico State Property Tax Division, the item could not be considered. Commissioner Giron then moved to accept the Agenda with the deletion and a second by Commissioner Padilla. Motion carried. ( Exhibit A)

**APPROVAL OF MINUTES**

A motion to approve the Minutes of the September 5, 2000 meeting was made by Commissioner Giron. This motion received a second by Commissioner Pando. Motion carried.

**PUBLIC REQUESTS**

Mr. Leonard Garcia with the Meadow Lake Community referred the Commission to a 1999 request by the Commission to an oil company on the gas line going across Meadow Lake to get an update on the safety of the gas line. He stated that the line is behind Ann Parrish School. He cautioned Commissioners on the potential harm that could result and requested a follow-up to the previous request. Chairman Aguilar gave direction for the follow-up to Administration and counsel for the

Commission. Commissioner Giron recalled that Molzen/Corbin had done a study and an inquiry had been made of them. County Attorney Thomas Garde stated that the matter was in litigation and at this point no information can be disclosed.

Mr. Ray Garcia with the Tome Historical Association addressed the Commission regarding three issues. He stated that there is a great deal of trash on the roads in Tome and stated that he would like to get some crews over there to do some clean-up. He stated that an enforcement officer was needed to check the trash for origin as well. Chairman Aguilar stated that the request would be referred to Planning and Zoning. Mr. Garcia stated that they were also concerned about the gangs and graffiti on Dead-Man's Curve. He stated that it had been painted a couple of times and that it is at the point where they will have to confront these people. He stated that he wanted to know who is in charge of Lobo Valley Acres Subdivision. He stated that one home has several dogs and that he and his brother are getting ready to put some calves out there and is concerned about possible attacks on the cattle. He stated that these people need to take care of their animals and complete the subdivision, as it should be. Commissioner Giron stated that he had received a couple of calls from constituents in that area as well regarding the status of the subdivision and that he had requested an update from Planning and Zoning. Mr. Garcia stated that he didn't mind those folks but wanted the area to remain clean and pristine. Chairman Aguilar reassured Mr. Garcia that the complaints would be investigated.

#### **ACTION ITEMS**

##### **a) Request to Adopt Housing Resolution/Ser de New Mexico**

Mr. Vincent Gallegos, Housing Director for Ser de New Mexico, addressed the Commission requesting passage of a Resolution of support to obtain funding for housing opportunities for the area. (Resolution 2000 44, Exhibit B) Chairman Aguilar expressed the appreciation for the Commission for the work of the organization who also sponsors the Grandparent Program. Commissioner Giron moved the approval of the Resolution 2000-44, with a second by Commissioner Padilla. Motion carried. Mr. Robert Barela, also with Ser, addressed the Commission and expressed his good feelings with the program in Valencia County, the Foster Grandparent Program and his pleasure in serving the people of Valencia County. Chairman Aguilar stated that it was Ser that picked up the Foster Grandparent Program after the closing of the Los Lunas Hospital and Training School and expressed gratitude for their assistance. Commissioner Pando also expressed his appreciation for the manner in which Ser executes the program.

##### **c) River Crossing Environmental Impact Statement**

Mr. Tony Abbo, State Highway Transportation Department, stated that Mr. Dave Pennington was unable to be in attendance, and with him was Mr. Steve Harris, District 3 Engineer. Chairman Aguilar then stated that she wanted to explain the process of the presentation and that it would be treated as a public hearing. She directed the Clerk to administer an oath to all the participants of the presentation, which would include Mr. Abbo and Mr. Harris and then inquired who from the assembly would be making presentations. She asked for a show of hands of the participants in the presentations. She requested that they stand for the oath and stated further that after the Highway Department has made their presentation, the six people who have indicated they wish to make a presentation will then have the opportunity to do so in a time limit of two to three minutes. She stated that each Commissioner will be given time to ask questions and make comments. After that the public will be given the opportunity to ask one question each. She stated that she would then request Planning and Zoning for their input as well as any statement in support or opposition from Commissioners. At this time a statutory oath was administered by Deputy Clerk Corrine G. Sedillo to the participants.

Mr. Tony Abbo then addressed the Commission and stated that he had come before them to make two requests. He stated that the purpose of the Department tonight was to obtain concurrence or approval of the finding of the report, which is the river crossing, detailed evaluation of alternatives report. He stated that Commissioners should have received the report and that reports had been provided to Mr. Steven Chavez, County Planner. He stated further that his second request is to recommend that the Commission approve that they further evaluate the two alternatives, which is the C-1 alignment, and the No-build alternative to carry it forward to the environmental documentation phase of the study. He stated that they are not asking the Commission to select an alternative but merely that the study is taken to the next phase for documentation of the positive and negative impacts of the river crossing.

He stated that the study began in 1999 as a result of a Joint Resolution adopted in 1995 by the Village of Los Lunas, Village of Bosque Farms and the City of Belen. He stated that the study began in 1997 at which time there were seven alignments. He stated that in 1998 the initial study looked at moving four alignments forward and one of them was the A alignment and another was the B alignment for Tome and two C alignments in addition to the no-build. He stated that they had looked at the four alternatives and did a screening that was completed by late 1999 and basically they dropped an A-2 alignment, the B alignment and the C-3 alignment so they were left with A, the C-1 alignment and the no-build. He stated that during this phase they looked at various aspects regarding the impacts and the benefits of the A-2 alignment, the C-1 alignment and the no-build. He stated that there is a lot of growth anticipated in this region within the next twenty years and either of the build alternatives would provide relief for New Mexico 6 and New Mexico 47 as well as New Mexico 309. He stated that the study does acknowledge that there is a need to look at other network improvements and that this by itself will not solve all the transportation problems within Valencia County. He stated that the comparison of the two alternatives, A-2 and C, they are sure that there will be impacts whether they take the A-2 or the C-1 alignment. He stated

that they feel that the A-2 will have more significant impact than the C-1 alignment so the report has recommended that they drop the A-2 alignment and do move the C-1 alignment which is the alignment which crosses the State facilities and joins New Mexico 47 south of Edeal Road, recommending that in addition to the no-build be carried into the next phase. He stated that they have made the same presentation to the Village of Bosque Farms and the Village of Los Lunas as well as the City of Belen and all three entities have recommended that they do take the study into the next phase to document the effects of a river crossing. He stated that this is not to say that they approve of any of the alternatives but that they wanted to see more facts produced in the documentation phase. He stated that he and Mr. Harris are ready to answer questions.

Commissioner Padilla stated that the Commission has considered the question of the bridge on numerous occasions and everyone is pretty well aware that a few months back this Commission voted, five votes, for a no-build. Mr. Abbo acknowledged the action. Commissioner Padilla then stated that he didn't see any further reason for approval. He stated that he wished to so move. Chairman Aguilar then stated that since she was treating the matter as a public hearing she would like to allow for all public discussion and comments before any action is taken. Commissioner Baca made a second to the motion. Chairman Aguilar clarified the motion of Commissioner Padilla as a motion not to continue with the study. Commissioner Giron stated that even though the matter has been before the Commission on numerous occasions that participants in the presentation have been sworn in. His understanding was that this was now a public hearing to solidify any decision to be made. Commissioner Pando stated that he shared the sentiments of Commissioner Giron as to the process, which includes public input. He stated further that the motion is premature and would hope the motion and second would be withdrawn so the discussion can continue. County Attorney Thomas Garde advised that since witnesses had been sworn in it would be premature to make a motion before all the testimony is heard. He recommended that all the testimony be taken prior to a motion. The motion and second are withdrawn by Commissioners Padilla and Baca.

Commissioner Giron inquired of Mr. Harris as to which of the other governmental entities are supporting this bridge. Mr. Harris stated that his understanding that the question was asked of each of the entities is should they continue with the environmental study on the no-build and the northern-most alignment, A-2 alignment. Chairman Aguilar interjected that the Alignment is C-1. Mr. Harris stated that this is correct, C-1, the northern-most alignment. The question that we have asked those bodies and which they ask now is do you endorse and approve of them continuing the environmental stages to further analyze the no-build and the northern alignment through the environmental process to determine if one or either is appropriate to build a river crossing on. He stated that obviously no-build means no build and you walk away from it. He stated that question has been answered yes by the Village of Los Lunas, by the City of Belen. At this time Commissioner Pando stated that the City of Belen had refused to say yea or nay and they were to take up the matter again tonight. He stated that the Village of Los Lunas and Bosque Farms have given their approval but the City of Belen has not. Mr. Harris stated that he stood corrected. The County Manager stated that Administration has attempted to furnish to the Commissioners all pertinent actions and input on the issue at hand and referred them to all documentation in their respective packets. (Exhibit C) Commissioner Giron stated that his understanding is that Belen will endorse the study. He stated that that being the case, what effect does the action of this Commission have on continuing the study. Mr. Harris stated that this is a Cabinet Secretary decision, final decision. He stated that they would like to know what all bodies feel regarding the matter. He further stated that there is clearly an indication from three of the four so far, actually two of four, depending on what comes out of the Belen meeting, that they would like us to continue with the study. He stated that none have indicated to them that they would like us to specifically build the bridge by any resolution in this process we have followed. He stated again to an inquiry from Commissioner Giron that the Cabinet Secretary would make the final call on whether the project would continue to the next level of environmental study.

Commissioner Pando inquired what the study would accomplish. Mr. Harris responded that up to this point what has been accomplished is a very preliminary review of things like wetlands, the river impacts. He stated that they have looked for really significant fatal flaws to building a river crossing. He stated that the study would go into, and in great detail, analyze environmental issues, socio-economic issues. He stated that he thought it has a lot to do with the level of detail that you put into it. He stated that as you advance the study to go farther to answer the questions in absolute terms and so it would require them to go along the corridor and actually take samples of what's out there, search for endangered species, dig in areas to see if there are any historical or indigenous type of environments out there. He stated that it basically is to look at anything that is fatally flawed. He stated that the rules in an environmental impact statement would allow you to go into delicate areas. He stated that it looks for something that exists solely in a single location and also looks for things that in lots of locations are delicate so it may wage the impacts associated with that. He stated that it specifically looks for the impacts with non-human issues and human issues and how it affects the animals, the plants and the socio-economic part is how it affects the people in the communities. He stated that it really has to do with the level of detail required and up to now the only thing that has been done is preliminary level of detail to look for fatal flaws but in this one they would really have to "stir the dirt". Commissioner Pando stated that he had been told that the Department had made no arrangements with the Soil Conservation people or the

Middle Rio Grande Conservancy as far as the placement of the corridor between the two prisons. He then inquired what would be the outcome if those entities said no and what would be the purpose of putting us through this anguish. Mr. Abbo responded that they have communicated with the prison facility and with Secretary Perry and they have been told that communication with them would be forwarded to Property Management Division. He stated that evidently that had not been done and he has contacted Property Management regarding a meeting with them prior to making the decision on whether they go on because that will be another input that does need to make it into this decision. Mr. Abbo stated that he did apologize for this but they had made an assumption, which was not true. Commissioner Pando stated that this was one of his biggest concerns if the State of New Mexico says no, where does it put it all. He stated that if they say no, does it die, if they say no, you couldn't go through our prisons. Mr. Abbo stated that in talks at the Cabinet level, they are informed that they would be allowed to use the State facility but that it has to be verified with Property Management Division. He stated that issue would be handled at a Secretary level. Commissioner Pando stated that it was his information that once the Environmental Impact Study is approved, you can literally begin condemnation procedures at that time and that you would not have to come back before anyone, whether it be the county, the village or anyone, for any future meetings. Mr. Abbo replied that he would let him know the process and then it would be up to him to decide. He stated that there is a little gray area there that before they get to the findings of no significant impact and the record of decision which is derived from this project, they will have to go before all the bodies, i.e., the Valencia County Commission, City of Belen, Bosque Farms and Village of Los Lunas, as well as the public. He stated further that they have another round similar to the round at the end of this decision. Mr. Abbo stated that the information that they gather at that time would be forwarded to the Federal Highway Administration. He also stated that they will then review it and if they give them a record of decision saying that they can move forward, at that time, yes, they will be allowed, but that does not happen before they go through another round of public involvement and another round of meeting with all the entities. He stated further that once they get that decision they will move into the design phase and the acquisition and will give them the okay to proceed unless the Federal Highway Administration finds something wrong. He stated further that between now and between the record of decision, there will be another round of public information meetings and before they even go into the record of decision and the information is passed on to the Federal Highway Administration there will be a public hearing. Commissioner Pando then inquired if there would be more public hearings after or during. Mr. Abbo stated that during the environmental phase, yes, they would have continued public involvement. Mr. Abbo stated that after that, that once they get the record of decision, if it is to move into a design phase or build phase then they will have further public information meetings regarding how this facility should look and this goes in with the design process similar to any other design that they have on any highway project. Commissioner Pando stated that another question he had and that he didn't believe that any one in the room or anywhere else that would dispute the fact that there is a desperate need for another interchange into Los Lunas. He stated further that it was his contention based on his observations over a good period of time of the traffic flow that there is a desperate need for the Highway Department to finish 47 for one, do some improvement on 263. He stated that traffic on North El Cerro Loop up into El Cerro that traffic backs up in a very big way. He stated that what he is trying to say that he wishes the Highway Department would improve what is there first, give the County an exit into Los Lunas and then we can do a bridge or study it at that time.

Mr. Harris then stated that he would like to reply and perhaps add something to what Mr. Abbo had stated previously. He stated that he would qualify his remarks by saying that on any environmental study that they have approved or any environmental impact statement, if for any reason during the design, and they went through this on the Big I in Albuquerque, if they find something that does not fit the scope that they presented as to be the proposed project, and they find some reason that they have to change it or they find a failed flaw in the design and they introduce another factor that was not covered by the environmental impact statement, then that would re-open the process and would require them to come back and re-open public hearings associated with those elements. He stated that for instance on the Big I, they had at one time looked at whether they had to add a lane during the design, had they made that decision they would have to re-open the environmental process and go through public hearings on that particular issue, not necessarily the whole project but what that impact would do to the community and the environment. He stated that to answer Commissioner Pando's other question, he would definitely like to acknowledge and he has heard that from other people in the community, they know that there are other facilities that are in need of improvements to them. He stated that State Road 47 has two projects scheduled on it and that he made a decision on one of them to shorten the southern turn island because he thought it was unfair and inappropriate to the people in this area to have to deal with right of way on agents and right of way questions twice and so he basically made a decision that on the project that was developed and designed from the job that is currently south, just completed south of North El Cerro Loop, that was supposed to extend down to near this northern alignment for the river crossing is proposed. He stated that he believed that there were too many factors involved that were unknown and he asked the project development people to take a half mile off of that project until he knew absolutely what was going to happen to the homes and the people in that area and that he didn't feel it was appropriate for them to go to those people twice and say that they were going to impact them once and come back a year or two later and do the same thing. He stated that that job is still

in the State Transportation program to improve 47. He stated that it has been downsized into a more rural typical section and less urban than what is seen out here, less curb and gutter, to start the transition into an environment definitely different than that in the Los Lunas area. He stated that there is also a job in the program and is right now of the highest priority based on feedback that he has had and it is what he calls the Gap project that is the project between Bosque Farms and Los Lunas on 47. He stated that the project has been embroiled in complicated environmental issues for the past couple of years and that they have finally gotten environmental clearance, the exact clearance that they are talking about, potentially on this job, preventing us from doing anything or going any farther on the design because of environmental complications that were unacceptable to the community in that area. He stated that that job is in design and is probably scheduled for 2002 construction and that he realizes that this is still a ways off but it's programmed to be built to straighten out that kink in the road. He stated that the section of road that is north El Cerro Loop, has really, in all honesty, had to play second fiddle to roads like State Road 6 and 47 historically in this area; however, he is in agreement, particularly with that northern, east-west leg, that it's one of the only direct routes out of Meadow Lake. Commissioner Pando stated that it was El Cerro. Mr. Harris acknowledged the correction and stated further that he would be delighted to sit down and discuss some options that he thinks are viable in re-prioritizing projects and roads in that area and looking at access to the east mesa area but not much has been to develop those beyond preliminary conversations at this point. He stated that as far as New Mexico 304, again, funding is a difficult problem between Belen and Los Lunas, they are at present time because of issues with school buses and stuff, looking at improving the medians in that area, providing decelerated lanes in that area, so that, and he understands there are some difficulties with the u-turns that the buses are doing servicing the citizens in that area and they are going to try to put in some large control median crossovers that will encourage people to go to those paved crossovers to address some of those situations. He stated that they have a sub-contract; we call it a small engineering contract, to address isolated local conditions. He stated that he has asked a consultant to look at two problems that are out there that are beyond the large project program, one of which is to look at the problem with the operation of 314 and State Road 6 in the Los Lunas area because of the railroads and the congestion that occurs there. He stated that he has also asked them to look at the access control and how they are going to plan the new State Road 6 west of 314, between 314 and I-25, to try to get some closure to the property development in that area. He stated that he has also asked them to do what he calls a signal progression between the Broadway interchange at I-25 and basically Los Lunas. He stated that they note when they look at isolated intersections they don't meet the counts that traffic signals warrant but that they have discovered that if you go out and observe the area that there are hundreds of driveways and when you add up all the hundreds of driveways it becomes virtually impossible to make a left-hand turn during peak hours even if there is only two or three people exiting. He stated that he believes that if there are some traffic signals looked at between Bosque Farms and the Isleta Pueblo and perhaps between Bosque Farms and Los Lunas, one or two more signals may create natural gaps between the traffic flow so that the citizens can get out. He stated that he knew there are many major issues and that he wanted to report that there is a regional major investment study that was done in the region to provide a report to the State Highway Department and the local planning boards to give them an idea of the long-term transportation needs and as will be pointed out by many of the citizens, there is a need for north-south roads, both on the east and the west sides of the river. He stated that he thinks that that report will tell that capacity is an issue north south on both sides of the river. He stated that the report points out that there are congestion issues on all the routes mentioned tonight and he thinks that with all the growth and projected growth there are major transportation issues that will have to be addressed in addition to the present conversation. Commissioner Pando then inquired when 47 would be completed and when the bridge will be a reality, which project will come first. He recounted his experience on a personal job he was doing and noticed a crumper in front of him and a few cars behind it and the backup quickly grew. He stated that once the traffic got to the area where it has been advanced the traffic continued smoothly. He stated that the question, which he hears continuously, is are you going to put the horse or the cart first. Mr. Harris stated that although the answer has a little complexity to it he would try to answer it. He stated that there is a design project scheduled to begin in 2003 for the completion of the 47 corridor. He stated that based on the present study decision, to build or no build, changes the traffic counts and changes the need on the sections that are basically from the south El Cerro Loop all the way to Belen, and that mathematically the counts change based on whether there is a river crossing or not and so they have to know whether this model, even though this model will take time to complete the environmental process, they need to at least know whether the numbers being put into the 47 corridor are accurate numbers. He stated that if they choose not to build the road, they would impact, have some impacts on the traffic volumes on 47. He stated further that there are two projects designed, one that is Belen and Los Lunas on 47 scheduled for 2002, but that is also based on a fiscally restrained budget. He stated that now the issue, if you don't have the money, they couldn't build it. He stated that the issue of the river crossing, the money that was set aside, he stated that he shouldn't have said "set aside" because they were given authority to borrow money on a bonding authority for the river crossing and it was very specific to a crossing between Belen and Los Lunas, east-west across the river and it was 24 million. He stated that it was part of the 1.2 billion dollar bonding authority that the State Legislature gave them. He stated that the Legislature did not give them any money but what they allowed them to do is to program a job, ten, fifteen years out, in their construction program and pay it back, say five or ten million dollars a year over that 12-15 year period. He

stated that they didn't have that authority but that does not mean that a community, that this community or any other community could not come to the Highway Department or the Legislature and say we would like to propose another major state construction program and these are the roads we would like you to evaluate and consider. He stated that right now they only have authority on State Road 47, State Road 6, 314, to use them with the cash flow they have available. He stated that if they program a job, they have to do with the resources that are available for each given year. He stated that in this District, every dollar they have is already programmed for the next two years in this region. Commissioner Pando then stated that he had been asked by numerous people that if the Highway Department were to run the road to 47, which in his way of thinking the way it is aligned is not going to serve a lot of good purpose but the concern that seems to hit everybody is when is it going to them, which is to Manzano Expressway. He stated that that is where the problem seems to be and that is the concern of developers because that is where the traffic is. Mr. Harris stated that in terms of a discussion, right now the Manzano Expressway is a county road and he has looked at it and speculated about it as to the practicality and feasibility of exchanging roads that are not high priority roads with the County and trying to come up with an equitable trade that is both fair to the County and the State, to consider putting something like the Manzano Expressway on the State Highway system and in turn taking some of those secondary roads off. He stated that he thinks the Manzano Expressway, regardless of whether it is the County or the State, needs to have a corridor plan developed for it, it needs access control established on it which means they would limit the number of driveways directly on to it, like Tramway or Paseo in the northeast heights, and it needs a plan of action for the future. He stated that he would be very willing and delighted to put together a list of roads for this Commission's consideration but he also realizes that there are other issues prior to today that are hot topics and he didn't want to do that prematurely. He stated that if this body would like him to put together a list of possible roads that would be a comparable exchange, he would be delighted to put that information together and he presumes that if they pursued the Manzano Expressway and perhaps the north El Cerro Loop as connection back to State Road 47, that they would propose it as an access-controlled road that would be a high capacity road. Commissioner Padilla then inquired of Mr. Harris if the decision was made not to build the bridge, could the money be re-prioritized for other projects in the County. Mr. Harris stated that the bonding authority is specific to the river crossing and there is no money attached to it and only authority from the Legislature to bond for this specific purpose. He stated that if they choose not to build the river crossing and that is part of what he was trying to allude to, is if the Legislature sought to pass another piece of legislation that authorized the State to bond towards another purpose in this area, then they could pursue that but this particular legislation is so specific that if the job came in at 30 million, they would have to find the 6 million difference between the bonding authority and this amount in their regular program. He stated that the answer is no, they can't take this piece of legislation but he does not see anything that would prevent the County from asking. He stated that Secretary Rahn has suggested that the way a piece of legislation would be successful would be to find other communities across the State of New Mexico with common interests for these types of jobs, that you can basically band together and become a more formidable force. He stated that Mr. Rahn had pointed out that the Big I project would never have been able to happen had it not been for statewide support. Mr. Harris stated that he believed the opportunity is out there but this specific legislation won't allow them to do that. Commissioner Padilla inquired if it would be Mr. Harris' decision whether to approve the project or not, whether the public wanted it or not. Mr. Harris replied that the decision would not be made by him personally, and that the decision will be made on a recommendation made to the Cabinet Secretary on whether to proceed at each level and it is not his personal decision to make. Commissioner Pando then inquired that if the Commission were to go to the Legislature and ask for money for example, as he has stated before, no one will object to an interchange in Los Lunas, and he understands the 24 million was allocated for a specific purpose. He stated further that he understands that the County could go to the Legislature and ask them to change the proposal to where they could have another exit from the Interstate to Los Lunas and stop it there at this time but inquired from Mr. Harris whether or not that would be a feasible thing to do. Mr. Harris replied that he did not, as an engineer, see why the County could not go to the Legislature and ask them to do that; however, he stated, that he would defer that question to legal counsel to tell him whether it impacts the total bill authorization and go from there. He stated that he didn't see why they couldn't do that but that he did not have the expertise in that particular area to give a definite affirmative on that question. Chairman Aguilar stated that if that were done then any other project would have to be requested and approved to be placed on the step plan and start going through that process. Mr. Harris stated that the projects that are identified eventually have to be put in the State Transportation improvement plan but the reimbursement or payback can be after the 6 year STIP which is the only officially legal document. He stated that once you sign up for one of these debts and start building it, then you have to essentially sign a contract to pay the debt back at the appropriate year but it's not officially in the stiff until it comes within 6 years of actual payback. Commissioner Pando then inquired if they come up with a no-build option, where does the 24 million dollars go. Mr. Harris stated that there really isn't 24 million dollars lying around out there. He stated that it just goes away and that it is like getting a loan on a house and never buying the house. He stated that this is not real money but bonding authority to borrow money until you can pay it back at a later date. Further, he stated, the Legislature has not given them additional funding to pay for the State Highway Program, they have only given them permission to borrow money until they can pay it back 5 or 10 years later. Commissioner Baca stated that she still stands for the no-build option and she believes that

the Commission made itself very clear that it was a no build option. She stated further that proceeding with additional studies is not going to make a difference because the State or Federal is going to make a decision not on what the Commission says but on what they feel is feasible. She stated that she feels it is a waste of time to proceed with studies. Mrs. Rita Gutierrez requested that she be allowed to ask Mr. Harris a question. She stated that for the last two years his department has in fact told the people that it was Federal dollars which would fund the project and they believed it but now they are being told that they in fact had options to go back to the Legislature and raise hell with them and tell them that they didn't want this and ask if they could improve our roads. She stated that had they been told of the option it would have prevented a great deal of anguish for the Commission and themselves in their own personal lives, fighting this proposal. She stated that she felt this lack of communication is deceitful and this whole environmental study is a subterfuge for the Department to move forward. Chairman Aguilar stated that she had set a process for the hearing and she had only allowed Mrs. Gutierrez to ask one question. At this time Mrs. Gutierrez made a statement regarding an extraction of 5 million dollars to work on this interchange project right here in Los Lunas which was money that was supposed to be used for the beautification of the Big I that all of a sudden mysteriously 5 million dollars gets diffused this way. She stated that they were really not naïve people and they are finding out more and more. Mr. Harris stated that the bonding authority is from Federal dollars only. He stated that the State still has to provide the match at the time the work is actually performed on any of these jobs. He stated that on the Big I for instance, 20% of the cost of the Big I, approximately 40 million has to come out of the stiff, 210 million is the Federal dollar amount on the project. It stated that there is certainly variation depending on which chunk you are talking about. He stated that 80% of the money for these projects is Federal; the authority is to expend future Federal dollars. He stated the State dollar matches the putting up at the current time and he doesn't believe that this is any change of what they have told people in the past. He stated that since it's been asked that the project on State 6 is a project authorized three years ago, done through a State agreement, done at a top administrative level to assist with economic development and has nothing to do with the Big I. He stated that the Big I never had any landscaping in it, the project was always budgeted at a set amount of dollars. He stated that landscaping is a local issue that has not been resolved with the local government in Albuquerque and it has no impact on this conversation or any of the work done in this region other than if we had added it to the Big I, it would have reduced the total amount of funds available through all the communities in this District by the same amount of dollars and again, the decision on State Road 6 was made three and a half years ago, prior to my being involved in this particular project. Commissioner Pando inquired as to his information that the Highway Department was going to widen Highway 6 all the way to the Interstate. Mr. Harris stated that they have a project that goes from the west end of the project that is currently under construction which has been in our program for seven or eight years as a priority, to first replace the old dilapidated structures that are between the Rio Puerco and Los Lunas on State Road 6 and it is also to reconstruct the roadway so it meets Year 2000 design standards. He stated that his understanding is that the design right now is that it will still be a two-lane road but instead of having two to one slopes that go up one foot or go up two feet and drop one foot, it will receive side slopes, and no shoulders, the new road will be constructed with 6 to 8 foot shoulders as a safety chug and is scheduled to occur over a five or six year period, again depending on the availability of funds. He stated that yes, they do have priorities for the program but not for capacity improvements beyond this. Commissioner Pando apologized to Mr. Harris for bringing up the question but said it is a question that is brought to his attention time and again. Mr. Harris offered to bring more information to the Commission on all the projects if he is requested.

Chairman Aguilar stated that she wanted to clarify the fact that according to the Minutes of the Tome Historical Association, it indicated that she owns property on the east mesa and that is why she supports the bridge. She stated that that information is totally false; she does not own property on any of the routes, near to, on it or wherever. She then inquired if it is the same data, after the third hearing, is it the same data that was used in the initial study. Mr. Abbo stated that it is the same data as the first COG and approved socio-economic information that they have obtained from the Middle Rio Grande Council of Governments, yes. Chairman Aguilar stated that this was data that is from 1995 and 1998 and is really not the most accurate and best available data. Mr. Abbo stated that they have approved traffic data from MRGCOG. He stated that if we were talking about population he would have to refer that to MRGCOG to see what they based their last population information for this project on. Chairman Aguilar then inquired of Mr. Steven Chavez if the population or growth projections that they are talking about, if they are just projections or how do they look at those and is it the best available data and accurate. Mr. Chavez replied that it was not the best available data for sure and the project coordinator, David Pennington knows that because it has been discussed several times. Mr. Chavez stated that the data that we are dealing with comes from two places, it stems from the BDR projections, which were done in 1998, and the MRGCOG projections, which were done in 1995. He stated further that the 1995 projections, even the consultants, have conceded that those 1995 projections are off and that they are not the best available projections. He stated that what they have done in certain areas of the study is they have used the 1995 data sets, which were, and I'm not blaming COG for not updating their data, which they have. Chairman Aguilar then stated that her question was the data that they are using as they come here today in saying take this into consideration and allow us to proceed to the next phase, is not the best available data. Mr. Chavez stated that it was correct. Chairman Aguilar stated that the figures have not been changed even though

there have been several public hearings, several town-hall meetings, information has been provided, but it hasn't changed the study. Mr. Chavez stated that this was absolutely correct and that COG has updated their data as well and to the best of his knowledge the COG has not been approached for that new data. Chairman Aguilar addressed Mr. Abbo and inquired of him if he had taken into consideration measures that cause rapid growth in 1995, 1996, and also the fact that there have been changes and as a result the population has decreased in the last three years, so the information that you have.... Mr. Abbo stated that they had used the approved socio-economic data that is available. He stated that if the information gets updated then what they will have to do during the environmental stage is update that because those no longer are true. He stated that they have to use the adopted numbers and if MRGCOG is in the process of updating these counts then they have to wait until these counts are approved. He stated that they have to use approved data and he is sure Mr. Steven Chavez will verify that if a new data set becomes available and it's approved for use in the region, then during the environmental phase they will have to look at those numbers and he thinks Dave Pennington clearly stated that in the previous meeting that they had here. He stated that they do realize that their forecast was for 123,000 and he believes MRGCOG has updated to 118, 000, or rather 112, 000. He stated that every time a new set of numbers comes up they couldn't start all over again. Chairman Aguilar stated that tonight they are here to obtain concurrence of report and finding of alternatives and so you are saying, look at our study, agree with us that it is factual, it is accurate, and support us to move into the environmental study. Mr. Abbo stated his agreement. Chairman Aguilar then stated that after all these studies, town-hall meetings, all these public hearings; the data has not been updated. Mr. Abbo stated that the data that they have used is the data that is approved in the region. Chairman Aguilar stated that the issue of water has come and inquired of Mr. Abbo if in the study, have they taken into consideration the water availability to service the projected growth. Mr. Abbo stated that this report in front of the Commission is a detailed evaluation of alternatives, which looks at several alternatives but does not address all the environmental issues, preliminary environmental effects. He stated that such issues as the water rights would be handled during the environmental investigation. Chairman Aguilar stated that she was not talking about water rights but the current litigation, the fact that the water issue has already been confirmed, not only by us, by Albuquerque, by Santa Fe, by the entire State. She stated that the Federal Government has already announced it. She stated that we have litigation on the minnow. She stated that if we don't have water, if Santa Fe is saying we will run out of water after 2006, how can we look at a projection of another 60,000, 70,000 people. Mr. Abbo replied that this issue would have to be addressed in the environmental phase of the study. Chairman Aguilar then inquired if they have taken into consideration the counties capability of providing basic services such as police, medical, law enforcement. Mr. Abbo replied that these are issues that I have said will be handled during the environmental impact phase and they have just looked at the need, alignment, impacts and they go into both the human and non-human impacts of each alignment and then we have this detailed environmental study. Chairman Aguilar then inquired if the A-2 alternative was totally eliminated, and if so, where does she find the documentation that you won't go back to it. Mr. Abbo stated that as he had indicated before to several members of the public and answered this question in the public information meeting, the report clearly states that they do not recommend that the A-2 alignment be further advanced which is found in Chapter 5. He stated further that should there be some reason that new information becomes available during the environmental phase, that they blatantly overlooked something, and somebody comes up and says we want you to revisit that alignment then, by federal guidelines they do have to look at that alignment again. Mr. Abbo stated that he thinks they have done a thorough enough study but when they have shared the findings with the county planners and we agree with the study team that A-2 is viable when you compare the same test to the C-1 alignment, can we just say no more, he can't stand before the Commission and say that that will be the case. Chairman Aguilar stated that on Friday she had spoken with Les Swindle with Property Control. She stated that he confirmed to her that he had not been contacted and he did not give her assurances that he would give approval for that property to be used as part of this alignment alternative. She inquired of Mr. Abbo if Mr. Swindle were to say no, would that take the Highway Department to the A-2. Mr. Abbo replied that if he said no they would really have to weigh the options and whether they should look at the A-2 because we know for sure that there are impacts compared to the C-1 alignment. He stated further that what position the Cabinet Secretary would take, he cannot stand before the Commission and tell them that he knows the answer because he doesn't. Chairman Aguilar then stated that what he is telling them is that they could go back to the A-2. Mr. Abbo stated that the possibility is there, yes. Commissioner Giron stated that he was surprised with the question and wanted to continue to discuss it further. He stated that he wanted the question posed by Chairman Aguilar answered by Mr. Harris at this time. He stated further that since Mr. Swindle works for the State his impression is that the Department appears to have the issue worked out already and requested an explanation. Mr. Harris stated that he is aware the involvement of lands over by the prison, the State property that crosses the Correction facilities. Commissioner Giron agreed that this is what he was referring to. Chairman Aguilar then stated that before Mr. Harris gave his answer she wanted to add another glitch or another piece of information. She stated that it was her information that the 26-acre recreation park that Los Lunas has at the corner of Morris Road and 314, being developed, that in getting plans approved by Property Control, they had been told don't build next to Morris Road, the bridge isn't done yet. Mr. Harris stated that it was not a conversation that he has been involved with. Chairman Aguilar then stated that that tells her that is a question that should have been answered during this study. She stated further



that they have come to the Commission and said they have these many families that will be impacted, you have worked the route out from I-25 to 47. Mr. Harris stated that he would qualify the answer to that by saying that they have a corridor that they believe is more viable than the corridor to the south and at this point and time, even with the conversations that you have raised regarding the State lands, they have received two messages. He stated that there were early verbal conversations between the Corrections Facilities and the design team indicating that they, to my understanding, that there was not a major conflict. He stated further that there was also recent communication from those offices indicating that they expressed a bit of discomfort with the alignment between the prisons but not knowing that it went down to the north. Chairman Aguilar stated that that was Morris Road. Mr. Harris stated further that they do not, in the Highway Department, understand the distinction why one is okay and one is not. He stated that they will investigate their statement but their statement is certainly not closure or indictment of this corridor. Chairman Aguilar stated that they are coming back to the Commission and saying that is C-1 and that it could very well switch to the north a little bit, making it Morris Road, if it switched to the south and become A-2, that is a probability. Mr. Harris replied that any alignment could be shifted suddenly from one location, yes that is correct. Mr. Harris stated that the environmental document is intended to find problems and if you need to steer around the problem it may recommend a slight change in alignment. Chairman Aguilar stated that they were being asked to support an alternative for construction of a bridge so that 24 million dollars can be accessed from Federal funds which would retire the State bonds. Mr. Harris agreed that it was correct. Chairman Aguilar then inquired when they could access the Federal funds and would it be when this project is approved. Mr. Harris stated that the bonding authority could be accessed when the State has the ability to buy the bonds and to qualify that he could tell her that right now they are completely saturated on the amount of bonds they can buy today. He stated that every month they pay back some of that debt so the answer to the question is even if you have the authority for 1.2 billion you may actually have 800 million. Chairman Aguilar stated that once the project is approved then they are able to take it back to the Cabinet Secretary, send it up the Federal ladder, wherever it's going and say we have an approved project so now in order for us to proceed we want to retire the State bonds that were approved by the Legislature so now you have the money coming down from the Federal level, it's an exchange or substitution and inquired if that is when it's done. Mr. Harris stated that in general terms he understood what she was asking and that is once they go through the entire environmental process, getting approved, getting the environmental document, and the recommendation from that document is to build a bridge and it is this northern alignment or any alignment that they would recommend, once that process is done, the environmental impact statement is completed and approved at the Federal level, then they have the authority to go out and sell bonds for the project, put the project out for bid and he would suspect that about a year after we got that authority we could probably break ground if they really hurried things up. Chairman Aguilar stated that hypothetically the Big I project runs short and you have accessed the 24 million for this project but we're short another 13, 14 million, isn't it within your authority to say now the bridge project is going to be delayed for another five years or so. She then inquired if they could delay the project based on the hypothetical, adding that they could use those funds to finish another project and then bring the funds from that future project back to Valencia County. Mr. Harris replied that they couldn't use the bonding authority to retire debts that are beyond if a project overruns and it's in that bonding authority. Chairman Aguilar stated that she was not talking about overruns and dates and clarified that what she was saying was that if you access the 24 million, we can't build this project for 24 million, it's going to run roughly 50 million, so until they obtain the additional authority from the Legislature, that 24 million, will that project be delayed and the 24 million be used elsewhere until they obtain the funds in a year. Mr. Harris replied that it was his understanding was that the project can be phased and that they can purchase right-of-way and build components of the project up to the 24 million and then we will have to program and schedule the remainder of the balance. Chairman Aguilar then stated that in talking of the improvements on Highway 6 from I-40 to 314 in Los Lunas, and that looking at their study, the population projections on that area is like 482, in 2020 it's 540. She stated further that the route that they are improving, this will be used for east-west traffic, and also as a by-pass to alleviate Albuquerque traffic. She inquired if trucks can use this once it's improved. She also stated that as it is right now there is not much semi-truck traffic. Commissioner Pando stated that yes, there was. Mr. Abbo stated that the facility as it is studied right now, they have not put in recommendations as to what can go in there and what cannot go in there. He stated that during the next phase and during the design phase, it should be the choice of the public officials to restrict any type of vehicle or movement on this route and that would be addressed at that time but they are not looking at addressing technicalities at this time. Mr. Abbo stated that if she was asking can it be used, yes or no, right now there is nothing in the study to address it. Chairman Aguilar then stated that since he was talking about restrictions by local officials and that is a State Road, the County would have no jurisdiction. Chairman Aguilar inquired if that road, once it is improved and they have the Big I project that is a mess for a few years and you are going to improve I-40 to 314, will that allow more semi-truck traffic. She added further that anything that wanted to come through from I-40, could get a short cut to 314, down I-25 over to the south somewhere. Mr. Harris stated that there are no truck restrictions on any of the studies that they are doing at this present time. He stated further that traffic tends to follow the path of least resistance but he is not sure what truck driver or what trip and referred to his own driving patterns. Chairman Aguilar then stated that in looking at the Rio Grande connection and they address by-pass and job centers in Albuquerque and the fact that there will be bypasses. Mr. Harris

states his agreement. Chairman Aguilar stated that Albuquerque is now having problems with air quality exceedance and they cannot access any Federal funds for completion of their projects until they provide some measures or mediate the pollution and most of it is ozone so we are talking emissions. She stated that if you have a bridge, four-lane bridge, it's built to Federal standards and you have no restrictions and it's a State road, we could realistically have more semi-truck traffic, route of least resistance. She stated that why would a semi-truck going from the east coast to the west coast want to come down Tijeras and down the Big I when they can just come down another route, widen 47, go across the bridge and go over to I-40. Mr. Harris stated that with all due respect, there is no comparison to any of the east-west connections whether U. S. 60 or any route unless you're already parked in one of those communities that are along there, traffic that is say, Mountainair, maybe you would chose to come up 60, up 47, across the river crossing; however, traffic going east to west coast, even on the Big I in the middle of its construction, truck traffic is essentially still coming right through the center of Albuquerque because it's still the best highway in the State of New Mexico to do so. Chairman Aguilar stated that the Department is looking at 2020 and working with projections so she is working with probability and it is very probable that if this bridge is built and the road is improved all the way to I-40, it is probable we're not only addressing growth in our county but bringing on congestion from other parts. Mr. Harris stated that with all due respect he does not agree with her conclusion and believes that most of the traffic that she is referring to will be generated locally. He stated that this is not a corridor that has a lot of logical linkage because there are not any long-range plans currently existing to upgrade US 60 to a high capacity road. He stated further that yes, if all the roads in the State of New Mexico were linked together and are four-lane roads, some of the additional traffic flow, but he anticipates that I-40 will always remain the predominant truck route to cross the State. Chairman Aguilar then inquired if it was not true that all the studies, including the COG Regional and State Transportation Plan, isn't it the mission to link all these roads for better transportation, to have a better transportation system, in 2020, not today. Mr. Harris responded by saying that if the economic development is not following those regions, which are controlled, by local zoning and County Commissions, if it is not decided at this level to affirm that development then that traffic won't come because there won't be a source. Mr. Harris stated further that there is a Wal-Mart site in Los Lunas that is now a hub point for distribution, so, yes, there would be some traffic traveling regularly out from that direction. Chairman Aguilar stated she wanted to bring another factor in which is the Work Force Investment Act, and since he had just brought up the Wal-Mart Distribution Center and bringing up job centers and industrial parks and then inquired if that Federal Act didn't mandate linkage and improvement of the transportation system. Mr. Harris stated that Chairman Aguilar is correct in assuming that if the State continues to grow that this route unless otherwise determined, would be used by truck drivers but he stated that he did not believe it would be an out of direction preferred route but that it would serve, if there was linkage between communities like Roswell and Belen and areas like that as an opportunity to get from one community to another. Chairman Aguilar stated that she would throw in a very realistic scenario. She stated that the County is now in litigation regarding a gravel pit on the east mesa so the problem is getting 340 trucks a day from the east mesa down to, throughout the county and that is just about one-tenth of what they are wanting to zone. She stated further that if we had this bridge going up especially to the Manzano Expressway, now we may have 340 semi-trucks coming from east to west in addition to whatever trucks are coming from just traffic to the route of least resistance and then also the population growth that you have. Mr. Harris replied that he would agree very strongly that if there are no other east-west improvements made in the region and this is the only improvement made that probably almost all of that traffic would go there. He stated further that if this improvement is not made almost all of that traffic would appear to me to go to north El Cerro Loop and that road system but in any event, yes, if that's approved they will take the path of least resistance on whatever is available east-west. Chairman Aguilar then posed another question and she stated that she was talking future and projections, can this road and this bridge be used by trucks that are hauling hazardous waste, let's say to Carlsbad so it could become a WIPP route. Mr. Harris replied that the WIPP routes are on a pre-approved list of roads and he isn't aware of any recommendations to change those routes, they were linked with sites across the United States. Chairman Aguilar then asked if that could change. Mr. Harris replied that any road in the State of New Mexico, whatever process that goes through, which would be a public involvement process, under that process and he stated that he will be honest that any road in the State of New Mexico, some don't make any sense whatsoever, but the answer to the question is yes, if they aware going through the process and there's the recommendations of those bodies, then it could be approved. He stated that there are certain roads in the State that have been specifically designated that will not be considered as WIPP routes. Chairman Aguilar then stated that the information that is being given to the Commission is based on projections and not really scientific data. Mr. Harris stated that he disagreed with that statement. He said that he believes the process is a very scientific process, which is obviously contested, by a number of people that are here but it is a very scientific process and by its definition it is reasoned by taking historical patterns and using variable equations in order to determine the results, that is science. Chairman Aguilar stated that he had just told her earlier that they don't have the best available data, that he didn't take into consideration the fact of why the County grew so fast in 1995 and she can tell him, Bernalillo County passing an ordinance, so basically the County became the dumping grounds for mobile homes and so we had rapid growth in mobile homes. Mr. Harris stated that he had asked David Pennington of Parsons/ Brinkerhoff to analyze comments that have been submitted to them with regards to the growth patterns and what is the perceived range

of those and what he has informed him is, yes, there is potentially lower numbers; however they don't adversely change the recommendation because there is still a growth problem even with the growth reduction in the new numbers. He stated that as Mr. Abbo pointed out, they are obligated to use the numbers that are certified, the moment they have new numbers they will incorporate into the data base and that probably will occur in this next stage. Chairman Aguilar stated that looking at the study, all the sub areas are pretty much stable and the reason she was bringing up the fact that they are improving the route from I-40 to 314, looking at sub-area 1, you're looking at the year 2020 with a projected growth of 520 people, and you're improving that road. She stated further that everything else stays stable except for east of the Manzano Expressway, you're saying there's a projection of 30,580 people and she can tell him that, and Ms. Guilbault is here, that with Sivage Thomas building at Las Maravillas, there was growth and then there was nil and in one year I think they had about 15 building permits or so. She stated further that there are reasons, it was going up, came down and it hasn't gone up again. She inquired as to where are the public documents that would give her the information to tell her that east of Las Maravillas it's going to grow to 30,000 people. Mr. Harris stated that he was going to turn the question over to Mr. Abbo but before he did he wanted to qualify, and he stated that he had said this before, that when you look at growth volumes and you look at them in short periods of times, one, two, three years, there are clearly rapid fluctuations. He stated that there are times that school attendance drops off and then it rapidly increases and they look for long-term patterns and project over a long period of time, based on trends that occur in a region, decisions that have been made in the development and zoning in opening up a new development. He stated that he agreed that there are fluctuations in there but when he has asked the question again of the design team, he was told that when you look at the potential, perceived variation in those counts, that you still have traffic congestion problems, continued growth in the region and hopefully we won't make a decision on one or two year trends. Chairman Aguilar stated that in the study before them, in addition to the Manzano Expressway study done about four or five years ago, in both studies, the only road failing at this time in Valencia County is Highway 47 north of Main Street, Los Lunas. Mr. Harris stated that he believed that State Road 6 is also failing but he would defer to Mr. Abbo since he is more familiar with the traffic counts in this area. Mr. Abbo stated that he thinks there are several intersections on 6 and 314 that are borderline failing but as has been indicated they are looking at this 20 years away and not what is happening today. Chairman Aguilar inquired if when the plan was first started if there had been public hearings in Valencia County or was it just based on the Resolution passed by the four municipalities. Mr. Abbo stated that his understanding is, and he was not a part of it so it could be hearsay, that part of that process was public involvement, to what extent he is not aware of. Chairman Aguilar stated that Valencia County has requested modeling assistance for our transportation plan from the Highway Department and inquired if the Commission does not support this project, will assistance be jeopardized. Mr. Abbo responded that he is not involved in doing further planning and will be forwarded to Steve Harris. Chairman Aguilar stated that she would like to ask it of Mr. Harris at this time. Mr. Harris stated that the assistance that has been requested, regardless of the answer to this question, at a level you have requested, is a local lead. He stated that there are no funds that have been identified for that process at this point and time and the specifics of that have not been identified. He stated that he has requested the County Planning Department to provide him with guidance on the scope of that project and he does not believe they have received that although that request was informal, made in this room. Mr. Harris stated further that the Department had not programmed, one way or the other, a regional planning and they believe that regional planning should be initiated at the local level. Commissioner Pando then inquired of Mr. Harris as to whether the answer to Chairman Aguilar's question was yes or no. Mr. Harris responded that he does not believe it jeopardizes it because he does not believe that the Highway Department should be the lead in that particular process, it's your County, they are your roads, you should be the lead on finding a network of roads and what your needs are. Commissioner Pando then stated that he believed what Chairman Aguilar was asking is, they don't want the Highway Department to get mad at the County because they still need the Department. Mr. Harris stated that he understands that but wants to make sure that it's clear that the question is being asked, quite frankly, and my perception is do you still beat your children and the answer is no, it will not jeopardize the request; however, they have not identified any money to do it and when I review the process it is my feeling that this is a local lead agenda and issue and it does not mean the State cannot provide funding support but the County has to show a coordinated effort to do that process. Chairman Aguilar stated that she had one other question and that she would be very bold and blunt, that she had been called by at least three individuals who have mentioned to her that they have received this question from the Highway Department and basically their comments to me were, Commissioner, if you do not support this project, Valencia County will not get any funds for any other projects in the future. She stated that it has happened to other counties and inquired of Mr. Harris if in fact her information was true. Mr. Harris stated that it was patently untrue and inappropriate to make such a statement. Chairman Aguilar then stated that when you get to the environmental stage, it is her understanding that will take about nine months to a year. Mr. Abbo stated that it is planned that it will take nine months to a year but we all know what happened to Montano, it may take as long as fifteen years if it gets tied up in the courts. Chairman Aguilar stated that for the record when they do the EIS they will be studying noise, air, the endangered species. Mr. Abbo replied that this was correct. Chairman Aguilar continued her inquiry regarding the study and mentioned critical habitat. Mr. Abbo agreed. She then inquired how they would treat the litigation with the silver minnow. Mr. Abbo stated that that would have to be addressed as part of the study and they

acknowledge that it is something that is in the area and something that will have to be taken into account so that whatever they do does not adversely affect any other litigation in the area. Chairman Aguilar stated that they would also address social, cultural, economic, how it affects minority property values. Mr. Abbo agreed. Chairman Aguilar stated that in giving support to continue to the next phase, what they really are doing is approving your study and supporting the C-1 alternative, which will then proceed to an EIS and the need for a four-lane bridge. Mr. Abbo stated that he just wanted to be certain he understood. Chairman Aguilar stated that in giving support they are approving the study. Mr. Abbo stated that they are approving the recommendations of the study, correct. Chairman Aguilar stated that they would be supporting the C-1 alternative because that is the final alternative in the sense of the study saying that they have gone through all this, this is where we are at. Mr. Abbo stated that they are supporting the recommendation that A-2 compared to C-1 is not a viable alternative and one could carry impacts and you're moving to C and the no-build alternatives at the same time. He stated further that he is not saying that the Commission is approving C-1 as the alternative, but approving C-1 and the no-build into the next phase. Chairman Aguilar stated that she is apologizing in the sense for all the questions if he feels that she is trying to harass him in any manner. Mr. Abbo stated that he is a civil servant and his job is to answer the questions. Chairman Aguilar continued and stated that she wanted to mention that it isn't long ago that a State agency came to these same chambers and said we have a study for you, we're the professionals, here are the facts, trust us, you're rapid growing, there's a chance for flooding and we want to protect you. She stated that the Commissioners at that time said, yes, to find out that now everyone in this County is paying for flood insurance and three years after that was approved the study was determined and acknowledged by FEMA to be flawed and they said, you allowed us to continue with the study, tough luck. She stated further that with the study that they have and with the recommendation, she sees some questions that need to be answered and at this point she doesn't really know what is good for society without a scientific basis. She stated that on the social issues, they have to look at the factual basis and its effect. She stated that there are property rights and she doesn't know what the constitutional rights and the facts are. She stated that they have not had an opportunity to provide technical expertise as to who says what is to be done. She stated that she doesn't know where the public documents are to support the study and there have been no choices offered that the Manzano Expressway Extension, widening of 47, widening of Highway 85 and she hasn't seen other choices. She stated that there has been no information on the alternative of no-build. She stated that you keep saying that if no-build stays on the books until the end but she really doesn't know what the effects are. She stated that there is no clear finding or definition between the projections and the facts and she really thinks there is an absence of clear factual basis to make a decision tonight. She stated that she did not know what the rate of error is on the statistical data as far as growth projections, traffic counts, because if you didn't do traffic counts continuously and they were picked here and there and averaged out, and there is a problem with that. She stated that there must always be opportunity to compromise and this study does not provide an opportunity for challenging of the facts. She stated that if we are to look at a win-win situation, then all these factors have to be looked at to reach a resolution. She stated that she was sorry to and she really thinks there is an absence of clear factual basis to make a decision tonight. She stated that she did not know what the rate of error is on the statistical data as far as growth projections, traffic counts, because if you didn't do traffic counts continuously and they were picked here and there and averaged out, and there is a problem with that. She stated that there must always be opportunity to compromise and this study does not provide an opportunity for challenging of the facts. She stated that if we are to look at a win-win situation, then all these factors have to be looked at to reach a resolution. She stated that she was sorry to say that she strongly feels that the study is tainted, it is biased, and there is a manipulation of numbers to justify the end results. She stated that she is not looking to give a yes or no vote. She stated that they were mandated and paid to do a study, upon information that is unbiased, has integrity an opportunity for choice and only then could they proceed to the EIS phase. She stated that there are many that want the bridge and many that don't want the bridge but without the facts they are asking the Commission to make a political decision and not one that best represents the best interest of the community. She stated that she is prepared to give a vote and she hopes the Commissioners will support me and that's a vote of no confidence. I won't be intimidated into making a decision that I can't look at my constituents in the eyes and say I made the possible decision and tonight she can't do that, sorry.

Chairman Aguilar stated that there were about six people who had requested to be heard and then the public.

Mr. David Gabaldon, a resident of Los Chavez, stated that he was under the impression that the A-2 route had been eliminated from the study. He stated that he had with him a series of E-mail transmissions that reveals that the A-2 has not been eliminated from this study. He stated that something about the A-2 alignment has been bugging him and it finally dawned on him that he never saw any statement all by itself that said the A-2 alignment was a bad choice. He stated that the only time you heard about this alignment was when it was compared to a more attractive alignment. He stated that there were no statements that allowed A-2 to stand by itself and said that this indeed was a bad choice. He stated that Mr. Abbo states in his E-mail response in here, and I quote, "If during the environmental documentation phase information surfaces that shows that the A-2 alignment has less impacts and has more benefits to the transportation system, then it can be re-evaluated."

Once again the study team has cleverly minced words and phrases and led us astray in believing that the A-2 alignment has been eliminated. He stated further that the residents of this community couldn't get on with their lives because they don't know what's going to happen next. This Commission cannot plan for tomorrow because they don't know if or where the bridge might go. He stated that the study team is here tonight, ask them to simply answer the question, yes or no, has A-2 been eliminated from the study as a possible river crossing. He stated that despite his request for such a simple answer, he only gets long-winded responses, several pages here, long-winded responses that require homework just to wade through the plot. He stated that residents of this County, business leaders should be crying foul as to how this study has progressed. He stated that they want straight talk and straight answers. He stated that no matter how much someone might want this project, the rallying cry that no outside agency can come into this community and tell us what to do and play mind games with our neighbors. He stated that he is asking this Commission, are you going to stand by and be party to additional taxpayer dollars for yet another study that is full of half-truths and doublespeak. Thank you.

Mr. William Dean, a resident of Los Chavez, stated that he had presented the Commission with a no-build alternative document. He stated that through this meeting we have talked about the improvement of Highway 314, Highway 85, and Highway 47. He stated that these were all north-south routes. He stated that he thought the immediate thing we need is improvement of north-south and later on east-west if the funds are available and he's also said in the document to see if we can't divert the funds from the bridge project to these much needed roads. He stated that Mr. Harris has done a very good job of answering questions this evening and he has clarified one thing for him. He stated that Mr. Pennington had said the funds were coming from gas-tax dollars, Federal funds, not out of our pockets, that was one of the statements that he made at one of the meetings and I think Mr. Harris has clarified that, it's not just gas-tax dollars, it's bonding. He inquired from Mr. Harris if that was not true. Mr. Harris stated that the dollars to repay the debt come from the Federal Highway Program, the Federal dollars that come from the taxes that are collected in New Mexico and around the United States, that's 80% of the dollars. He stated that 20% of the dollars come from State revenues that go to the State Highway Transportation Department for their road program as a matching to the Federal dollars so the bonding authority is the authority to borrow money and you pay it back with the Federal dollars acquired from the gas taxes collected in the United States. Mr. Dean stated that he had a lot to say but most of it has been said. He stated that the no-build to him is to improve north south and then later east west. He stated that also they could put in a small bridge just to connect 314 and 47 somewhere in the middle there to help the traffic congestion in Belen and Los Lunas.

Mrs. Pam McKenzie, Secretary of the Valencia County Citizens for Responsible Growth, and also a member of the Tome-Adelino Historical Association and a colleague of the Western Heights Neighborhood Association, stated that she has come before the Commission with a document she has placed before each of the Commissioners. She stated that it was a letter from Clifford C. Nichols, who represents Valencia County Citizens for Responsible Growth. (See Exhibit C, Item 13) Chairman Aguilar requested that she summarize the letter. Mrs. McKenzie stated that there are three points, the denigration and or disregard of the public's opinion as expressed by numerous citizens of Valencia County that, in turn, is based upon facts that have led them to believe that the Corridor Project will result in serious adverse impacts upon Valencia County communities and individual citizens. Further, the denigration and or disregard of likely adverse impacts resulting from the Corridor Project anticipated by our members to be inflicted upon Valencia County communities and individual citizens, and the non-compliance with, if not violation of, certain Federal and State statutory and or regulatory requirements or limitations applicable to the approval or implementation of the Corridor Project. She stated that that was lawyer talk that says that we have been blown off, we have not been taken seriously and all of our comments have not been documented, taken into account or given credence from the very inception of this project and we are here to say as a group that we are angry, frustrated and determined and want to say to the project team, shame on you for targeting our best land, our most beloved seniors and our families and we don't want this project. She stated further that this says it eloquently and it says it legally because this is the first step in going down that road, we're not going to have that bridge and if they are determined to make that point with the Highway Department, with the powers that be, and with Parsons/ Brinkerhoff, and that is the point of this group and this confederation of people who support this decision

Ms. Jacqueline Guilbault, with Valley Improvement Association, stated her appearance and stated that she had a letter from Bob Davey, President of the VIA which she wanted to read (Exhibit C, Item 33) At the conclusion of the reading, Commissioner Giron stated that he had a response to Mr. Davey's letter to the Commission. He stated that two years ago he made a decision in his District that affected Mr. Davey and his operation and he used words, courage, development, heart and conscience. He stated that it took a lot of courage for him to make a decision about the gravel pit over there. He stated that development, yes; there was development in that area. He stated that he was for something like this and his heart was for it, it wasn't the best taste at the time, having those trucks go through that sub-division or those residential areas and that night when I voted, I voted my conscience. He stated that his comments were not directed to Ms. Guilbault but to Mr. Davey's letter, he can't have it both ways. Commissioner Giron stated further that Mr. Davey had asked him as representing those people in that area to not support that gravel plant and now he wants a

bridge, he wants traffic coming the other way, he can't have both ways. He asked Ms. Guilbault to give that message to Mr. Davey.

Mr. Max Kiehne, 2282 Lone Start Street in Los Lunas, New Mexico, addressed the Commission, He stated that he knows there are a lot of questions that have been brought up tonight and additional ones that need to be answered in the future but he would encourage them to vote to continue the study that has been started, that in fact was discussed about 12 years ago when he represented Bosque Farms on the long-range transportation planning committee. He stated that at that time they saw a need for a lot of projects including Highway 47 through Bosque Farms, the crossing of the bridge in Belen, the entrance of Los Lunas. He stated that this is one of the projects that they discussed at that time to be looked at in the future and that's what is happening here. He stated that he believed it would be a mistake to stop the study at this point. He stated that we need to proceed with the environmental portion of it and get those results. Thank you very much.

Mr. Jim Smith, Vice President of the Tome-Adelino Neighborhood Association. He stated that he had a long speech but much of what he wanted to say has been covered. He stated that one of the things he would like to bring up is that throughout the study, Mr. Pennington and Mr. Abbo have continually talked about all the support they have for this but they kind of failed to talk about the support for the no-build option. He stated that from their own report there is a detailed evaluation alternative report. He stated that from three meetings in 1999 they have received 434 written comments. He stated that of those, 207 were supportive of the bridge and 215 were opposed. He stated that what the report doesn't state and he was at the three meetings were the verbal comments of all the meetings were overwhelmingly opposed to the bridge. He stated that Senator Michael Sanchez had conducted his own survey in the spring of 2000 and the results showed that 73% of the residents of Tome, Adelino and Los Chavez opposed the bridge, a direct contradiction to the survey he is so sick of hearing of which said 75% of Tome was in favor of the bridge. He stated further in none of their documentation or presentation given has it ever made mention of the 650 signatures on petitions, which have been given to the Commission and also to the Highway Department. He stated that he also wanted to make a few comments on the findings of need. He stated that Parsons/Brinkerhoff estimates 50,000 –80,000 new residents projected by 2020 east of the Rio Grande, thus making it a virtual necessity. He stated that according to the initial quarter analysis report from June of 98 which he said he didn't know if they had access to, this was a report in their initial findings, "VIA estimates that it's building 450 to 500 residences per year in the area. He stated that the facts do not support this claim. He stated that in 97 there were 502 residence building permits issued in all of Valencia County, 184 were in Belen and Los Lunas. He stated that in 98 the total number of permits dropped to 458, 221, which were in Belen and Los Lunas. He stated that the VIA has grossly overestimated their numbers and in fact current numbers are that there are approximately 700 in all of Las Maravillas, Pasitos, and that's in 30 years since VIA came into inception. He stated that a large percentage of the growth that is occurring is occurring in Los Lunas and Belen, areas predominantly on the west side of the Rio Grande. So, he inquired, how does this new bridge help the traffic? He stated that the growth in Valencia County is slowing dramatically, in fact residential building permits for Valencia County, excluding Los Lunas and Belen, have dropped like 40% from 96 to 2000. He stated that if the current trend continues until the end of the year we will have fewer than 200 new homes built in Valencia County. He stated that based on the information that has been provided tonight, he asks the Commission to give him a resounding no vote to both the acknowledgement of need and to continue the study to the EIS stage.

Mr. Gary Daves, Bosque Farms resident, after a bit of humor, addressed the Commission. He stated that the assumption of bad faith and confidence and bias that have been mentioned tonight are unfounded and inappropriate. He stated that he is a candidate for the Valencia County Commission for District 5. He stated that the District encompasses Isleta Pueblo land east of the Rio Grande, Bosque Farms, parts of Peralta and Valencia. At this time Chairman Aguilar encouraged Mr. Daves to remain on the subject, as it was not a political forum. Mr. Daves continued and stated that he wanted to disclose that information because as a candidate, he felt he should. Mr. Daves stated that he has earlier expressed the idea that a new bridge is probably needed, subject to more personal study on his part. He stated that he is of the opinion that a new river crossing is fundamentally needed for the citizens of Valencia County. He stated that the fundamental need that would be met by a new river crossing would be to provide additional lanes of vehicle capacity. He stated that the crossing should extend from I-25 to the Manzano Expressway and it should be a high capacity road so that traffic can move and that would be one of its essential aspects. He stated that the State Highway Department has as per standard procedure, calculated traffic projections to the year 2020, using projections of demographic change and growth that will occur by then and that has been discussed tonight. He stated that these projections are the main analytical basis for determining need for the project. He stated that they show significant improving traffic flow on some major streets and new sections with a candid, corollary conclusion that a new crossing will not completely solve traffic congestion and he regrets to say that they say 47 in Bosque Farms is little helped. He stated that his view is that the crossing is needed now and would show significant improvement of traffic flow and traffic relief on local streets as soon as it could be completed. He stated further that with this, just as the State hasn't claimed that it will solve all the problems, he doesn't anticipate or claim that it will solve all the problems. He stated that he has been told the traffic is like

water in its quest, its destination, and he thinks that is certainly true. He stated that when main corridors such as north El Cerro Loop mentioned many times tonight, Highway 47, Highway 6, Los Lunas Main Street, reach and exceed capacity because of increased traffic, vehicles seek alternate routes. He stated that in this case streets intended for local traffic and that they all know very well about them, Monica Road, Valencia Road, La Ladera Road, Peralta Road, Molina Road, are where the water or the traffic seeks because of lack of capacity elsewhere and it all has to funnel in either Main Street in Belen or 47 south of the Y. He stated further that the heavy traffic today, coming from places far from these neighborhoods in Valencia, in Peralta, on these house and children-lined streets, is a certain symptom of the need for additional capacity that a crossing will provide. He stated that the Commission, in its past action, has supposedly been treating these unpleasant symptoms of this need for additional capacity. He stated that they have put in stop signs and he thinks that after griping at them initially he thinks they make sense. Chairman Aguilar cautioned Mr. Daves about the time in fairness to other speakers. Mr. Daves assured her he was about to complete. He stated that the speed bump program has developed but that more is needed and that more is a river crossing. He stated that the extension of the Manzano Expressway has been suggested for years and continues, and it's not within the State and County's pursue to complete. He stated that he believes that at some point the Pueblo will concur with the need for their sake as well as their neighbors to the south as an extension to I-25 will be needed but we shouldn't wait on that. A new river crossing will relieve congestion in the valley that will provide our citizens on the east mesa decent access to destinations in the valley and when their destination is elsewhere, the option to by-pass local valley roads will be both to their benefit and to the benefit to those who live in the valley. He stated that a new crossing would save lives. He stated that he sincerely regrets the land that will be taken with the new crossing and the effects on neighboring land. He stated that a new crossing will not treat all alike, some need it more than others, it will intrude in some of our lives and not at all in others. He stated that few decisions affect all in the same way or result in no adverse effects so the decisions have to be made weighing the gain against the loss. He stated that with full appreciation of the views who disagree with me and expressing my constant existential doubt, anguish and despair, he believes the scales fall upon the side of the need for the crossing project and that the project should go forward. He stated that yes, he thinks the EIA should go forward and let the chips fall where they may but he believes the bridge is needed and he appreciates the attention of the Commission. Mrs. Rita Gutierrez inquired of Mr. Daves whether he would be willing to give up his backyard and that he was the same gentleman who was selling his water rights and requested that he not offend them in that way. Chairman Aguilar reiterated the format of the hearing and that audience members would be allowed one question only and had to come to the podium to identify themselves.

Mr. Ken Wright, Bosque resident, stated that if the State employees of the Highway Department were still under oath his question is specifically what can be done to kill this project now. He stated that it was a complete mistake to allow it to continue. Mr. Harris stated that what he believed would be necessary to kill a project like this would be to convince the parties that are making the recommendation or the Cabinet Secretary, that the project is not appropriate and should not continue based on the merits of what you are presenting tonight and basically allowing them to weigh the other opportunity. He stated that he would be very clear, that in Albuquerque there was a Montano bridge crossing many, many years ago. He stated that it was built a hand full of years ago. He stated that there was court action taken by the citizens in Los Ranchos who basically took the project to court, sued the State and the State in fact walked away from the project based on the Judge's direction. He stated that the project was continued by the City of Albuquerque, and he actually hasn't read the particular part of the document because it basically pre-dates him being in this kind of position but his understanding on that particular Judge's order was that the Judge actually directed the Highway Department not to reevaluate or consider a crossing on Montano in the City of Albuquerque for 20 years and so court action and the Judge prevailed in that situation. He stated that those are the two ways that he can understand it. He stated that the other way is that simply that the environmental process continues and it does not yield the information that we hope has come about and the environmental process can in fact kill this project.

Mr. Michael Lundmark, Los Chavez resident, stated that a lot has been alluded tonight about the continuation of the study. He stated that Max Kiehne supported the continuation of the study. He stated that his question is to Mr. Abbo and Steve Harris, has money been appropriated from the State for the Environmental Impact Study and if not, is this a continuation of an existing study or are they asking for funding for a new study, for a new separate study. Mr. Abbo, stated, that the funding for the next phase will come out of the same money that the money has come out for this phase which is from the bonding program that they have. He stated that they have started to use some of the money to pay for the study and will use some of that money to pay for right of way acquisition and will use some of that money to pay for the design should the study turn into a project and move on and that is where the source of the funding is coming from. Mr. Lundmark stated that he hadn't answered the question if this is a new and separate study that would require separate funding than the previous one or is this continuation from the previous study. Mr. Abbo stated that this is a phase subsequent to the phase that they are in and money, as he has indicated, that they have a bonding capacity, part of what they draw is for this, the same study being continued forward. Chairman Aguilar stated to Mr. Abbo that she believes what is being asked is, they appropriated monies for the studies and you need to appropriate

monies for the EIP study phase and when you started these studies the money has already been appropriated so that you do not have to go ask for funds. Mr. Abbo replied that they will have to negotiate the subsequent phase but they have already put out a proposal that covers both this phase and the next phase. Chairman Aguilar inquired where they could find a copy of that proposal. Mr. Abbo stated that he could provide it to her. Mr. Lundmark stated that what Mr. Abbo stated is that the money has been appropriated. Mr. Abbo stated that the money is within that bonding authority. Chairman Aguilar stated that it is within that 1.2 billion. Mr. Abbo stated that it's within the 24 million. Chairman Aguilar stated that on this 24 million, they are already beginning to retire some of the bonds, and spend some of that 24 million. Commissioner Pando inquired if it is possible for Mr. Abbo to tell them what they have spent so far and what the EIP will cost. Mr. Abbo replied that the EIP has not been negotiated but he's thinking that it will be in the neighborhood of \$250,000 but he is not sure because he has not done a man hour estimate yet on the work required. Commissioner Pando then inquired as to how much had been spent so far. Mr. Abbo stated that off the top of his head maybe about \$800,000, \$900,00 but he doesn't know an exact figure. Commissioner Pando stated that we are talking over a million dollars just for a study. Commissioner Pando stated that it was too bad that money couldn't have been put on 47 or Highway 6 or 314. Mr. Abbo stated that as Mr. Harris has stated this money can only be used to study this project and that was the way the legislation was drafted so it is not a matter where Steve or myself can move the money around.

Mr. Matthew Padilla, Tome resident, stated that when a survey is done, before the survey is sent out, you do it in an appropriate way and you have to have a validity coefficient established, you have to have a reliability coefficient established. He stated that you have to have at least a 25% return on survey that you send out in order for whatever information you get to be statistically significant at the 9.8 level which is the level for acceptance for these kind of things. Mr. Padilla stated that his question to Mr. Abbo and Mr. Harris is what was the reliability coefficient, what was the validity coefficient, and what was the return on the survey. Mr. Abbo replied that he does not allude to the survey that was done because it was not a scientific survey and he will not stand before the Commission claiming that it was. He stated that they had put the survey in the News Bulletin and it was distributed throughout this area and there were a lot of comments that nobody supports this and he heard that throughout many meetings. He stated that he instructed Mr. Pennington to do an informal survey just for my own self-satisfaction to see if there was any support from people out there and that is why he has never referred to the survey and he will not tell them that it is a statistical survey because it is not but just to see what kind of information we got back and from how many people. He stated that the exact number he does not have with him but it was a low number, somewhere between 720 and 800. He reiterated that it was not a statistical survey.

Mr. Victor Williams, resident of Los Lunas, stated that he had a question about the statement of traffic studies last summer. He stated that at this time last year there was a massive trap up and you guys were doing studies and Molzen/Corbin says they were doing studies. He stated that he went down there with a video camera and photographer and taped the whole thing. He stated that at 4:30, precisely 4:30 in the afternoon the light would change from one-minute green going towards the west to 30 seconds.. He stated that that was the reason the traffic was backed up and this lasted about 3 months. He stated that he seldom went that way at that time of day and he had to check this out and he couldn't believe it so he went down and videotaped it and he thinks it was a Thursday or Friday and he called a low-paid person at Transportation in Albuquerque and in two days it was fixed and there hasn't been any major traffic backups except when school lets out. He stated further that if traffic is big, and he doesn't see a major traffic concern, what he is saying is why don't they do that. He stated that there are other alternatives to alleviate the existing problems than building a 23 to 50 million-dollar bridge. He stated that he wondered why this went on all this time and no one knew anything and all the people were sitting there with light after light and nobody fixed it until one citizen comes along and thinks something's wrong here. Mr. Harris stated that he is not sure about the gentleman's request for intervention but he can tell the Commission that the Village of Los Lunas contacted them and requested for them to look into the signal and he asked someone from their signal lab in Santa Fe to go down and inspect the signal. He stated that they determined on that inspection and it may have been concurrent with his questions but the signal time had been altered. He stated that signal is maintained by the Village of Los Lunas and not the State Highway and Transportation. He stated that they had interjected and said in the most polite way they could that their signal timing is all screwed up and he agrees with the conversation that the signal timing was out of sorts. He stated that one of the things that they have concluded about that intersection is that no amount of signal timing will adequately address a train arriving at the wrong time of day out there. He stated that unfortunately the signal is too close to the railroad crossing but there are improvements and in fact the signal at the intersection does continue to fail at certain times of the day. He stated that it is radically impacted by school traffic as he has pointed out and that is one that this is one thing he has committed to the Village of Los Lunas in conversations, to continue to work with them to try to find some things that will relieve that intersection as well as State Road 6. He stated that some of the questions asked earlier about developing a network of roads that is not totally dependent on State Road 6 and 314 in the area because they simply cannot accommodate all the scenarios that are arising there. He stated that the gentleman is correct, the signal timing was a mess and he is pleased that he called because that is why he was advised.



Ms. Simone Seller, resident of Tome, stated that she had a question about the EIS and why Parson/Brinkerhoff is doing it and the bidding that was done and if so why was Parson/Brinkerhoff chosen. She stated that it was her understanding that for every separate phase there should be separate bidding. Mr. Abbo stated that when they requested the proposal they have indicated that the work would encumber the phase 2, which was a detailed evaluation, and should the study go; the environmental study would be done as part of this project. He stated that they do this for a reason, for continuity, so they can have the same consultant continue the same work. He stated that when you build a house you want the same contractor to finish the entire house. Mr. Abbo stated that he didn't believe it constituted a conflict of interest and he has asked that question of the Department and the answer was no.

Ms. Terry Jaramillo, resident of Tome, stated that she wanted to go back to Matthew Padilla's question about the survey. She stated that continually she reads in the newspaper quotes from Parsons/Brinckerhoff about the survey and what the results were and even though they say that they have never used that as a scientific survey but it's continually stated in the newspaper. Mr. Jim Smith stated that what he had to say goes along with what Ms. Jaramillo was saying and began reading from a newspaper article regarding the survey. She stated to Department officials that they say that they did not specifically give the information to her but that it was included in a document that has been given to every agency that has been brought into the discussion on this and they had also brought it to the Los Lunas meeting and the Bosque Farms meeting. Mr. Abbo stated that as Mr. Smith had pointed out, those were facts that they did put a survey out, they are not denying it and they did get x number and he thinks that that number was about 700, they did that. He stated, however, in that report you will not hear any reference to it being a scientific survey. He stated that it is part of the record that they did the survey but I didn't say that it was scientific and they will never hear him say that. Chairman Aguilar stated that there were petitions that were sent with a no-build or objections to the project, and inquired if that was referenced in the study. Several members of the audience stated no. Mrs. Jaramillo continued by saying that as far as the traffic coming from the high school referred to all the time, she said that it sounds like they need a new high school, not a bridge.

Mr. Ray Garcia, Tome Homeowners Association, inquired if there was already money earmarked for the EIS why does the Highway Department have to come to the Commission to get permission to do the next phase of the study. Mr. Abbo stated that it was part of public involvement. Chairman Aguilar stated that she had an additional question for Mr. Abbo. She stated that in the past any current projects constructed on Highway 47, a widening of Reinken road, they have the widening of Highway 6 in Los Lunas, and other projects going on in Valencia County, none of those municipalities have come to the County for permission, yet this property is on county property, they have no jurisdiction over our land use. She stated that for them to take the response from the municipalities forward without taking into consideration the vote of this Commission first she believes is wrong. She stated further that it is an old Resolution based on old data and a resolution carries no legal authority. She stated that her understanding is that originally on the Resolution that Los Lunas wanted an interchange. She stated that it was started as just a small, little interchange that grew and grew and grew. She stated that she appreciated the Highway coming to the Commission but that they had told her from Federal regulations that the study had to continue until the end, that they couldn't stop it. She said that it had been awarded and it needed to be finished. She stated that the next phase is environmental which is something else. She stated that she goes back to if the information in the study is not current and the data is not accurate, how can they proceed to the next phase. Mr. Abbo stated that there is one thing that they have to keep in mind and that is that every time a new set of data comes out they cannot start over otherwise they would never finish the process, they just update it as they go along and he thinks that is fair to say. Chairman Aguilar stated that she would call on Mr. Chavez for comments from Planning and Zoning.

Mr. Steven Chavez, Planning and Zoning, stated that they had given the study a thorough review. He stated that what they reviewed was the statistical analysis, where those statistics came from and how they were derived. He stated that what they found wasn't so much significant but the aggregate total of what they found he thinks sends a message to the County. He stated that on Page 14, the table of the Valencia County population, they used the BBDR, 2020 projection of 112,000, yet in the map on the same page it gives them basically the aggregated data analysis of sub-zones. He stated that they have the Middle Rio Grande Council of Government's first projections from 1995. He stated that those projections, the Parsons/Brinckerhoff consulting team and technical team, agree were not necessarily flawed but projections were inaccurate basically and he thinks they conceded in that document that those projections were inaccurate by using the BBDR projections at the beginning of the document and then when they put together the map, he wouldn't call it manipulation, but they used the COG projections which are 11,000 higher. He stated that that in itself is not a major problem but if you look at the sub areas, what they have done is they have looked through all the data analysis sub zones, these are 40 or some sub zones that COG uses aggregated to 9 sub areas. He stated that sub area 7 is the most significant which is the east mesa, they think that the 11,000 that they miscalculated, that they over calculated, that the COG over calculated, is all in that sub area 7 and as was mentioned earlier that we had a total of 30,580 in 2020 and the Department thought that was very high. He stated that it was very high and they have estimated 22,000, 23,000, He stated that that is

based on the BBDR projections and the COG and themselves in the Planning Department. He stated that they had reallocated land uses to reflect that number and the COG has approved this and the BBDR projections have been approved as well and we heard earlier testimony from the State that they only use approved projections. He stated that those BBDR projections at 112,000 were approved and they used them in portions of this document. He stated that the next minor flaw that they found in the study is on Page 16, the number of lanes. He stated that they look at the system, the transportation system and he doesn't claim to be a transportation planner. He stated that he would like to let Mr. Harris know that they have requested T-modeling many, many times from the State. He stated that he had spoken to many of the engineers at the State and he has requested it formally and they have gotten the door slammed in their faces. He stated that they have completed a draft transportation plan which has the future road network for the County and they have discussed with the Middle Rio Grande's consulting firm who is Parsons/Brinckerhoff as well and they have not taken into consideration some of the suggestions that they have looked at and he thinks it is because they don't have transportation modeling. He stated that Mr. Harris did say that the Middle Rio Grande's connection team, he didn't say it by name but there is an organization that is looking at regional planning and there is Middle Rio Grande Connections and that document is in front of the Commission. He stated that when they go to their meetings, they weed out all of the Valencia County projections for our road network for our system network. He stated that they have taken the Manzano Expressway extension out citing to the 1996 studies and it's flawed. He stated that his department thinks the study itself is flawed. He stated that Mr. Harris said that Valencia County's needs are taken into consideration with this regional look but his department thinks that they are not taken into consideration. He stated that he is not making a recommendation for or against proceeding. He stated that they need to proceed with the study but there are flaws in the study that need to be addressed. He stated that the roadway system map on Page 16 doesn't take into account any improvements that have occurred in the last two years on 47 and 309. He stated that on 309 they do but they don't take into account the 47 improvements, which basically consist of an additional three lanes, and it might have an impact, maybe not a huge impact. He stated that on the next page, Page 17, which are the average traffic volumes. He stated that this map itself is based on the COG projections from 1995, those projections of course come from their 2020 social-economic data sets that they have determined were not flawed but inaccurate and they have agreed with us, they are inaccurate. He stated that it was their first generation of data. He stated that what his department has found in the 1999 traffic counts that just came out from the COG, they found that some of those counts, this map reflects 98 figures as well as 2020-1995. He stated that he is concentrating on the 1998 figures and if you look at Highway 47 and North El Cerro Loop, they show a traffic volume of 10,100. He stated that the 1999 traffic count shows 9,500, he has asked himself and he has asked the COG and he has asked Dave Pennington, why, why do we have less traffic in 1999 when we know that there is growth, growth is increasing. He stated that this has occurred as well on 47 near Tome Hill road. He stated that he thinks there is a problem with that and he doesn't know the answer to that but it is a problem and sends out a signal that there is something wrong. Chairman Aguilar inquired of Mr. Chavez that in the traffic flows that are provided by the MRGOC, there is a disclosure and it talks about standard data, the volume is based on traffic count data accepted by the New Mexico State Highway State Transportation Division traffic monitoring system as standard in accordance with the New Mexico State Traffic Monitoring standards, they are basing it on certain standards and not accurate, not actually coming out and reading. She stated further that the non-standard is based on either traffic count data not in compliance with New Mexico State Transportation or NMSTMS, or unprofessional judgment. Mr. Chavez agreed and stated that disclosure is not even adopted and these are based on MRGCOG figures. He stated further that also when they do the figures that are not in compliance with the monitoring system of the State, those figures are two-thirds of each generation. He stated for example that every time the COG puts together a yearly traffic volume count, one-third of that count are actual numbers, they actually count, those are in compliance with the monitoring system. He stated that two-thirds are not in compliance and based on professional judgment. He stated that this is somewhat reliable data but they don't know which one-third for that year, they don't know which two-thirds, it's all on a rotation, every year it changes so every year a third is actually analyzed. He stated that he thinks that is problematic. He stated that they had spoken to the people at COG and to tell you the truth they don't even know how it's done. He stated that he is not a transportation planner so he asks a lot of questions of COG and works with the Council of Government and he doesn't blame them but this connotes a trend that we've seen in this County for many years and they are trying to put a stop to it, and that is that the State, the City of Albuquerque and the COG, and they have conceded to this, planning for Valencia County and taking advantage of this County because we haven't had special staff here until the past few years. He stated that they are trying to put an end to that and we want the State and COG, and they have gone to the State and COG demanding that they include us in the process. COG does include us in the process but we are still having problems with the State as far as T-modeling is concerned. He stated that on Page 18, Level of Service, Table 1-3, New Mexico 47, look at that road and there are four possible combinations, AM northbound, PM southbound and PM northbound and southbound so there are four possible combinations. He stated that in 1998, before construction of the improvements to New Mexico 47, they gave south of North El Cerro Loop, they gave AA, AA; northbound southbound all had A's, that is the highest level of service. He stated that this was before construction, before the improvements took place. He stated that that raised the question to the planning staff why did that occur. He stated that if that segment of the road had AA, AA level of service in 1998 why did the State spend so

much money to improve it because of the congestion. He stated that they know there is a lot of congestion but it shows here that it has AA AA. He stated that maybe when they put this together they had problems putting it together. He stated that maybe it was an oversight because he isn't saying that the staff of Parsons/Brickhoff are not professional but he thinks it is a pretty large oversight. He stated further that of course 2020 gets a DD rating. He stated that the next one and he really doesn't know what this means but if you look at New Mexico 324 and North New Mexico 6, AM northbound they give it E rating, southbound they give an A rating, P on northbound they give a B rating, PM on southbound they give an E rating and you turn to the next page, it shows their map of level of service, they give it an EE rating. He stated that that is tweaking numbers and if you look the map it shows that that segment illustrates that practically it has failed but it doesn't say when it failed and they don't show all four possible combinations. He stated that they pick out the worst combination and throw it into this map. He stated that again, he is not casting any blame but he thinks it is a problem. Chairman Aguilar addressed Mr. Chavez and stated that although he is saying that he would like to move on to the next phase even with all these flaws and inaccuracies in the current study, how can they say that they will address it in the EIA when they haven't addressed it or changed it now? Mr. Chavez stated that he would like to see it addressed either now or later, it needs to be addressed. Chairman Aguilar stated that her past experience, and she goes back to FEMA and the flood plain, they need to address it now. She stated that after each phase there should be answers and there should be a comfort that the people say we trust what you said so now we can move on to the next phase, we don't have that tonight do we? Mr. Chavez replied no we don't and inquired if she was asking if he felt comfortable professionally with the figure, he would say no because he doesn't have an accurate picture system-wide. He stated that from the very beginning they have told Parsons/Brickhoff that they want information on Manzano Expressway, they want to look at a system-wide analysis and we want them to look at our roads, the ones we determine a need to look at not the ones they determine. He stated that in some of the private conversations with people in Parsons/Brickhoff they have agreed with them, the entire time, yet they don't get that reciprocity. Chairman Aguilar stated that she would read something, providing successful high capacity transportation is important for our region. She continued, quality of life and economic vitality in recognition of this need the New Mexico State Highway Transportation Department, City of Albuquerque Transit Development and the MRGCOG have joined together to develop a strategic plan to meet the region's major transportation challenges for the future. She stated that that tells her they are talking high capacity but also if they go back to 2020 and 2050 Focus, then the plan, it has changed from what was there even three years ago and the plan is extremely specific and when it talks about transportation, it says that it will provide viable transportation choices for people, it will minimize air pollution and then also, minimize environmental damage from construction of new bridges and other transportation infrastructure, that is our 2050 Focus. She stated further that if we have a new mission statement, the COG has changed the direction of how we are to grow and how to provide us with assistance in planning. She stated that it is not what it was when the study first study. She stated that it has changed and this is proof, it is a document and it hasn't been taken into consideration. Mr. Chavez agreed and stated that they have literally demanded that they take us into consideration and just recently placed us on their transportation modeling because the State has neglected to do that for us when we have requested it many times. Mr. Chavez stated further that it was stated earlier that this will take care of Valencia County's transportation improvement needs but they know, Mr. Ruben Chavez and himself, they know because they have met with those folks and they have taken out all Valencia County improvements in their plan except for the river crossing and that upsets them. Chairman Aguilar addressed Mr. Chavez and stated that the meeting tonight is being treated as public hearing and will turn to the Commission for action but then the County will provide facts and findings in writing so she is requesting that those facts and findings be submitted to not only Mr. Harris but each of the Highway Commissioners, the COG, BBDR and other intervals you feel necessary so that everyone is aware of this hearing, the information that came out for us to base our decision on.

Commissioner Pando stated that he didn't recall how many months have passed since the Commission had a vote to no-build. He stated that he believed at that time that the problem had been resolved at that time but it appears to grow bigger and bigger. He stated that he has had various concerns and all the commissioners did as well. He stated that he still had questions and what the impact study will do doesn't make sense to him. He stated further that the Department has not asked for permission to use the State land they supposedly are going to go through and as has been mentioned, originally there was seven sights picked. He stated that if they find other problems with the C-1, they could go back to all 7 for all he knows. He stated that his understanding is that there will be no further official meetings and as Mr. Abbo said essentially that they can do whatever they want. He stated that he still feels that a no-build is the only way to go, that they need to improve what the County has and there are many improvements of County roads needed before they go any further with a bridge. He stated that he would endorse and it would definitely help Los Lunas for another exit into Los Lunas because that is desperately needed. He stated that he had a letter from Mayor Huning in front of him. He stated that he hated to disillusion his constituents and the Mayor but in this case he has to and he will live with the consequences. He stated that at this point and time he would rather let Commissioner Padilla make the motion because he made it originally but he will back a no-build option at this time and also support not to further the study at this time. Chairman Aguilar stated that before Commissioner Padilla makes his motion, the A-2 option would have a serious consequence, a serious affect in Los Chavez

and then it travels on to the other side as far as Tome and to me, we don't have the truth here and she would not be able to support something that would destroy the community. She stated that she would ask just one question, if the study proves that the traffic congestion is north of Los Lunas, excuse my expression, but what the hell will a bridge do in Los Chavez and Tome to alleviate the problem? She stated further that what they have done is divided a community, putting neighbor against neighbor, friend against friend and it's unfortunate because even she, as an elected official, that has to represent the majority and represent all of Los Chavez, for those who want it, she can't tell them, yes, she will support it, because the study is faulty, the study is not accurate and if it's not accurate and she takes her experience from FEMA, then to now, she has to believe that if they go forward the consequences are worse than for them to stand back and say, you've already been paid \$800,000 to do a study, come back with an accurate study, come back with something that is truthful that they can look at. She stated that with what they are giving them today, she can't support it and she doesn't believe what they are telling that they will address the issue in the EIS because the criteria for environmental is strictly what she has been told by them, socio-economic, air, noise. She stated that it doesn't say that they are going back to address traffic counts or population growth or inaccurate information in the study.

Commissioner Padilla stated that based on all the information that they have heard and the excellent delivery by Steven Chavez, and he glad the Commission has him on board because he has given them a tremendous amount of information here tonight. He stated that it was an excellent suggestion by Chairman Aguilar regarding the fact-findings on the information given tonight and what the Commission needed to be able to go forward with an impact study and all the other statements made here tonight. He stated that the Highway Department couldn't prove to them that there is a real need, especially where they want to put this bridge. He stated that for those reasons, he would like to make a motion that they do not allow the State Highway Department to continue with the Environmental Impact Study. Commissioners Baca and Pando seconded the motion. Commissioner Baca stated that the reason she has seconded the motion is because she is voting her conscience. Commissioner Giron stated that the last time he voted on the issue he voted to pull the plug on this deal and the recommendation was for a no build. He stated that he received numerous calls in his District, 50 to 60 calls on why the County needed a bridge and he was receptive to new information and tried to figure a way on how to support the bridge but sitting here tonight, Mr. Harris said something tonight about absolute terms and after he votes his conscience he thinks they will understand where he's coming from. He stated that he understood the C-1 alignment was the one we were going with and that is where it was at and all of a sudden he is hearing that they could go further south with and he has a problem with that. He stated it is getting out of hand, Commissioner Aguilar stated that, we're putting neighbors against neighbors. He stated that the County does need an alternative route to alleviate the traffic problem but what is coming before them, he's having a problem with it. The motion carried unanimously. Chairman Aguilar requested that Mr. Steven Chavez submit the findings to the other municipalities. At this time, Chairman Aguilar called for a 5-minute recess.

**d) Award Bid 517 Juvenile Probation Office**

Mr. Carlos Montoya presented to the Commission Bid #517 and stated that they had had two bids, one from LTD Construction for \$33,000 and the second was Pine river Construction for \$48,000.00. He stated that the bids came in over budget but they have negotiated with the lowest bidder and he came back with a lower bid of \$24,466.25. He stated that this was to for renovations to move the Juvenile Probation to the old Motor Vehicle office. Mr. Montoya stated that they are paying \$24,000.00 a year to house that department and his recommendation is that even if it is over budget that they go with awarding the bid at \$24,466. Commissioner Pando inquired specifics as to the repairs and inquired if there would be a problem in going over the budget. He stated that he thought the bids were outrageous and discussion ensued on speculation on actual costs. Chairman Aguilar stated that she believed there was more to the scope of the job, electrical and mechanical. Commissioner Pando stated that he felt that he was correct in his assessment but with the recommendation of Mr. Montoya and assurance that there will not be a shortage down the road, that is his concern. Mr. Montoya stated that he felt that by doing the job they were improving the assets of the County. He estimated that if the bid was approved tonight it would be completed in no more than 30 days. Mr. Montoya said his recommendation is to approve the lowest bid at \$24,466.25. Commissioner Pando moved to approve the bid with a second by Commissioner Padilla. Motion carried. (Exhibit D)

**e) Updates PNM Light Poles.**

Mr. Michael Montoya stated that on the PNM light poles, is an ongoing negotiation with PNM as far where we are. He stated that one thing that has been resolved and he referred them to the map provided (Exhibit E), the pink being the City of Belen, they are responsible for the pink lights and they have reimbursed the County for \$465.00, a savings now of about \$217.00 a month. When the City of Belen annexed they also annexed the expense of those lights. He stated that if you look at the blue, the blue are what the County is, not the City of Belen and the yellows there are no lights there, just poles. He stated that he had been talking with Larry Stevens from PNM, the lights, one part going through Veguita, there was a letter going back to 1995 when they requested that PNM turn off every other light, a savings of \$219.00 a month. He stated that the County is still getting billed for 27 lights so PNM has passed it on to their attorneys and we calculate that they owe us about \$10,000 since 1995

charging for the full load. Mr. Montoya then requested direction from the Commission on the effort to shut down every other light. Discussion ensued on the history of the request to PNM. County Manager stated that the letter is in contradiction to an agreement signed with the County that those lights would remain on for particular time period. County Attorney Thomas Garde stated the legalities of the issue and the process stands at negotiation. Chairman Aguilar stated that she believed it would be a good savings an inquired further of the Commission. Commissioner Padilla stated that as long as he is informed the status so he can explain to his constituents when they inquire. Commissioner Pando inquired if there was a safety issue. County Manager James Fernandez stated that there have been calls to the County complaining about how bright the lights were. The direction for negotiation was every other light and effort to get a refund on the previous billings. Commissioner Pando brought up inquiries he has had on Sichler Road on lighting. Commissioner Baca stated that Mesa Road was really bad. Chairman Aguilar suggested that if PNM would not give a refund perhaps a credit could be applied to other needs. She stated that the Commissioners could come up with a list of their specific needs.

#### **Transfer Station.**

Mr. Carlos Montoya requested authority to negotiate a one-year extension with Waste Management. He stated that he thought the \$155.00 was too high. He advised that if the County follows through on their effort to get their own landfill that something could be inserted to provide that the County can get out in 30 days. Discussion ensued on equipment and an inquiry was made as to the economic feasibility of purchasing equipment and Mr. Montoya stated that at this time, no. Commissioner Padilla inquired the yearly cost for hauling to which Mr. Montoya estimated \$16,000.00 on the average per month. Mr. Montoya stated that purchasing equipment would be cost effective if the County owns its own landfill. After further inquiry Mr. Montoya stated that he would look into the cost of lease-purchase. Chairman Aguilar stated that administratively Mr. Montoya would be directed to extend the lease with Waste Management for one year, with negotiation on the tipping fee and a 30-day termination clause. (Exhibit F) Mr. Montoya inquired of the Commission regarding the tarping of trash and possible ordinance. He requested authorities to review and report back to the Commission.

#### **f) Manager's Report**

County Manager James Fernandez referred Commissioners to a list of expenditures on the County road programs. (Exhibit G) He referred them to a letter from City Manager Sally Garley regarding the Extension Service basically saying if all parties do not contribute they will not contribute. (Exhibit H) Mr. Fernandez then presented an update with the Treasurer's Financial Report. He stated that at the beginning of business today there was \$1,718,066.96 in the General Fund. He said that in the road fund there was \$46,477.59. (Exhibit I) He stated that one of the items in the Executive Session was a walk-through the construction site of the Adult Detention facility. Mr. Fernandez then furnished to the Commissioners the Invitation to Bid on paving for Las Maravillas Fire Department, which has been released. (Exhibit J) He reminded the Commission that a special meeting must be held within five days from receipt of the tax rates from the State Property Division so that the Treasurer can proceed with her tax schedule. Mr. Fernandez stated that he wanted to inform the Commission that construction has begun on the sub-station at El Cerro Mission, projected construction time 60 days. He stated that they would have a pre-construction meeting on the Manzano Expressway on September 21st. A discussion was held regarding correspondence regarding boundaries between the Belen and Los Lunas School Districts. Chairman Aguilar stated that she had a notice that Cobisa is already advertising and wanted to be certain Planning and Zoning was aware. Mr. Fernandez stated that that department had been notified. Chairman Aguilar stated that she had received a letter from the MRGCOG regarding regional excellence awards and directed that copies be made for all the Commissioners. She also stated that she was having a town hall meeting at El Cerro Community Center that was requested by several of the residents.

#### **g) Approval of Resolutions**

Mr. Carlos Montoya stated that VIA has agreed to pickup half of the cost of the trash that is being hauled on the pickup, with the extension of the contract for four months. Intra Budget Transfers. ((Exhibit K) Commissioner Pando made a motion to approve Resolution 2000-45 with a second by Commissioner Baca. Motion carried. Budget Increase. Mr. Montoya then submitted Resolution 2000-46 for approval (Exhibit L). Commissioner Pando made a motion to accept Resolution 2000-46 with a second by Commissioner Baca. Motion carried.

#### **h) Warrants**

Mr. Carlos Montoya then submitted Warrants for approval. Commissioner Padilla moved the approval with a second by Commissioner Pando. Motion carried. (Warrants on file in the Office of the Valencia County Clerk)

#### **NEXT MEETING**

The next Regular Meeting of the Valencia County Board of County Commission will be held on October 2<sup>nd</sup>, 2000 at 10:00 AM in the County Commission Room at the Valencia County Courthouse.

#### **ADJOURNMENT**

Commissioner Pando made a motion to adjourn with a second by Commissioner Padilla.  
Motion carried.

**NOTE:** All proposals, documents, items, etc., pertaining to items on the agenda of the September 18<sup>th</sup>, 2000 Meeting (presented to the Board of County Commissioners) are attached in consecutive order as stated in these minutes.

**VALENCIA COUNTY BOARD OF COMMISSIONERS**

**ss/  
ALICIA AGUILAR, CHAIRMAN**

**ss/  
AURELIO H. PADILLA, VICE-CHAIRMAN**

**ss/  
S. T. FRANK PANDO, MEMBER**

**ss/  
ELOY GIRON, MEMBER**

**ss/  
HELEN BACA, MEMBER**

**ATTEST: ss/**

**KANDY CORDOVA, COUNTY CLERK**

**DATE: October 16, 2000**

**For an official signed copy of these minutes and attachments see Book 37 Page 779.**