

SFC CLERK RECORDED 02/23/2022

**SANTA FE COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**REGULAR MEETING**

**January 25, 2022**

Anna T. Hamilton, Chair - District 4  
Rudy Garcia, Vice Chair - District 3  
Anna Hansen - District 2  
Hank Hughes - District 5  
Henry Roybal, Chair - District 1 [Webex]

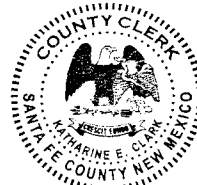
COUNTY OF SANTA FE       )  
STATE OF NEW MEXICO    ) ss

BCC MINUTES  
PAGES: 53

I Hereby Certify That This Instrument Was Filed for  
Record On The 23RD Day Of February, 2022 at 08:35:09 AM  
And Was Duly Recorded as Instrument # **1981224**  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Katharine E. Clark

Deputy *Destiny Romero* County Clerk, Santa Fe, NM



**SANTA FE COUNTY**  
**REGULAR MEETING**  
**BOARD OF COUNTY COMMISSIONERS**

**January 25, 2022**

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:21 p.m. by Chair Anna Hamilton in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

Pursuant to continued concerns regarding COVID-19, this meeting was conducted on a hybrid platform incorporating both in-person and virtual participation.

**B. Roll Call**

Roll was called by Deputy County Clerk Evonne Ganz and indicated the presence of a quorum as follows:

**Members Present:**

Commissioner Anna Hamilton, Chair  
Commissioner Rudy Garcia, Vice Chair  
Commissioner Anna Hansen  
Commissioner Hank Hughes  
Commissioner Henry Roybal [via Webex]

**Members Excused:**

None

**C. Pledge of Allegiance**

**D. State Pledge**

**E. Moment of Reflection**

The Pledge of Allegiance and the State Pledge were led by Chair Hamilton and the Moment of Reflection by Devin Baldwin of the Community Services Department.

Commissioner Garcia requested a moment of silence for the passing of his father, Toby Garcia, and Commissioner Hughes requested a moment of silence for community member Floyd Trujillo.

**F. Approval of Agenda**

CHAIR HAMILTON: Manager Miller, are there any changes or notes we should make?

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KATHERINE MILLER (County Manager -via Webex): Yes, Madam Chair. Thank you. The original agenda was posted on Tuesday, January 18<sup>th</sup> at 5:18 pm, and the amended agenda with the following amendments was posted on Friday, January 21<sup>st</sup> at 5:05 pm. The agenda item 3. D, the request of approval of a cooperative project agreement with NMDOT, that packet material was updated. Item 3. E on the Consent Agenda, request acceptance of right-of-way donation agreement, that caption and packet material were updated. Also item 3. F, the request of approval of an agreement between Santa Fe County and AFSCME, Council 18, that item was added and packet material was update.

Then under Miscellaneous Action Items, item 5. A, approval of an amendment to a memorandum of agreement, that caption and packet material were both updated. And then under 6. Presentations, item 6. A, a presentation on ICIP funding requests, that item was added. And then item 9. C, a resolution in support of a memorial, that caption and packet material were updated. And those were the items changed on the agenda on last Friday, on the 21<sup>st</sup>. And that's all I have. Thank you.

CHAIR HAMILTON: Thank you, Manager Miller. So what's the pleasure of the Board? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. I move to approve the agenda as amended.

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: Thank you. So I have a motion and a second.

**The motion passed by unanimous [5-0] voice vote.**

**1. G. Employee Recognition – Years of Service and New Employees**

CHAIR HAMILTON: Manager Miller.

MANAGER MILLER: Thank you, Madam Chair. As you know, several years ago we initiated a years of service recognition program and in this program we recognize employees on a monthly basis who have completed years of service in five-year increments, consecutive years of service. So if you have a break with the County, you start back at year one. But if you have been with the County consecutively for five, ten, fifteen, twenty, twenty-five years, you receive this recognition. And our point of this is just to express how much we appreciate at the management level and the Commission level those employees who make a career at Santa Fe County.

So in the Public Works Department we have Lawrence Imprescia, who has five years of service in road maintenance. In adult corrections facility, Roger Rivera, with five years of service on January 23<sup>rd</sup>, both of them. And then in Land Use, Ashley Lopez, with ten years of service on January 25<sup>th</sup>, today. In Solid Waste, Danny Zamora with ten years of service on January 28<sup>th</sup>. In Health and Human Services or Community Services, Jennifer Romero, on January 1<sup>st</sup> celebrated 15 years with Santa Fe County. Also Anna Martinez on January 2<sup>nd</sup> in GIS, and in the Sheriff's Department/Animal Control, Kurt Whyte will celebrate 15 years on January 29<sup>th</sup>.

So I would just like to thank them. Obviously in today's work environment being committed and staying with the County is greatly appreciated, probably more so than at

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any other time in the history of the County, or at least in the 12 years that I've been here and I want to thank these employees for being committed to Santa Fe County and for all of their hard work. Thank you.

CHAIR HAMILTON: Thank you so much. We on the Board definitely appreciate everybody's service and their long-term service. Are there any comments anybody would like to make or shall we roll along? Commissioner Hansen.

COMMISSIONER HANSEN: Yes, I just want to echo what Manager Miller said and recognize in this difficult time how grateful we are to the employees that we have and just for being here and all the work that we need to get done and we do get done. Thank you.

CHAIR HAMILTON: Thank you so much, Commissioner Hansen. So Manager Miller, we go back to you.

MANAGER MILLER: Thank you, Madam Chair. And then the other employee recognition, we do like to welcome and recognize those employees who are starting their career at Santa Fe County. And the first one on this list is not to be confused with me. I was actually confused that I was signing my own personnel action form and I thought: I haven't done anything. But it's actually Katharine Miller, with an A. That will be the only way to tell us apart, who joined the County on December 13<sup>th</sup> as an assistant County attorney, and that should be equally confusing with Katharine Clark, our Clerk. So we'll have fun with our three names here.

Then in Community Services, we have Craig Dalland, who's a driver and cook's assistant. He joined us on December 4<sup>th</sup>; Nancy Toscano, our bilingual navigator, in Community Services, and then in the Fire Department we have a new forestry technician, Gabriel Borrego, and then several new firefighter cadets that joined us on December 4<sup>th</sup>, and that's Noah Cook, William Henry, Isaiah Lynch, Joseph Millard, and Cody Spencer. And then in Public Works, we have a new maintenance technician, Johnny Anderson, and a new custodian, Adrian Lopez, and a new solid waste maintenance worker, Omar Romero.

So all of those joined us in December and we continue recruiting new employees and we'll have another hopefully long list for you in February for all the people that are joining us in January. So with that I'd just like to welcome them to Santa Fe County and hope that we'll be recognizing them in five years from now for their continued service here. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you so much. Exactly. We hope to give multiple year recognitions to all of them. Welcome to the County. Commissioners, Commissioner Hansen.

COMMISSIONER HANSEN: Just welcome everyone. Thank you for joining the team. Santa Fe County is a great place to work and we look forward to meeting you.

CHAIR HAMILTON: Thank you so much.

### **3. APPROVAL OF MEETING MINUTES: December 14, 2021**

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Yes. I have changes and I've given them to

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the stenographer, so I wish to request approval of the December 14<sup>th</sup> minutes with changes.

CHAIR HAMILTON: Thank you. I have a motion. Do I have a second?

COMMISSIONER GARCIA: Second.

CHAIR HAMILTON: Thank you. So I have a motion and a second.

**The motion passed by unanimous [5-0] voice vote.**

**3. CONSENT AGENDA**

- A. Request Approval of County Health Care Assistance Claims in the Amount of \$4,180 (Community Services Department/Jennifer Romero)**
- B. Request Approval of Agreement No. 2022-0069-PW/MM between Santa Fe County and Trails Development I, LLC, Related to the Construction of the Arroyo Hondo Trail Project (Public Works Department/Carrie Olson)**
- C. Request Approval of Amendment No. 2 to Agreement No. 2017-0325-PW/KQ between Santa Fe County and Univest-Rancho Viejo, LLC Related to the Construction of the Arroyo Hondo Trail Project (Public Works Department/Carrie Olson)**
- D. Request Approval of a Cooperative Project Agreement with the New Mexico Department of Transportation to Provide Federal Highway Administration (FHWA) Funds in the Amount of \$37,900 to the County for Final Design of Segment 3 of the Arroyo Hondo Trail Project (Public Works Department/Carrie Olson) (Packet Material Updated)**
- E. Request Acceptance of Road and Utility Easement Agreement Number 2021-0152-C-PW Between Roadrunner Real Estate, LLC and the County Conveying a Permanent Easement to the County for Construction of the Northeast/ Southeast Connector Road Project and Other Public Uses (Public Works Department/Scott Kaseman) (Caption and Packet Material Updated)**
- F. Request Approval of Agreement Between the County of Santa Fe and the American Federation of State, County, and Municipal Employees (AFSCME), Council 18 (Referring to the Bargaining Unit as Local 1413), January 25, 2022-August 31, 2026 (County Attorney's Office/Rachel A. Brown and Human Resources and Risk Management Division/Sonya Quintana) (Item added)**

CHAIR HAMILTON: Are there any items a Commissioner either has a question or would like removed for discussion?

COMMISSIONER HANSEN: Madam Chair, I just want to say congratulations to getting the final easement for the northeast-southeast connector. This is a project that I have been working on since 2004 when I was hired by Oshara Village to work on this project, so I'm looking forward to the next phase and with that, Madam

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Chair, I will move to approve the Consent Agenda.

COMMISSIONER GARCIA: Also, Madam Chair, a little bit of discussion.

CHAIR HAMILTON: Is that a second? So I have a first and a second. Under discussion, Commissioner Garcia.

COMMISSIONER GARCIA: Yes, as my colleague Commissioner Hansen mention earlier or just a few minutes ago, and this is for individuals that are actually listening on the radio or on YouTube. The northeast-southeast connector is a very important road network that will actually be south of the I-25 corridor. It will be in the Rancho Viejo area. This is actually off of Dinosaur Trail. It will be get some good movement through that Community College District, relieve some traffic off of Richards Avenue. So I just wanted to get a little more detail as into what the County is doing and how we're moving forward on that northeast-southeast connection.

Once again, thank you to everybody who has worked on that and this item number F is – I've been on a bargaining unit and I've actually negotiated with a union and been on both sides. I know the hard work that Sonya Quintana does for our Human Resources as well as our Deputy County Manager and Rachel Brown, that's some stuff that takes months and months and sometimes years to negotiate that and with everybody on the negotiating team, good job. Thank you for that. Thank you, Madam Chair.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I just want to be clear that the northeast-southeast connector is in the Oshara Village Subdivision, right south of Rabbit Road.

CHAIR HAMILTON: Thank you for the clarification. Is there any other discussion? Commissioner Hughes.

COMMISSIONER HUGHES: Yes, I just wanted to thank everybody who worked on getting the northeast-southeast connector. It's been a long time coming. I think I attended the first meeting about the design about 12 years ago or something like that. So thanks to everybody in Public Works who has gotten that on track. And also the Arroyo Hondo Trail is the subject of I think two of the items here and that's another very important project in that same part of District 5. But I'm ready to vote.

CHAIR HAMILTON: Excellent. Thank you so much. I agree with all the comments. So there's a motion and a second.

**The motion passed by unanimous [5-0] voice vote.**

#### **4. APPOINTMENTS/REAPPOINTMENTS**

##### **A. Request Approval of Appointment to the City of Santa Fe Library Board**

CHAIR HAMILTON: I believe the County Manager's Office, Ambra Baca, is taking this.

AMBRA BACA (County Manager's Office - via Webex): Hi. Good afternoon, Madam Chair and members of the Commission. I am the constituent services liaison for District 1 and was recently asked to serve as a staff liaison to the City of Santa

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Fe's Library Board. I'm presenting for approval today a recommendation to fill the vacancy County board member seat.

Created by the City of Santa Fe in 1962 the Library Board is an advisory board to the City's governing body. The board recommends, in consultation with the City of Santa Fe's Library Division and staff policies in the use of the library, book selections, acceptance of gifts and other policies. The board consists of seven members, five of whom live within the incorporated boundaries of the city and two who live outside the city boundaries within Santa Fe County.

The Santa Fe County Board of County Commissioners recommends County members appointed to the Mayor for presentation and approval of the City Council. The board meets monthly on the third Tuesday at 5:45 pm. Meetings are currently being held virtually due to the COVID pandemic.

Santa Fe County advertised the vacant board member position for the Library Board via press release on November 2, 2021. Staff received letters of interest, résumés from the following individuals seeking appointment to the Library Board: Gregory Coplans, Myra Zimmerman, Paul Stuart Spalding, Ronald Lattner, and Brecken Larson. As staff recommendation I'm recommending the appointment of Ms. Brecken Larson to serve the three-year term. Ms. Larson has served on the Library Board since February 2020 as a resident of the City of Santa Fe. She has recently moved and is now a resident of Santa Fe County in District 2. She stated in her letter of interest that she wishes to continue her work on this board to help move forward its long- and short-term strategy goals. I believe that Ms. Larson will bring valuable experience and background to the work of the Library Board and that she is committed to continue the important work on the board. I stand for any questions.

CHAIR HAMILTON: Thank you very much, Ambra. Commissioner Hansen.

COMMISSIONER HANSEN: Are supposed to appoint two or just one member?

MS. BACA: At this time just one member.

COMMISSIONER HANSEN: Oh, okay. I will move to appoint Brecken Larson, who you recommended.

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: Thank you. So we have a motion and a second. Is there anything under discussion? Seeing none.

**The motion passed by unanimous [5-0] voice vote.**

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**5. MISCELLANEOUS ACTION ITEMS**

**A. Request Approval of Amendment No. 1 to Memorandum of Agreement No. 2021-0121-CMO/BT Between Santa Fe County and the City of Santa Fe Establishing the Funding Contributions of Both Parties of the Agreement for Operations of the Santa Fe Regional Film Office, Increasing the Amount of Contributions an Additional \$330,000 with a Total Contract Sum of \$1,300,000 Over a Four-Year Term**

CHAIR HAMILTON: I assume we're going to Jennifer LaBar Tapia.

JENNIFER LABAR TAPIA (Film Office -via Webex): Good afternoon, Commissioners. Hi, Madam Chair, Board. So yes, we are requesting an amendment to the original MOA that was passed earlier in fiscal year 2022. This is just to ask for additional funding from both the City and the County. Originally the MOA, prior to the pandemic had some higher contributions that went to the Film Office and back in 2020. We did have to cut the budget a little bit on the City side so the County followed suit, and now we're just trying to get the numbers back up to the original MOA agreements, and actually even increasing just a little bit, just to allow for a second FTE to come on board to help with the Santa Fe Film Office, which the Santa Fe Film Office has always been designed to have two FTEs.

CHAIR HAMILTON: Thank you very much. So are there questions?  
Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, thank you. Hi, Jennifer.  
Good to see you. Haven't seen you in a while.

MS. LABAR TAPIA: Hi, Commissioner.

COMMISSIONER GARCIA: Can you tell us, this \$330,000, is it for a total from the last past, three, five years that we've had the film office for? A total of \$1.3 million? Or so right now we're approving \$330,000?

MS. LABAR TAPIA: You're approving the \$330,000, and that's a total of over four years. So the \$1.3 million is joint City and County contributions over a four-year period.

COMMISSIONER GARCIA: Right. And so the \$330,000, is that just from Santa Fe County, or is that from the City of Santa Fe as well, for a total of \$330,000?

MS. LABAR TAPIA: It's from the County.

COMMISSIONER GARCIA: Okay. Thank you. And so since we have you on and we haven't seen you in a little while, can you briefly touch base with what you guys have been doing and basically I heard the other day that Santa Fe County is probably, what, number two in the Southwest for film industry? And the state legislature has a lot to do with the initiatives that they actually give to the film industry, but can you just briefly tell us the great work the Santa Fe Film Office is doing?

MS. LABAR TAPIA: Sure. Madam Chair, Commissioner Garcia, I'd be happy to. You were close, Commissioner Garcia. We were just announced today by *Movie Maker* magazine, which is an industry leader in publication of what's going on, in industry around the world, and the Santa Fe Film Office and Santa Fe just got nominated

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– we’re number three, best places to live and work as a film maker in all of North America. So that includes Canada, Mexico, and of course the United States. And so that’s the small city category. That’s population under 500,000. And I’m proud to say that Albuquerque received top spot, they’re number one in the large cities, beating out Atlanta and Vancouver and some of those other large markets that have become very popular in film. So I’m proud to say that Santa Fe have been in the top three since 2017 on this list and we continue to make great strides and for those of you wondering who one and two are, that would be New Orleans took top spot and Savannah, Georgia took second. So we’re in good company with who we are on that list with.

And yes, in terms of the state legislature and the governor, we certainly appreciate all their efforts to keep our competitive film incentive program going. Without those incentives New Mexico and Santa Fe, quite frankly wouldn’t be on the map for a desired location to come to.

COMMISSIONER GARCIA: Thank you for that, Jennifer. Because it’s always great whenever – the example when you drive into Albuquerque there, when you first get into Albuquerque across the Sandia Indian Reservation you see the film studios. There’s just large amounts of vehicles out there which means there’s large amounts of employees in there. And also all the individuals that do come from different states, it helps out the economy here in Santa Fe County as well as the City of Santa Fe. In my district alone I think I have three, four, maybe five different film studios in my district and we all know that the film industry actually films throughout Santa Fe County as well as the city. But thank you for that brief information. Maybe here sometime soon when we get through all of this mask stuff you can come and give us a presentation as into the figures that actually the film industry does bring into Santa Fe County as well as the city. And if there’s no other questions, Madam Chair, I’d like to make a motion for approval.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. So I have a motion and a second. Is there any further discussion?

MANAGER MILLER: Madam Chair, this is Manager Miller.

CHAIR HAMILTON: Yes, Manager Miller.

MANAGER MILLER: I just wanted to be clear, because I thought I heard Jennifer’s answer to the question. I just wanted to make sure that the Board understands. The total increase to the contract – so we have an existing contract. And the total increase to the contract over four years, which it’s spread out over four years – is \$330,000, half of which comes from the County and half of which comes from the City. And that portion that comes from the County, years 22 and 23 will be funded from the economic development set-aside in the ARPA funds, and years 24 and 25 will be funded with the general fund, which is where we have funded the film office to begin with.

CHAIR HAMILTON: Thank you. I was going to request that clarification just because I thought everybody knew but it was not entirely clearly stated. It got a little confusing. So thank you very much for that.

COMMISSIONER GARCIA: Yes.

MANAGER MILLER: I apologize. I just wanted to be sure because I also wanted it to be on the record that we will be using, for the additional \$50,000 from the County – I can’t speak where the City’s taking theirs from – but the additional \$50,000

for this fiscal year and the additional \$25,000 for next fiscal year will be coming from the ARPA funds we set aside for economic development. And then the additional funding in 24 and 25 will be general fund. At least that's what's planned. I mean obviously that takes the Board to appropriate it but that's how it will be presented to the Board.

CHAIR HAMILTON: Excellent. So are there any questions on that?  
Commissioner Hansen.

COMMISSIONER HANSEN: It's not exactly a question. It's more I want to just congratulate Jennifer. But I also want to congratulate all the studios and film workers, below the line and above the line, who are working so hard to make Santa Fe a great place to work. Because they are the ones who are saying that it's a good place to work. And so I just want to recognize them for their contribution to the film industry in Santa Fe County and all they contribute. And also thank you, Jennifer, for your good work. Thank you.

CHAIR HAMILTON: Thank you very much, Commissioner Hansen. Any further discussion. We have a motion and a second.

**The motion passed by unanimous [5-0] voice vote.**

**5. B. Resolution No. 2022-004, a Resolution Adopting the Santa Fe County Greenhouse Gas Emissions Reduction Plan for Government Operations**

CHAIR HAMILTON: We're going to Jacqueline Beam and Adeline Murthy.

JACQUELINE BEAM (Sustainability Manager -via Webex): Thank you Madam Chair, Commissioners. Thank you for the opportunity to present this important project that we have been working on for close to two years now. I am Jacqueline Beam, the Sustainability Manager of the Sustainability Office within the Community Development Department and I have with me the Sustainability Specialist of our team, who's also the project manager of this project, Adeline Murthy.

We have a presentation. So just to summarize, in May 2021 the Board of County Commissioners voted to approve the publication of the greenhouse gas emissions inventory of the County operations for the calendar years 2005, 2017 and 2018, as well as approve the next steps for the creation of this greenhouse gas emissions reduction plan.

The Sustainability Division of the Community Development Department has completed this draft plan and is presenting it for approval and direction to implement it. It also comes within your packet the resolution that addresses this plan and will be our way of moving forward down this road. Many of the steps are already in process. However, we are looking at a very strategic phasing program of every five years, implementing not only strategies that are project based but also will effectively reach that 2050 goal of net zero in alignment with the Paris Agreement.

This trail that we are on, as I stated, has been over the course of a couple of years but it actually goes back further. In 2013 we committing to leading by example through the resolution 2013-7, and in 2017 we committed to the Paris Agreement goals. And in 2019 the creation of the greenhouse gas emissions inventory was approved by the BCC.

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And then in 2021 we've accelerated our commitment through the Race to Zero Pledge which pledges the County to reducing our greenhouse gas emissions for our facilities up to 60 percent by 2025. We also published the operation greenhouse gas inventory report and this greenhouse gas emissions reduction plan as far as putting it into motion was also approved.

And with that I will pass it on to the project manager, Adeline Murthy, who will get further into the details of all the data mining.

ADELINE MURTHY (Sustainability Specialist - via Webex): Hi, everyone. Madam Chair, Commissioners, thank you for the opportunity to speak with all of you today. As stated, my name is Adeline Murthy and I am a Sustainability Specialist. This slide shows the most up to date snapshot of County emissions taken from the most recent greenhouse gas inventory of County operations. Total emissions in 2018 were nearly 12,000 metric tons of carbon dioxide with buildings and facilities contributing to 55 percent of that total.

This is a graphic showing where County emissions need to be across each operational sector in order to meet the net zero by 2050 goal. Historical emissions are on the left and projected emissions are on the right.

The emission reductions will be implemented across six phases, each spanning five years. This is an overview of those six phases and their respective reduction targets. The first target is a 25 percent decrease in greenhouse gas emissions by 2025, compared to 2018 levels, which is the base plan year selected due to the quality of the emissions data for that year, and the targets presented here are based on what is most reasonable and feasible in order to reach that overarching net zero goal.

Now I will pass it back to Ms. Beam.

MS. BEAM: Thank you, Adeline. Madam Chair, Commissioners, the process for each year five-year phase may be overlapping and it's important to note this is not a logic model of the timeline. It is more the logic model of how we will make decisions in each sector going forward. So right now, we have an understanding of what our measurements of our emissions are and we have created a five-year plan that goes through phases. However, each year we want to make sure that we are able to effectively be nimble and respond to whatever's available in innovation, technology – whatever's feasible based upon our funding and what's appropriate for the County at that point in time.

And so focusing on these areas, these sectors, they have shown to prove for us, our emissions in our facilities are the highest. As we know, they're over 50 percent, and transportation is not far behind, and then we have water and wastewater, solid waste and carbon. What we would like to do in our measurements from ICLEI, and this was from best practices inventory framework, which has really guided us because it's important to be uniform in how you're measuring your emissions. And so we are looking at these main areas, but also thinking about carbon offsets going forward and how we can fill in the gaps and hopefully offset through planting and things that might be a little bit more within our control, depending upon where we're headed with our administration and things that are available to us in the market.

And with that I will pass it on to Adeline.

MS. MURTHY: Thank you, Jacqueline. Madam Chair, Commissioners,

this is an overview of the Phase 1 reduction strategies. They include tracking energy at facilities and increasing energy efficiency, renewable energy and facility electrification, increasing fleet efficiency, deploying electric vehicles in the County fleet and partnering with external County agencies to reduce fleet emissions, increasing energy efficiency in water treatment, increasing water conservation, and upgrading the wastewater treatment plant, reducing propane use at solid waste facilities, addressing landfill flare emissions and reducing waste tonnage, and lastly, conducting research and planning for carbon removal projects.

Although reducing emissions by nearly 3,000 metric tons by 2025 may seem like a heavy lift, 86 percent of this goal can be achieved through just four projects, all of which are already underway. These projects are: first, upgrading the County wastewater treatment plant, which is expected to be operational in the next couple of months. Second, subscribing to PNM's Solar Direct program, which is a utility scale solar array that will power half of County facilities in PNM's service area with solar energy, and this is expected to be operational in May 2022. Third, implementing energy and water conservation measures at 13 County facilities through a guaranteed utility savings contract. This is expected to be completed by late 2022. And fourth, installing an additional 200 kilowatts of solar at County facilities, which is also expected to be completed in 2022. And the remaining 14 percent of the target can be met by implementing the various other strategies mentioned in the previous slide.

Here are some images of those four projects. Clockwise from left, the first image is the heat signature of the building envelope at Hondo fire station, which is one of the 13 facilities in the guaranteed utilities savings contract. Next is the new Quill wastewater treatment plant. Below that one is a recently installed solar array at the Public Safety building. And last is an image of the construction of PNM's Solar Direct project.

Phase 2, which will run from 2025 to 2030 will largely be a continuation of the strategies in Phase 1 with the additions of transitioning medium and heavy duty fleet to alternative fuels, as well as implementing any carbon removal projects identified in Phase 1. Again, in order to remain nimble as circumstances may change, the detailed reduction actions will be fine-tuned after the outcomes of Phase 1 are evaluated.

And now I will hand it off to Jacqueline.

MS. BEAM: Thank you, Adeline. Madam Chair, Commissioners, this is again a roadmap and it points us in the direction of where we want to arrive. However, we may need to take some side roads and stop along the way, take the scenic routes. I think it's important that as we look at this plan we really stay focused on what is best for the County and then also think about the funding that's available through the federal infrastructure opportunities as well as the state's. We need to collaborate extensively across departments with organizations also outside of the County, and we will need to update this plan regularly, not only every five years but it will be a living document. And the next step will be – and this is actually the first step within the next step, which is to create a community-wide climate action plan.

With that, staff and myself stand for any questions. Thank you.

CHAIR HAMILTON: Thank you. Thank you very much for the presentation. And I think you might find it of interest that I just saw – knowing that I'm also a volunteer firefighter, in *Firehouse* magazine, a fire department in another state, I

believe it was Wisconsin, recently purchased and put into service an electric fire truck, which I thought was one of those things that would not happen any time too soon. So you had commented that this would be a living document and plans would be made as we went forward in years and had additional options based on new technologies and those kinds of improvements. This is potentially one example. So I will send you that article, just for your interest. So are there Commissioners who have questions or comments? Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. Thank you for the presentation. It seems like a really excellent plan, very well thought out and I'm glad we're making progress on things. Every time I hear about this I have a question in my head though which is whether there are other Solar Direct opportunities out there that we could take advantage of. It just seems like just a great deal we have with the Jicarilla Apache Tribe and I'm wondering if there are other opportunities like that.

MS. BEAM: Madam Chair, Commissioner Hughes, at this time I'm not aware of any opportunities out there, however, we do have Community Solar which is coming up and we will be able to subscribe to that program. So there are definitely things coming on line and around the bend and we will keep our eyes and ears open for those opportunities.

COMMISSIONER HUGHES: Thank you.

CHAIR HAMILTON: Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Jacqueline and Adeline, Madam Chair, for the presentation. It's good to see plans because that gives us a roadmap and roadmaps are always a good thing but it's also being able to be flexible and when new technology comes along or new ideas, as Biden believes that he wants the fleet electrified by 2025, so the more that we can do I think is really important. One of the biggest things, and I've mentioned this before, that came out of COP26 was that local governments will lead the way, and we are leading the way. And it is really important to have that as a roadmap, as part of the bigger picture.

When I go to NACo and ELLU and on these meetings, and to be able to say what we're doing in Santa Fe County, or what one of the other Commissioners is doing in Travis County, or what someone is doing in Sonoma County – all those ideas are so important that we can increase our ability to reduce our greenhouse gases. And being a member of ICLEI on the Race to Zero is also – it gives us as a County connections throughout the United States to find the new ideas that are perking up to the top. And so thank you for your hard work on this and I look forward to the progress that we continue to make. Thank you.

And with that I would like to make a motion to approve adoption of the Santa Fe County greenhouse gas emissions reduction plan.

COMMISSIONER HUGHES: And I'll second that motion.

CHAIR HAMILTON: Thank you. So I have a motion and a second. Is there any further discussion?

COMMISSIONER GARCIA: Yes, Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Garcia.

COMMISSIONER GARCIA: Thank you. Great presentation. Thank you for what you all do and where we're moving forward. This actually coincides with item

number 9. C on the agenda. This is kind of how we're going parallel to item number 9. C where hopefully the state is going and hopefully we're going to be going. It will take a little bit of a long, as you mentioned, roadmap. We might take some side roads and I appreciate you being honest about the side roads because where technology is going it can change overnight.

I see ex-Commissioner Paul Campos on the screen there, and for people that may remember or may not remember, in 2013 he was part of the County Commission that actually committed Santa Fe County to moving forward in this type or renewable energy. I can remember in probably 2014 when we bought our first Prius. And that Prius is still moving. That Prius is still going. But thank you, Commissioner Campos, for actually committing the County at that time while you were on the County Commission and moving this forward.

Some of the questions I'm going to have or we can meet on this, staff you can meet with this as into we talk about a lot of people, not just us, we talk about connecting to PNM's solar grid. PNM has no more availability on their solar grid, and that's just some of the challenges that I have in working with PNM as into how do we get more solar, the ability to connect to this grid that PNM owns? And I know we're working on it. I know we're moving forward on it.

Some of the other questions I would have – not right now, but in the sixth phase, if you could take me back to that slide for the sixth phase. I know some of the things your staff will be doing is working with additional staff throughout the County, whether it be – what is going to be our Public Works Department. It will be the energy efficiency areas. A good example that you showed there is in regards to the utility savings. When you saw the – people at home saw this, but when you looked at the garage door there for the Hondo fire station it was amazing to see all the warm air that's coming through or staying in that building.

And so on another note, can you tell me the utility savings contract, what is that?

MS. BEAM: Yes, Commissioner, Madam Chair. The guaranteed utilities savings contract is a contract to upgrade 13 of our facilities which are some of our highest energy users in the County and those upgrades will provide guaranteed savings over the course of the next 15 years for our utilities and savings provide for the cost of the upgrades themselves. That is certified, a guaranteed certification process through the state with a third party vendor, which is an ESCO, or an energy company that specializes in measuring our energy usage and provides us with recommendations for improving our usage.

COMMISSIONER GARCIA: Thank you. On that note, the contract actually assists Santa Fe County in providing recommendations for different types of energy savings measures. Does that contract – who's going to actually provide the funding for that? Let's just assume the Hondo fire station garage needs some taping, weather stripping. Does the contract – do they pay for that or does the County pay for that?

MS. BEAM: So currently we would have to find funding for those processes. However, again, stating that the savings pay for themselves over the course of 15 years. And so for instance, the Yearout contract that we have right now was approved last year so right now we have 13 facilities and we will look to go towards another batch

of buildings which are at the next highest level of usage in order to meet these goals, through an ESCO.

COMMISSIONER GARCIA: Thank you. So the company is Yearout that we have the contract with. So how much longer is our contract with them? And they actually are doing this, from my understanding – correct me if I’m wrong – at no charge. Correct?

MS. BEAM: Well, we pay them monthly, but it is actually the savings pay for themselves. I should probably ask Manager Miller with her finance degrees to explain that further, but the savings that are recouped through this process, even though we are paying them for their labor, we will get those savings back. So in a sense it’s a free service, but they do get paid.

COMMISSIONER GARCIA: Thank you. I totally follow you. In regards to how much longer is the contract with Yearout? And at what point in looking at all of our facilities, where are they at? Are they at 50 percent? Are they at 75 percent? Are they at 25 percent in looking at everything at Santa Fe County or they’re obligated to do?

MS. BEAM: Madam Chair, Commissioner Garcia, so we have provided reporting on the percentages of where they are to the BCC, and we will continue to provide that. Right now we have four or five buildings that have completed lighting as well as envelopes and some transformers. It’s a complex process with teams coming in and completely refitting a swath of buildings at any one time. And so we are looking at 2023 for completion as far as the goal date for certain. We also have within that program though some solar installations and we do have some supply chain issues, as does the rest of the world right now, but our goal for sure is by 2023 all of those buildings will be completed.

COMMISSIONER GARCIA: Thank you. Also, there’s actually a facilities master plan that the County did several years ago, and I see Paul on there and I know P.J. is around here somewhere. And so that might – I don’t know if you’ve gotten that to the contractor Yearout, because that would actually help them out because that facilities master plan talks about – let’s assume building C, when that was built, what the insulation is – so if we can get that to them so that way they’re not doing double work and it might help out everybody.

But I appreciate your presentation and I look forward to meeting with you all. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: So I did a little bit of research, Commissioner Garcia, Madam Chair, on the issues with solar, and part of the problem – there are only 18 PNM facilities throughout the state that are at 15 percent capacity, and part of the reason that this is happening is because of the interconnection rule and the Grid Modernization Act, which needs to be upgraded. So it is only La Cienega that has the one transformer that is facing that capacity in Santa Fe County. So what is happening is that at the moment in front of the PRC is the Grid Modernization Act, which will allow for more capacity. So we need to be supporting them to help build out the capacity so that PNM can’t limit the capacity. So I’m just wanting to be clear about that, that just because La Cienega is not able to connect at the moment, which has to do with interconnection rules, many other people in the county can connect and there is not that problem. But we

need to make sure that we are working with the PRC and get this Grid Modernization Act done to upgrade the long-term effects, so that once we get that done possibly people in La Cienega will be able to connect with their solar to the grid, and the interconnection rule needs to be worked on also.

COMMISSIONER GARCIA: Thank you, Madam Chair, Commissioner Hansen. I certainly follow you on that. And as we all remember, 15 years ago when the New Mexico State Legislature pretty much required PNM to solarize and let's get off of that San Juan plant, which they're doing. They're doing an excellent job as into getting off that plant. And once you start upgrading grids or once you start updating transmission lines, it comes back to the consumer. And so I know where we're at; the ultimate goal is what the ladies actually presented: get renewable energy. Let's figure out what we need, but it's always the consumer that comes down to pay for it. Let's upgrade here; let's upgrade this. But ultimately it's us, the ratepayer, that actually absorbs those costs. But I certainly follow you. Thank you for doing your research work. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you very much. So are there further questions or discussion? This is kind of landmark in the County and big kudos to Jacqueline and Adeline for bringing us to this point.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Roybal.

COMMISSIONER ROYBAL: Yes, I also want to just thank Jacqueline and Adeline for your hard work and just out of curiosity, we're probably looking at different buildings that we can look at Yearout's work on, but if Commissioners have any buildings in their district that we'd like to look at to either get solar and look at upgrades for those facilities, is that something that we can look at for you guys to look at? Or how would that work?

MS. BEAM: Commissioner Roybal, Madam Chair, yes, certainly. We have been tracking the utilities usage of all of the facilities within the County's portfolio, and we have ranked them ourselves. Staff has looked over this list for quite some time. And so we know which ones are the high energy users and need some assistance with energy efficiency and performance. So we'd be happy to share that information with Commissioners and discuss further now we make those decisions and strategy going forward.

COMMISSIONER ROYBAL: Okay. Great. And also I kind of was wondering on new facilities. I know that we're doing a new community center in the Santa Cruz area and also a Boys and Girls Club, and so I wanted to see if they would be engaged with that new construction project so that we can get it all together and get it as efficient as possible right at the get-go. So I'm just kind of curious if that would also be a possibility.

MS. BEAM: Yes, Commissioner Roybal and Madam Chair. We have provided a checklist that is what we call our sustainability checklist for all facilities, and fortunately, the state passed the 2018 IECC, which has given us all a boost and support. So many of the requirements now in construction and new construction do meet a much higher efficiency requirement. There's always more that we can do. Absolutely. And so we've provided a checklist for projects to follow and we try to work as much as we can with them on making sure that those things happen. Of course, a lot of things come down



to funding and so I would love to see funding as a part of the process from the get-go also.

COMMISSIONER ROYBAL: Okay. Great. I have a lot of older facilities, community centers and senior centers that used to be schools that my parents went to school in and they're just small facilities. So I think a lot of those facilities – I'd really be interested in seeing how those ones are rated. I know they're smaller facilities compared to some of the other facilities that we have, but I'd still – that would be really interesting so I'd like to definitely get that information. I'd appreciate it.

MS. BEAM: Certainly.

CHAIR HAMILTON: Thank you, Commissioner Roybal. So is there further discussion or any other questions that could be answered at this point from the Commission? Seeing none, I have a motion and a second.

**The motion passed by unanimous [5-0] voice vote.**

[Deputy Clerk Ganz provided the resolution numbers throughout the meeting.]

**5. C. Request Approval of the Water Policy Advisory Committee's  
Calendar Year 2022 Work Plan and Meeting Calendar**

CHAIR HAMILTON: We are going to John Dupuis.

JOHN DUPUIS (Utilities Director – via Webex): Good afternoon, Madam Chair and Commissioners. The current request for approval of the Water Policy Advisory Committee's calendar for year 2022 and work plan and meeting calendar are provided as exhibits, and just a little background prior to reviewing some of that material – Resolution 2013-42 created the Water Policy Advisory Committee and it was subsequently revised or updated, requiring the WPAC to present for the Board's approval a work plan and meeting calendar each year. That is what is attached as exhibits to this item.

The WPAC, in consultation with the County staff have developed a work plan and meeting calendar for calendar year 2022 and it lists proposed meeting dates on the second Tuesday of each month of 2022. Below, provided in your memo, are some of 2022 work plan tasks with a status summary, along with the recommended 2022 work plan. Two highlights: Task one was to continue work on the drought management planning for the County, and this was again in 2021 status summary. The WPAC completed a drought management guidance document and presented it to the BCC on October 26, 2021. Specific pieces of the work that needed further work and refinement are included in the 2022 work plan.

Another highlight is the task with identifying and developing educational outreach opportunities for the purpose of engaging the community on sustainability and resiliency issues related to our water resources. In 2021 the job management guidance document identified the need to engage domestic well users and other groundwater users in Santa Fe County not connected to the County utility. The guidance documents the number of small systems existing in the county and additionally a subcommittee has been formed with the City of Santa Fe Water Conservation Committee to discuss joint messaging and

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other collaboration around conservation and sustainability for our city and county water customers. The 2022 work plan proposes that this work continue as well.

In the 2022 work plan, besides additional educational outreach and City-County partnership, we've also identified floodplain management, specifically to explore needs and opportunities related to flood impacts, management and potential mitigations. And last, domestic wells: They are tasked to develop a summary of current knowledge of domestic wells within Santa Fe County.

The action requested is approval of the Water Policy Advisory Committee's 2022 work plan and meeting calendar. I stand for any questions.

CHAIR HAMILTON: Thanks very much. Are there any questions? Yes, Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I guess my one question is I know that the City and the County are working on the reuse pipeline community engagement plan and I wonder if there's any reason for this committee to be involved in that, or if not, how are we following the progress of that community engagement plan for the reuse pipeline?

MR. DUPUIS: Thank you, Madam Chair and Commissioner Hughes. The engagement process currently does not involve the WPAC directly but there are members of the WPAC who were identified through the coalition that was assembled specifically to provide some initial interaction, and one of the things identified in the initial interaction is specific other entities to engage with summarizing to the top of our pueblo communities, and other identified communities that we will be engaging with. And I don't think it's beyond the realm of at some point having something to bring to the WPAC potentially. We do have the opportunity to amend the work plan, but one of the focuses was to minimize what they're focusing on or allocating time towards so that they can be effective and have a productive work product able to be accomplished.

COMMISSIONER HUGHES: Okay. Thank you. So I think Anjali was working on that. Do we have a staff person now assigned to following the community plan for the reuse pipeline?

MR. DUPUIS: Madam Chair, Commissioner Hughes, that would be me, and I have touched base with one of the representatives on the path forward. Our next interaction will be a one- to two-hour meeting in the upcoming week after work hours to let them review the draft RFP that we've assembled with our consultant and with their input as well. So just confirming that we're hearing what they're requesting and trying to move forward so that everyone's on the same page.

COMMISSIONER HUGHES: Okay. Thank you. Perhaps when there's an appropriate time we could maybe get a report on that process to us, because we did spend a lot of time getting it set up but I'd like to get filled in at some point, when there's some progress to report. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you, Commissioner Hughes. Commissioner Garcia.

COMMISSIONER GARCIA: Thank you for your presentation. I like the picture behind you, John. It looks really good. Water, water, water. And so that's kind of where we are in regards to this overall calendar, that we're talking about drought and water. I think what Commissioner Hughes brought is how do we coordinate with the

reuse of the pipeline is an excellent idea. How do we do that? You as staff need to guide us as into how do we look at all these different water projects or water users that are coming up. Correct?

We brought up earlier in regards to the Quill plant. That's another water user type of a water pipeline. On another note, I don't know if anybody's looked at tomorrow's agenda for the Planning Commission at the City of Santa Fe. There's roughly about 13, 15, different subdivisions that are coming forward to the Planning Commission at the City of Santa Fe, and here at the County we want to look into and see how we can handle drought. John, you have to help me or guide us as into how do we work with these subdividers? How do we work with the zoning code as into how do we figure this whole drought stuff because there's no snow-capped mountains and it's just going to not get better and better.

But I appreciate your work plan in regards to the drought and the meetings that we have and we just need to continue meeting and talking about drought, because we're going to have subdivisions coming forward, that's obviously going to take water. I know one of the items you have in there is trying to get individuals off of wells. The portion of the county that I represent, it's a little challenging for me because we don't have no County water in that part of the community down south. Yes, we do have some water systems in the Edgewood area but one of the areas that we do have is La Cienega, and La Cienega is challenged because in order to connect to that water pipe that is actually 20 feet away you basically need to bring water rights to the table and it will cost that individual a minimum of \$20,000, \$30,000 to bring water rights to connect to that pipe that's 20 feet away.

And so I understand the whole drought stuff. In the paper a couple weeks ago it was in regards to a rancher down in the village near La Bajada. He's getting creative and he's actually not disking his property so much. He's actually kind of going with covered drought watering. That makes total sense. But I understand your plan and I see how your plan is moving forward and just have the guidance as to what you think your best ideas are as into talking about drought. Because we up here probably won't see it when that Rio Grande dries up and everybody buying or has bought water rights on that Rio Grande and there's no water in that Rio Grande. But thank you for your presentation, John. Appreciate that.

CHAIR HAMILTON: Thank you, Commissioner Garcia. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. Thank you, John. So we at the Buckman Direct Diversion at our last meeting appointed Tom Egelhoff to the Water Policy Advisory Board, so you will have somebody from the Buckman Direct Diversion and also from Las Campanas on that board. So I think that will be good.

And with that, I appreciate everybody's discussion, especially Commissioner Garcia, about the Planning Commission at the City. More than half of those 13 lists of subdivisions are in my district. So it is very concerning to me. And with that I want to make a motion to approve the Water Policy Advisory Committee calendar for year 2022, work plan and meeting calendar.

COMMISSIONER GARCIA: Second.

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CHAIR HAMILTON: Thank you. I have a motion and a second. And under just a little bit of further discussion I wanted to ask John, even though she might be a hard act to follow, who is going to replace Anjali to staff the WPAC? Is that also you?

MR. DUPUIS: Madam Chair, that is correct. We have the position posted and we'll move expeditiously to try and fill that position. But in the interim it will definitely be me covering those and potentially into the future maybe partnered with the new employee.

CHAIR HAMILTON: Excellent. Thank you. So is there any further discussion? If not I have a motion and a second.

**The motion passed by unanimous [5-0] voice vote.**

**5. D. Resolution 2022-005, a Resolution Adopting the Transportation Advisory Committee 2022 Work Plan**

CHAIR HAMILTON: Brett Clavio. Welcome.

BRETT CLAVIO (Growth Management): Thank you. Yes, so this item is similar to the previous one. It's a resolution requesting approval of the Transportation Advisory Committee 2022 work plan and meeting schedule. A little background. This work plan was established by the enabling resolution for the Transportation Advisory committee, No. 2015-13. It basically spells out what should be included in the work plan, and I've itemized that into nine categories. We've got road acceptance proposals, number one. Other right-of-way duties, number two. Santa Fe County road improvement policy, number three. County transportation plan development, number four. Transportation finance review, number five. Transportation project prioritization, number six. Other tasks as assigned by BCC, number seven. And number eight is next year's work plan. And number nine is next year's roadmap.

In Exhibit A you can see the breakdown of the tasks and how we plan to tackle them. The TAC does meet quarterly and it meets the third Wednesday of the month, so that would be February 16<sup>th</sup> of this year, May 18<sup>th</sup>, August 17<sup>th</sup> and November 16<sup>th</sup>. All at 5:30 pm. Currently it will be on Webex. And with that I'd stand for any questions or comments.

CHAIR HAMILTON: Thank you, so Commissioners, any questions?

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Yes, so thank you, Brett, very much. On Friday last week New Mexico Counties had an infrastructure meeting and it was very informative. Secretary Sandoval was there and spoke about a lot of transportation issues and the amount of money that is coming down the pike, so to speak, for many things and he encouraged more participation in the MPOs. He actually said if you're not involved in the MPO, get involved. Luckily, Santa Fe County is involved in the MPO which I think everyone on this Commission knows that I fully support and am a big fan of. So I think transportation is really important. I also attended the Transportation Advisory Committee for the state which was very informative also.

So with that I would like to make a motion to approve the Transportation

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Advisory Committee 2022 work plan.

COMMISSIONER GARCIA: Second.

CHAIR HAMILTON: We have a motion and a second. Is there any further discussion?

**The motion passed by unanimous [5-0] voice vote.**

**6. PRESENTATIONS**

**A. Presentation of 2022 ICIP Funding Request/56<sup>th</sup> Legislative Session Story Maps**

CHAIR HAMILTON: For that we have Daniel Fresquez and Sara Smith. Take it away.

DANIEL FRESQUEZ (County Manager's Office -via Webex): Good afternoon, Madam Chair, members of the Commission. My name is Daniel Fresquez. I'm the media coordinator for the Santa Fe County Manager's Office, and joining me virtually is Sara Smith, the constituent services liaison for District 2.

We're here to present interactive story maps for the 2022 ICIP funding requests for the 56<sup>th</sup> legislative session. A story map is a web-based online map that integrates maps, legends, text, photos, and sometimes videos. It becomes a stand-alone resource for dynamic content. The maps that we're presenting today contain a total of 60 projects that were approved by the BCC via a resolution in August of 2021, as well as a resolution in January of 2022.

Sara and I worked with Christopher Vaia in GIS and Maggie Moore in Planning to organize project information and to design the maps. The maps were created to simplify legislators' ability to locate and review the County's funding requests with just a few clicks of their mouse. And I would like to share my screen to show you how to navigate to the maps and also show the ICIP webpage.

So the maps are featured on the County's main website under the popular links section, as well as on the large carousel directly below, this very large image here. They were also provided to legislators by our legislative team via letters and flyers. We created three separate maps. One of each. One for Senators, Representatives and the Commission. When you open the map you'll see a list of legislators to the left as well as the projects to the right. Upon clicking on one of the legislators, all of the projects in their district will populate on the right, right above the map. Upon clicking on a project, that will cue the map to display aerial imagery of the project location and the map displays project information such as legislative district, total cost, description and funding secured and recommended funding request.

Each map also displays a list of Commissioner top priorities at the very bottom. We're very confident that these maps will clearly display and define the County's funding requests, and we stand for any questions.

COMMISSIONER GARCIA: Thank you, Mr. Fresquez. Is there any questions of the Commission? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. Mr. Chair. Thank you, Daniel. I look forward to exploring these maps and seeing them but I think it is a really great tool

that we can have in our tool box to allow legislators and the Commission and everyone to see our projects and understand what needs to be done. So thank you very much.

COMMISSIONER GARCIA: Thank you, Commissioner. Any additional comments, questions, for Mr. Fresquez. I have one Daniel Fresquez. I think for an individual, myself, that has been working on the ICIP plan for many, many years and working on several projects and how the ICIP plan works through several legislative sessions as well as governors as well as our County Attorney, Mr. Shaffer, that actually was the lead attorney for the Department of Finance and Administration. So I think this is actually a very great, useful tool that our legislative delegation actually can look at. And I just want to make sure that we did get it to each one of them. Did we actually walk them through how do to all this? Do you know, Mr. Fresquez?

MR. FRESQUEZ: Mr. Chair, I do not believe we walked them through it. We did send through the mail, I believe, we did send the flyers that just gives them access to it. It's pretty intuitive in my opinion. I'd be happy to do an online tutorial if needed.

COMMISSIONER GARCIA: Thank you. Just because I know the request for a lot of these projects on the ICIP plan was actually due on the 14<sup>th</sup>, which is roughly seven, eight days before the actual legislative session. But however, I just want to make sure that they have the ability to look at it. Because if I'm the example that you showed the first example for our representative down in the Edgewood area, which she has the two projects, San Pedro Park area, and then she also has the Edgewood fire station addition request. But this would be good for them to just look at it. This is actually good information for them because in the past we'd have to have staff, we'd have to pull out a map. Look at this. Or where is this at? How does this work. But this is actually very good. Great job. Thank you.

MR. FRESQUEZ: Thank you, Mr. Chair. These maps were completed probably earlier, in mid-January, and I'm not too sure what day we sent them to the legislators but I can confirm that and get back with you.

COMMISSIONER GARCIA: Thank you. So another question. Is there some recommendations for additional item C? That's for Commissioner Roybal. Commissioner, are you there?

COMMISSIONER ROYBAL: Yes, Commissioner. No, there isn't. Thank you, sir.

COMMISSIONER GARCIA: Thank you, Mr. Fresquez, you and your team, Sara from the liaisons office and everybody else that has worked on the ICIP plan, because this takes a team effort. Thank you.

## **7. MATTERS OF PUBLIC CONCERN**

COMMISSIONER GARCIA: This is actually the item on the agenda where anybody from the public who would like to address the County Commission. Tessa Jo, is there anybody from the public under Matters of Public Concern?

TESSA JO MASCARENAS (Operations Manager -via Webex): Yes, Mr. Chair. We have five individuals who signed up thus far.

COMMISSIONER GARCIA: Okay. Who is our first individual?

MS. MASCARENAS: Our first individual is Mariel Nanasi, and if you

would like us to we can put up the timer for the three minutes that we allow.

COMMISSIONER GARCIA: Yes, and can somebody just briefly go over for the five individuals for public concern what the three minute is for and just let them know.

MS. MASCARENAS: We place the timer for individuals who are making public comment just to allow for equal time for all who are speaking to the Commission. So when you start speaking we will begin that time.

COMMISSIONER GARCIA: Thank you. I need to probably talk with the Chair. I know on the school board what we do for public concern and this is definitely with all my colleagues is one of the things is from the general public, no bashing staff, they do not talk about personnel matters, and any pending or threatening law suits. So that's something I would like to talk to, go through our chair, obviously, and talk with Mr. Shaffer. If those could be some recommendations that we do have for public comment. But that is the reason for the three minutes as of today. So our first speaker is –

MS. MASCARENAS: Mariel Nanasi.

COMMISSIONER GARCIA: Go ahead, Ms. Nanasi. Are you there?

COMMISSIONER HUGHES: Mr. Chair, do we need to swear people in for public hearing? I can't remember.

GREG SHAFFER (County Attorney): Mr. Chair, Commissioner Hughes, for public hearings, yes, but not for public comment. This is public comment.

COMMISSIONER HANSEN: Maybe we could go on and come back to her later.

COMMISSIONER GARCIA: Can we bring in the next speaker.

MS. MASCARENAS: Absolutely, Mr. Chair. Our next speaker is Seneca Johnson.

SENECA JOHNSON (via Webex): Hello, Chair and Commissioners. My name is Seneca Johnson and I'm here as a representative for YUCCA, Youth United for Climate Crisis Action. I'm 20 years old. I'm from the Muskogee and Seminole Nations, and I grew up here in Santa Fe. I currently work in Santa Fe for Earth Care when many of our YUCCA members reside. Both YUCCA and Earth Care strongly support the public power resolution. As young New Mexicans we love our state and our home and we want to imagine a future for ourselves here, which is getting harder and harder to do as we have winters like this one with virtually no snow.

We're frightened by the abusive relationship we witness between our state and extractive and predatory corporate utilities and industry. Our current utility model is not working for our communities or for our environment. Our communities want clean energy and we want opportunities to pursue local economic development that don't trade the long-term health and livability for the place that we love for short-term and shortsighted revenue that comes at the cost of human life and the stability of our climate.

Public power will give our communities the means to control our own energy futures and supplies. We'll be able to re-invest energy dollars back into our communities and hundreds of millions of dollars that New Mexicans spend on electricity will no longer be exported to out of state shareholders but can be a critical part of the puzzle as we transition and do our part to address both climate and economic justice.

I want to study this possibility and to map it out, to learn about the benefits, the

risks, and the best path forward for the greatest success. We want to know the true potential of transitioning our economic development into the hands of our communities and creating alternative, sustainable sources of energy revenue so we can break free from corporate control. We know that you share our values and our concerns and we're very grateful for the County's leadership on solar, and we think that communities throughout New Mexico will want to be able to pursue the benefits of renewable energy just like you all have.

Public power would mean that you all have even more control to meet your carbon emissions reduction and economic development goals. Thank you so much for voting in support of this resolution which will communicate to both the PRC and the state legislature that we need to study this path forward for the people of our state and for the planet. Thank you.

COMMISSIONER GARCIA: Thank you, Seneca Johnson. Appreciate that. Tessa, can you bring in speaker number three.

MS. MASCARENAS: Mr. Paul Campos.

COMMISSIONER GARCIA: Ex-Commissioner Paul Campos. Go ahead please.

PAUL CAMPOS (via Webex): Thank you, Madam Chair, Mr. Chair, members of the Commission. Thank you for your public service. I'm here as a private citizen and a former County Commissioner. Back in 2005 we began the discussion about public power in New Mexico. I'm asking you to approve the Senate Memorial asking that there be a study to determine whether the creation of a public electric utility is feasible. This memorial is supported by 15 Senators and Representatives. It is sponsored by Liz Stefanics, a former Board of County Commission member.

The memorial simply asks that we study our options and determine feasibility. Former County Commissioner Kathy Holian, I believe has emailed the Commissioners in support of this memorial. Basically, we're looking for a better way, Commissioners. How can we establish a public electric utility that works for New Mexico and its citizens? It has become clear to me that investor-owned utilities who put interest above everything else are not working for New Mexico. New Mexico, I believe, has an obligation to design and build an energy system that works for all New Mexicans and which keeps our wealth in the state.

J.D. Powers has evaluated utilities throughout the country. The top five rated utilities are publicly owned. Fourteen of the top 20 are publicly owned. The state of Nebraska has a public utility statewide. They've had this since after the Depression. Benefits, what we're looking at – PNM has a high cost model. This is an expensive operation. New Mexico could borrow at a better rate and thus produce – it can bond and borrow money at a lesser rate and consequently reduce the price. New Mexico does not have to pay an income tax. New Mexico does not have to pay into [inaudible] shareholders.

A public utility usually charges about ten percent less than one privately owned. What would happen here, I believe, is that New Mexico could attract more businesses looking for less expensive green electricity. I thank you for your consideration. I ask for your support by contacting your legislators and ask them for their support. Thank you very much.



COMMISSIONER GARCIA: Thank you, Commissioner Paul Campos. Tessa, can you bring in speaker number four?

MS. MASCARENAS: Yes, Mr. Chair. Our next speaker is Paul Gibson.

PAUL GIBSON (Via Webex): Good afternoon, Commissioners, and thank you for the opportunity to speak in support of the resolution you have before you. In today's hearing before this came up on the agenda I hear Commissioner Garcia express frustration about going back many years about how hard it was to push PNM to pursue development of renewable energy. And later I heard from Commissioner Hughes about frustration at not being able to access PNM's solar grid. I mention this to frame my comments about why we should pursue public power.

Investor owned utilities like PNM have a fiduciary duty to maximize the return on investment for shareholders, creating a tension between financial interests of shareholders and community priorities, like the ones you were talking about just a few minutes ago. They receive a guaranteed return on their investment of between nine and ten percent, which means they have a perverse incentive to invest in expensive stuff. Expensive stuff like coal and gas and San Juan, and how difficult it was to get them to shut that down. It was shut down but it was no easy task.

And so I think if you want to hitch your wagon to that utility model, what you're going to face in the future is basically a future of disappointment and frustration, disappointment and delay at trying to get them to move in the direction we all need to move in. Public power offers an alternative to this and Senator Liz Stefanics has introduced a memorial as Paul Campos has said, that would direct the state to study public power, and how it could benefit the state, and actually just lay out a roadmap so that in another future session they could implement public power with confidence.

So all we're asking for is to support a memorial to plan and study. Otherwise you're saying no, we're really happy with the current situation, which clearly, you're not. But frankly, IRUs are organized for profit, not for you or your concerns about tying into their solar grid or moving toward developing new solar operations, because solar is not as expensive as other options that they would like to pursue, like gas and oil.

The point is that at this point in time it's urgent that we start to make these plans. The US energy sector will see trillions of dollars in investment in the next 15 years in order to upgrade energy infrastructure and facilitate the transition from fossil fuels to renewables, and we have the potential with so much wind and solar to export that renewable energy to other states at immense profit to the State of New Mexico. And with that I will close. Thank you for the opportunity to speak.

COMMISSIONER GARCIA: Thank you, Mr. Paul Gibson. Tessa, speaker number five?

MS. MASCARENAS: Krystal Curley.

COMMISSIONER GARCIA: Ms. Krystal Curley, are you there?

KRYSTAL CURLEY (via Webex): Good afternoon, County Commissioners and audience members. My name is Krystal Curley and I'm the executive director of a non-profit called Indigenous Lifeways. And I'm here to express my support for public power initiatives in our state. I strongly believe that public power is just way of owning and exporting renewable energy. Our first step, like all initiatives starts with a comprehensive study. A study of public power will determine if public power is for our

communities and for our state.

As we collectively face climate change and the current energy crisis we want to ensure we are making the best choices and investing in the right technologies, the economy and the rate studies that will address this issue. Public power does sound like an incredible solution to our current crisis but we will never know until we have a fair, unbiased investigation of this possible solution. Thank you for your time. Thank you.

COMMISSIONER GARCIA: Thank you, Ms. Curley. Tessa, can we try to get on Mariel Nanasi?

MS. MASCARENAS: It doesn't appear that she has signed on to Webex yet, and I've been watching.

MR. CAMPOS: Mr. Chairman.

COMMISSIONER GARCIA: Yes.

MR. CAMPOS: Cynthia Mitchell is also wanting to speak on public power.

COMMISSIONER GARCIA: Okay. Is she still there?

MR. CAMPOS: She's there. I see here.

COMMISSIONER GARCIA: Tessa, can you give us her name, please.

MS. MASCARENAS: Cynthia Mitchell.

CYNTHIA MITCHELL (via Webex): Thank you. As a career energy economist I was an expert witness to state public utility commissions and consumer advocate offices around the country. My gig was changing the electric utility industry's grow and build corporate business model of every increasing investments in power plants and related infrastructure to feed Wall Street earnings to a sustainable business model meeting energy needs at the lowest cost, leaving more money in consumer pocketbooks while growing state economic development through renewable energy and energy efficiency.

With private investor-owned utilities it's a constant uphill battle of complex and convoluted regulations that at best result in a two steps forward, one step or more back tango. There is an inherent conflict of interest between shareholders and ratepayers that in my decades of work has yet to be resolved. The industry's build-out of coal generation such as Four Corners followed by dozens of gas power plants across the country as the price of wind and solar has become increasingly competitive and reliable and energy efficiency always the lowest cost resource, is because large coal and gas infrastructure are how private utilities make their money for Wall Street. They don't make money on energy efficiency or wind and solar built by non-utility generators. And they could build wind and solar themselves but they're hooked at the hip to the fossil fuel industry.

That's why a Southern California Edison executive told me several years ago that the state's requirements to save energy was just a regulatory compliance function. In other words, looked good on paper and keep with the grow and build. New Mexico has a historic opportunity to put the public front and center in the state's energy future through a formal study of the benefits of public power. We can stabilize rates, achieve zero carbon ahead of the state mandate, and develop a resilient distribution grid that will improve reliability and withstand extreme weather disruptions as Texas experienced just last February. And yes, as other speakers have stated, there is an unprecedented opportunity to generate revenue for the state and facilitate the deployment of New

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Mexico's extraordinary potential for renewable energy. Thank you so very much.

COMMISSIONER GARCIA: Thank you, Ms. Cynthia Mitchell. Tessa Jo, are there any more speakers?

MS. MASCARENAS: Mr. Chair, there's no one else that has signed up for public comment thus far.

COMMISSIONER GARCIA: Thank you for the speakers. Thank you for being patient with us in going through our agenda, and thank you for speaking up. This is actually the great and proper time for local government to hear from the general public. Thank you and I'll be turning it back over to Chair Hamilton. Thank you.

CHAIR HAMILTON: Thank you. Thank you so much, Commissioner Garcia, for carrying the meeting and doing such an excellent job on the public comment. So if there are no other people from the public who want to address the Commission we'll close Matters of Public Concern.

**8. MATTERS FROM THE COUNTY MANAGER**  
**A. COVID-19 Updates**

CHAIR HAMILTON: We'll go to Manager Miller.

MANAGER MILLER: Thank you, Madam Chair. Unfortunately, as you know, there's been a surge in the positivity rate and the COVID numbers with the omicron variant. We continue to see that rise in COVID-19 cases and especially as omicron becomes the dominant variant. In the past week, both New Mexico and Santa Fe County's number of positive cases reached new peaks as the numbers doubled in a matter of days. The day I have is from January 24<sup>th</sup> from the Department of Health. The seven-day positivity rate for all of New Mexico is 30.8 percent, essentially that's one of three people who test. And that's data that the state receives. This doesn't count if somebody is testing with an antigen test at home and realizing that's adequate to know they have a positive and they don't go on to get a test from the state or with an agency that actually reports to the state.

Also, new positive cases Saturday, Sunday and Monday for New Mexico, almost 15,000 – 14,898, and for Santa Fe County, the weekend daily average was 309 with a total of 929 positives.

But also the good news side is that our vaccination rates are pretty high. New Mexico for 18 and over, one dose at 91.2 percent; New Mexico fully vaccinated at 77.1 percent; New Mexico eligible residents with a booster at almost 41 percent, 40.8. Santa Fe County, 18 and above with one dose, 99 percent; and Santa Fe County fully vaccinated 86.4 percent.

We are still having County vaccination events because vaccinations decrease the severity, if you do happen to get COVID, and the events, we have in Edgewood, February 15<sup>th</sup> through the 20<sup>th</sup>, the times will be determined, and then we'll have the week of the 23<sup>rd</sup> through the 27<sup>th</sup>, we will have additional events and we'll provide those locations. We've been working with different organizations to make sure that we continue to provide open vaccination events.

Then we've also had CDC in Santa Fe County, Office of Emergency Management, testing event, and over the next 21 days, February 1<sup>st</sup> through the 21<sup>st</sup>,

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we're trying to have our fairgrounds open for a testing site. We're waiting to hear back from CDC on the start times to that.

Also, free rapid test kits, the Department of Health has sent our emergency management team 21,000 rapid test kits for distribution for both Santa Fe County and Santa Fe City for targeted areas and for essential employees. Each of those kits has two rapid tests per box. They're intended to be used within a few days of each other to look for antigens. They are antigen tests. And then the New Mexico Department of Health has advised that the 87507 zip code, which is kind of the southwest part of the City and the unincorporated areas around the southwest part of the City of Santa Fe are going to be the first targeted area of the community.

Cadets with OEM have loaded up the City's allotment yesterday and the City will also be targeting that zip code area of 87507. Our Fire Department is currently working with HR to develop a process for distribution to County employees and County essential employees in departments and we expect some supplemental shipments of more rapid test kits in the future. We just don't know exactly when that will happen. We also sent out to all of the employees the federal weblink to register to have tests sent directly to your home, so staff can log in there and sign up for the federal distribution list of self-tests to be sent to their home.

Also we have community points of distribution in Romero Park on January 28<sup>th</sup> from 3:00 to 7:00 pm, and at the Santa Fe Downs on January 29<sup>th</sup> from 8:00 to 12:00 pm. And we're working – our Community Services is still working with FireStik Studios to continue public awareness campaigns to acknowledge there is associated stress with the continuing COVID pandemic, identifying signs and symptoms, and helping people find help in dealing with the stress. We're also working on culturally appropriate language and art work and we are continuing to push out posters, bus wraps and targeted social media posts in both Spanish and English to make sure that we get the word out about available tests, vaccination, quarantining, advocating for mask use and social distancing.

And then our senior services, as you know, we're not providing congregate meals. We're still delivering meals to our seniors. In January so far we've delivered 4,840 meals to our seniors by Senior Services, and we've delivered 110 bags of produce and 110 food boxes that we received from the Food Depot for distribution this week.

And then we're averaging about five trips per day for our high risk medical seniors in the county, and we are still providing those transportation services.

And I believe that is it on the COVID updates. We're also working, and I'm working with Legal on an updated mask policy. I will get back with them about distributing N-95s and KN-95s to staff. They're not required, as they need a proper fit test and respiratory test, but we do want to make them available for those staff who would like that additional protection. So we're working on adjusting our policy to make that an option for our County employees as well. And that's all on my COVID updates and I stand for questions from the Commission. Thank you.

CHAIR HAMILTON: Thank you, Manager Miller. Are there any questions from Commissioners, or comments? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Manager Miller. In the trends, do we see that we have hit the peak, or did I miss out. I'm sorry if you said that.

MANAGER MILLER: Madam Chair, Commissioner Hansen, I did not

comment on that. However, I did have a conversation with Christus St. Vincent. They said they are seeing in their testing numbers kind of a plateau. I have heard that as well at the state level, but I would not want to be one to say that that's definitive. I know at the national level they're seeing that in some areas. But we were a little later hit than other areas of the country by the omicron variant, but there are some indications that we might be plateauing.

COMMISSIONER HANSEN: Thank you, Madam Chair.

CHAIR HAMILTON: Thank you, Commissioner Hansen. Are there any other questions?

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Manager Miller, for being on the upfront with this stuff and thank you for doing all we can possibly do to keep our staff safe, because this stuff is – looking at the national news, it's just horrible. But thank you for doing what we need to do to keep our employees safe. Appreciate that.

CHAIR HAMILTON: Thank you, Commissioner Garcia. Any other questions for Manager Miller on this update topic?

**8. B. First Session of the 56<sup>th</sup> Legislature: Potential Action to Express Support for or Opposition to Legislation that Has Been or May be Introduced (Potential Action Item)**

MANAGER MILLER: Thank you, Madam Chair. I think I would like to call upon Hvtce Miller to give you the latest and greatest with our legislative session.

CHAIR HAMILTON: Thank you very much. Welcome, Hvtce.

HVTCE MILLER (County Manager's Office - via Webex): Good afternoon, Madam Chair, Commissioners. I'm joining you from just down the road at 100 Catron. So, today, we're still in the early phases of the session. February 2<sup>nd</sup> is the last day for introduction and the session will end on the 17<sup>th</sup> of February, so we're still in the early part.

What I had sent the Commission earlier and what Daniel is showing on the screen now is the first part of the four different reports. And what I wanted to show you here was that what you have provided in the way of resolutions has been a great help to broadly focus on different types of legislation which focus on these specific resolutions that have been enacted. And so we have seven different resolutions that are in place right now that relate to legislation and with those I have listed here the different pieces of legislation which are related to each resolution.

One correction that I did need to make right here on this first page is related to House Memorial 11 and Senate Memorial 6, and those are the same topic, and those are task forces on unified jail and prison systems. So that's just a study that is being requested of the state to take a look at the different jails, correctional facilities within the state and seeing if there's a better way to manage them rather than the individual county way that is most often followed, and if there could be a savings in that, better use of manpower to operate these facilities. So I have it listed here under Resolution 2021-106 but that actually wasn't included in the New Mexico Counties priorities because my

understanding is that the New Mexico Counties wasn't able to endorse a Senate or House memorial specifically, only bills.

So in order to solidify the support of this particular memorial, I would need the Commission's direction to do so and then I could include it in here as one of our supported items. So the inclusion of those was done so in error so I would need to remove House Memorial 11 and Senate Memorial 6 at this time.

Other than that, like I had mentioned, it's very good the way that the Commission has provided direction so far and been able to capture most of the items which have shown interest by the Commission, and in particular Resolution 121, which related to sustainability and climate action was able to capture most of the pieces of legislation related to any environmental causes being undertaken during the legislature at this time, and that to my knowledge that does capture actually the memorial that was being spoken about previously in the meeting which was Senate Memorial 10, and public utilities is actually spoken about in Resolution 2021-110 and Resolution 2021-121. So like I was saying, it's very good the way that these topics allowed us to look at many different pieces of legislation and to go forward and not just be specifically tied to one bill number and limit our support or opposition to any pieces of legislation based on a sole bill number.

With that, I don't know if there's any particular questions on the items which were shown in the tracking list related to the specific resolutions.

CHAIR HAMILTON: Thank you very much, Hvtce. Let me just clarify though that in addition to any general questions you'd like to get some feedback on whether the Board is interested in pursuing and/or supporting HM 11, having to do with the unified prison system, a study on a unified prison system.

MR. MILLER: Madam Chair, we can do that now or the next part of my presentation was going into looking at other items that may be of interest to the County Commission, whether they want to offer any support or opposition to these items. So it's up to you, if you'd like to do that now, or make any decision on that particular House memorial and that particular Senate Memorial.

CHAIR HAMILTON: So you have another piece of presentation coming up?

MR. MILLER: Yes, I do.

CHAIR HAMILTON: Okay. So at this juncture do any Commissioners have any questions or comments in general? Commissioner Hughes.

COMMISSIONER HUGHES: Yes. Thank you and thank you for this list. It's quite a long list. I did notice that probably in the housing section that are a few bills that relate to this that aren't on the list yet and maybe I can just email those to you so we can follow those. Other than that, great presentation.

MR. MILLER: Thank you.

COMMISSIONER GARCIA: Just also, Madam Chair.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Yes. Hvtce, great presentation. I know you and I have worked that session for many years and I'm sure it's a whole different ballgame out there and it's probably a little bit challenging and difficult for individuals like you to get in there, get through there and figure out where people are and what's

happening, but good job. Appreciate that, the work that you do.

You can actually move to Part 4 which is the Governor's agenda items. So what Daniel is displaying now is the particular agenda items that the Governor has put on her agenda and these specific items and legislation related to these items are the items that are being pushed by her office and so in all likelihood there's going to be legislation introduced related to each of these items. And if they get to her office, in all likelihood, if they haven't changed that much through the process of going through the House and Senate they will be signed into law.

So this is where I wanted to start with to see if any of these particular agenda items, if the Commission would want to provide any support towards, and that way any items seen here under the Governor's agenda can then be encompassed in a broad look at legislation relating to any of these items. So I can go through the list here. At the top is education, raises for educators, and making free college a reality. Secondly is crime and criminal justice reform. The first one there is creating a fund to hire and train more public safety officers. The second item under that heading is keeping violent offenders off New Mexico streets. Next is increasing penalties for violent offenders.

The next item is economic development, cutting gross receipts taxes for all New Mexicans. Second, expanding the Buy New Mexico initiative. Next, establishing New Mexico as a national hydrogen hub, followed by establishing a state media academy. And followed by expanding job training and economic development programs.

Next subject is environment. Creating the Land of Enchantment bond. Next, reaching net zero by 2050, followed by citing a clean fuel standard.

And her last subject is health, wellbeing and quality of life. And under this item is improving the New Mexico veterans home, followed by significantly expanding ballot access and support for the right to vote. And then followed by supporting rural healthcare delivery.

So any of those items, once again, are supported by the Governor at this point and pieces of legislation related to any of those topics in all likelihood are going to be signed into law by the Governor.

CHAIR HAMILTON: So are we ready to go to the Commissioners for input?

MR. MILLER: We can at this point but I also would like to move onto Part 2, which was the second report provided to the Commission. Daniel has put it up on the screen now. These are items that are identified that could be of interest to the County but aren't specifically related to any of the resolutions in place currently, related to the 2022 legislative session. And in particular I have looked and have seen different categories within the 66 different pieces of legislation which are listed here, and previous discussions had by the Commission some three topics did come out as items of interest that I've heard before and they may of interest of support to the Commission.

The first subject is public-private legislation, anti-donation, and these are represented by HB 55 and HJR 1 shown in this County watch list. My understanding is that this would help governments utilize public dollars in the areas of need within their communities and throughout the state. One common example that I've heard is utilizing public funds to expand broadband access. So because governments aren't allowed to give money to, let's say Xfinity or one of the local internet providers they are precluded from

going that last step to provide that broadband access. Opening up the public-private partnerships would allow further reach with the public dollars to provide the help where the help is needed. There's other examples but I've heard that one utilized quite a bit in the discussions regarding public and private partnerships, anti-donation restrictions.

So those particular two pieces of legislation are looking at ways to utilize public dollars for an expanded use of need among the private citizens within the state.

The next topic that I've heard discussed is tax exemption for Social Security income. And currently there's four pieces of legislation related to that House Bill 48, House Bill 49, Senate Bill 108 and Senate Bill 121. The only difference between the four bills is that House Bill 49 is a phased-in approach exempting that Social Security income, and the other three are almost all similar in that they would just enact the Social Security income exemption. So at the point the law is enacted Social Security would become exempt from the state income taxes.

And the third item which I had identified through these pieces of legislation is paid family leave. And there's two pieces of legislation related to this top, Senate Memorial 1 and House Memorial 3. And these two pieces of legislation would not enact paid family leave throughout the state. It would just take a look at how to do so and what are the benefits and obstacles to implementing such a paid family leave throughout the state.

Finally, Part 3 of my reports given was related to crime and apparently we don't have any resolutions specifically related to any crime-related legislation, so I don't have any specific recommendations towards any of these pieces of legislation, but as you can see in the Governor's agenda items this was one of her topics that she wanted to tackle because it could be seen across media in recent years that shows a higher rate of crime occurring throughout the entire state and not just in metropolitan areas but also in the rural areas of the state. And so this is a matter that affects all the citizens statewide.

So those are – Part 2 and Part 3 are the items which are currently introduced that could be possibly given support at this time or any opposition to any of the bills as well. And I would just also like to add that, like we've had in these other resolutions and the seven other resolutions provided by the Commission which allow tracking and following and supporting pieces of legislation, I think a more generalized, broad topic, support or opposition or piece of legislation is helpful to the legislative team to follow. So if the Commission saw a particular piece of legislation and a bill number attached to that particular piece of legislation it might be helpful not to just say, for example, Senate Bill X is supported, but it might be more helpful to say Senate Bill X and all similarly related piece of legislation are supported by the County.

So with that I'll answer any questions or listen to any comments provided at this time.

CHAIR HAMILTON: Thank you so much, Hvtce. Are there Commissioners who have questions and comments on all these various pieces of legislation including any input on things you might like to see either tracked and/or supported? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. So I would like you to let us – I do support repealing the tax on Social Security. I don't have all those bills in front of me but that is one bill that I do believe. But I would like to read some of

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those bills to see what they say. I think that somebody making \$200,000 and is getting Social Security might still need to be taxed. Somebody making \$50,000 should probably not be taxed. And I don't know how these bills are written, since I haven't seen them, but I do support the repeal of taxing Social Security.

At the moment I don't have enough information about the crime bills. I think the gang problem is a huge problem throughout New Mexico and it needs to be looked at but how the money is spent in communities, like what I have heard but I don't have enough knowledge at the moment is that the crime bills are helping with the State Police and it is local police who are impacted by the crime. Clearly, Albuquerque has more crime than Santa Fe but Albuquerque is a lot bigger city and county. So those are things that we have to take into consideration with those issues.

I did ask Sara to print out all your papers so I'll look them over, and thank you, Sara. I'll let somebody else speak. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you, Commissioner Hansen. Commissioner Garcia, did I see your hand?

COMMISSIONER GARCIA: Yes. Thank you. As Commissioner Hansen and we all know bills at the Roundhouse can change in a heartbeat over there. But nonetheless, I would just take the lead from Htvce, Manager Miller, as well as the New Mexico Counties to see and fit what's best for the counties. A lot of the stuff, as the Commissioner said, tax on Social Security, renewable energy, all that stuff, public education that I'm interested in, because that's actually one of the core values of our communities. There's a lot of bills out there that are floating around. I'm sorry, Mr. Miller, what did you say the last day for introduction was?

MR. MILLER: Madam Chair, Commissioner Garcia, February 2<sup>nd</sup>.

COMMISSIONER GARCIA: That's Tuesday, Wednesday. Okay. Thank you. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you, Commissioner Garcia. Commissioner Hughes.

COMMISSIONER HUGHES: Yes, thank you. And looking at the Governor's agenda I think we would all support the environment, the three items under the environment – creating the Land of Enchantment bond, reaching net zero by 2050 and setting a clean fuel standard. I think the one that we have to be careful of is establishing New Mexico as a national hydrogen hub. Most of the environmental organizations are opposed to that because of the – it's unknown whether creating hydrogen from natural gas can ever be done cleanly, and apparently it's quite possible that it could create more carbon doing it that way than just burning the natural gas as natural gas. So that might be something that's worth researching but I don't think we would want to support that in its current form. But I don't know. Are we going to vote on these or are we just giving Htvce some ideas of what to follow and support?

CHAIR HAMILTON: I think we're going to give ideas and then if there's some common themes, we could – the ones that are common enough among us Commissioners we could certainly make a motion for. Are those the ones you wanted to mention right?

COMMISSIONER HUGHES: Yes. I think the three that appealed to me were the three under the environment section.

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CHAIR HAMILTON: So let me ask Commissioner Roybal before I go back to Commissioner Hansen. Commissioner Roybal do you have thoughts on legislation you'd like to have followed?

COMMISSIONER ROYBAL: Not at this time. I'll call if I think of anything. Thank you.

CHAIR HAMILTON: Thank you, Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. So, yes. I agree with Commissioner Hughes on all of the ones on the environment and I agree with him on the hydrogen hub. I don't feel that there's enough information. When I was on a call last week, it was an infrastructure call with New Mexico Counties, we didn't get very much information on the hydrogen because this is really somebody else's specialty from the New Mexico Environment Department, and so I don't have the information to make a comment except for I hear the same things that Commissioner Hughes says and I agree with him. And so I can't support a hydrogen hub without really more information. Because it doesn't seem to be of benefit to the constituents and we have a climate crisis. If we're just pumping more carbon into the area, only in a different form, I don't see the point.

So with that – and then also on Governor's call – I'll leave it there for the moment. Thank you.

CHAIR HAMILTON: Excellent. Thank you. I have to also say that I agree with Commissioners Hughes and Hanson on supporting the three environmental items on the list. I think those would be well worth following and supporting, and interesting, but I definitely agree on the hydrogen hub thing. A lot more information is needed. The energy trade-offs have been called into question for a while by professionals. And assuming that the energy trade-off is not favorable, that effort competes with other zero carbon efforts and renewable energy efforts.

In addition to those things I would support the exemption of Social Security from taxation, and I also would like to at least follow Joy Garrett's House Bill 55 or any related legislation having to do with the anti-donation modification, because I think that's something that definitively stands in the way of expanding broadband, and it's not a wholesale change. My current understanding, which could be wrong, is that it's a fairly targeted change that would benefit the state's ability to move forward on using the substantial funding that's available to help improve the broadband availability problem in the state.

Is there other discussion on this item?

COMMISSIONER GARCIA: Madam Chair.

COMMISSIONER HANSEN: Commissioner Garcia.

COMMISSIONER GARCIA: I guess what I'm going to do is I'm going to actually wait – and I totally support what you all support. I just want to just probably wait until our next County Commission meeting because at our next County Commission meeting the session will be over. And at that time we can actually see all the bills that got through both houses. And once we see the bills that actually got through both houses then we can actually make a full Commission determination as into whether we're for that one, not that one, this one or this one or not that one.

But all these bills as presented actually affect local government or our

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constituency in one way or another. So that's what I'm going to do. But if you all want to take some bills forward and support them, I'm totally for that. Thank you.

CHAIR HAMILTON: So the question stands, Hvtce, is this sufficient? It's not sufficient. Can I go to Attorney Shaffer first.

MR. SHAFFER: Thank you, Madam Chair and Commissioners. I think the request from staff is that if you would like staff to somehow go forward and express that the County as an entity, meaning the Board of County Commissioners, supports or doesn't support a bill, that that would properly be done as part of a motion, as opposed to individual Commissioners expressing opinions. I think that would be appropriate.

CHAIR HAMILTON: Okay. So there were only four items actually, that I heard more than two Commissioners speak to, and those were the three environmental things positively and reservations about the hydrogen. And if I missed – and Social Security. Did three people speak to that? I don't recall. Yes. I got a head nod. So I would entertain a motion to follow those four or five things. Commissioner Hansen.

COMMISSIONER HANSEN: I make a motion to support the Governor's agenda, the items under environment, and support the reduction of Social Security tax and to oppose the hydrogen hub as it presently stands. Is that sufficient?

COMMISSIONER HUGHES: Madam Chair, did we also want to include affording the study of changing the anti-donation clause?

COMMISSIONER HANSEN: Okay. Yes. I support that.

CHAIR HAMILTON: If you want to add that to your motion. And before you close your motion can I ask one more thing?

COMMISSIONER HANSEN: Yes.

CHAIR HAMILTON: Nobody mentioned it. I did actually have it in my notes. One of the things on the Governor's list is voting rights. Given how much trouble there is nationwide I wonder if anybody else would be interested in following that, supporting that, in the motion?

COMMISSIONER GARCIA: Yes. I would.

COMMISSIONER HUGHES: Yes.

COMMISSIONER HANSEN: I think that's obvious.

CHAIR HAMILTON: Okay. Great.

COMMISSIONER HANSEN: Okay. So we have included the voting rights under health and wellbeing, anti-donation – I don't have the number for that but I think Hvtce knows what we're talking about. So Hvtce, is that sufficient?

MR. MILLER: Yes.

CHAIR HAMILTON: So we have a motion. Would I hear a second on that?

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: And is there any discussion, or does anybody require any further clarification on what's included in the motion, since it was piecemealed together? No further discussion. I have a motion and a second.

**The motion passed by unanimous [5-0] voice vote.**

CHAIR HAMILTON: Thank you. Thank you very much for that. Thank

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you for the motion, and thank you for the guidance, Attorney Shaffer.

MR. MILLER: Madam Chair.

CHAIR HAMILTON: Yes.

MR. MILLER: There is still one more item that I was looking to see if there was support for and that's for the unified jail and prison systems, which are House Memorial 11 and Senate Memorial 6. This has been, as I mentioned, this has received favorable comments from New Mexico Counties but because of the reason that it's only at a memorial status they weren't able to provide it as an endorsed item from the entire New Mexico Counties board.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I have hesitation about that bill. It's the bill about unifying the jails. I just don't know enough about it but it makes me nervous. What are they going to do if we unify the jails? Are they going to think about privatizing them again, which I'm completely opposed to. I know it's an unfunded mandates for the counties, so I have concerns there, and all of a sudden, if they unify the jails are all of a sudden are we going to be stuck with a much larger population at our jail? There's a lot to consider there.

MANAGER MILLER: Madam Chair, can I address that?

CHAIR HAMILTON: Actually that would be beneficial. Thank you, Manager Miller.

MANAGER MILLER: Madam Chair, Commissioners, what I think that New Mexico Counties is trying to establish is – it's a memorial to do a study on whether there should be one unified correctional system in the state, as opposed to counties with jails and the state with prisons, but rather a unified system. Currently we have I think 27 counties with jails. A lot of them have excess capacity. Most of them are having staffing crises right now and we're not utilizing and leveraging the resources where they currently reside within the state.

The idea would be just to study, is there a better way to do an incarceration system than the way the State of New Mexico does it. As it stands right now, counties bear the burden of jails and they bear the burden of parole and probation offenders, even though those are technically state inmates. And I say that we do because the state does not appropriate enough funds to reimburse us for that cost. And I don't think the intent behind a study is to privatize. There hasn't been any conversation relative to that but really more about having one – a study, is there a better way to provide these services in a state like New Mexico that is large in area and small in population. It's very hard to have detention facilities staffed properly across a state that has so many rural areas, and when that is broken up not just at a state level but at a state and local level.

So that was the rationale from I believe the detention facility to New Mexico Counties and the New Mexico Counties board's position on wanting a study. They're trying to keep the state engaged in the problems at the local level of funding and running and operating jails.

CHAIR HAMILTON: Thank you the additional information and especially the emphasis on the fact that it is a study. Commissioner Hughes, did I see your hand up?

COMMISSIONER HUGHES: Yes. Maybe with Manager Miller's

comments more people will be more willing to support this, but I was saying maybe we could just follow this one because obviously it's going to affect us. So I would certainly want to follow it.

CHAIR HAMILTON: Thank you. And Commissioner Garcia, I thought I saw you give me the high sign also.

COMMISSIONER GARCIA: To follow it.

CHAIR HAMILTON: To follow it. Okay. Commissioner Roybal, do you have any input on this?

COMMISSIONER ROYBAL: No, I don't have any additional comments but I just want to thank Manager Miller for the additional information she provided. It was very helpful.

CHAIR HAMILTON: Thank you. I have to say that I actually favor doing the study. I would strongly, individually at least support having this study because I think it has the potential to address issues that have gone across multiple counties and that we've experienced various aspects of. I would go on record, and I recognize that Manager Miller said she doesn't think it's the intent of this study at all to privatize, but I'm ethically strongly against privatizing jails and prisons. But beyond that I would favor doing a study. So at the very least there are three Commissioners who want to follow this. And I certainly want to follow it at the very least.

COMMISSIONER HANSEN: I'll go for following it and see where it leads because we do have another Board meeting on February 8<sup>th</sup>, which is five days maybe before the end of the session.

CHAIR HAMILTON: Right.

COMMISSIONER HANSEN: I am in favor of a study. Any work we can do to improve the jail system is highly important. There are more outside-of-the-box ways of thinking about that. I want more progressive ideas of how to deal with are inmate population and how to help them not be recidivist inmates and live productive lives.

CHAIR HAMILTON: Thank you. So Htvce, is that what you need from us at this juncture?

MR. MILLER: Madam Chair, thank you. I think it would be good right now just to follow the different items that you expressed interest in and that will be helpful a lot in going forward. And I just wanted to mention as well there's a lot of different information coming out all at the beginning during the legislative session and it will be a lot easier to see what is whittled down as key pieces of legislation and you can see what is going to make it to the finish line and what's not. But thank you for your input. I appreciate it.

CHAIR HAMILTON: Thank you so much for the updates.

## **8. C. Miscellaneous Updates**

CHAIR HAMILTON: Manager Miller, do you have more things under miscellaneous updates?

MANAGER MILLER: Just a couple things. Thank you, Madam Chair. So just a couple of quick other updates, and that is that the Española municipal election will take place on March 1, 2022. The BCC will convene as the canvassing board for the

municipal election results during the March 8<sup>th</sup> BCC meeting. So we will add that to the agenda for you to adjourn as the BCC or at least at the beginning to start as the canvassing board to start and then adjourn and reconvene as the regular BCC board, but just as a point of information we do have that portion of Española that is within our boundaries so we do need to do the canvassing for the precincts that are within Santa Fe County.

Also, we have the two percent cost of living that was included in the Board of County Commission budget for fiscal year 2022 to take effect this month. It does take effect beginning the pay period that began on January 15<sup>th</sup> and ends on January 28<sup>th</sup>. So that will be reflected in the pay date of February 4<sup>th</sup> for those non-union employees and the AFSCME blue collar union. As you know the other unions have been negotiating their contracts and we've been bringing those forward with how they've chosen to allocate their cost of living allocation.

Then also we have the free fiber optic technician boot camp for qualifying students. As Joseph Montoya had mentioned when we were looking at applying for the broadband grant we said one of the big things we have to make sure we pay attention to is making sure if we get a large grant that there are – that there's talent within the workforce to help install fiber optic cable throughout the county. And so we've worked with the Santa Fe Community College to offer a free fiber optic technician boot camp. For students. This boot camp would run from January 31<sup>st</sup> through February 4<sup>th</sup> from 8:00 am to 5:00 pm daily. It offers up to 80 hours of paid internship training. And it's free to the students. It's the five days. It's a hands-on, intensive program that would allow students to earn three certifications from the Fiber Optic Association that is recognized throughout the world and aligned to the industry standards.

So if you know of anybody, put the word out. We've been trying to put the word out through all of our social media and all of our media outlets, but contact our Economic Development Division at 986-6349 and we will make sure we get people headed in the right direction for that.

And then the last update, I believe that Jennifer LaBar Tapia stole my thunder on that one, that we did get – Santa Fe County, Santa Fe City once again were named by *Movie Makers* ' best places to live and work as one of the best small cities, small counties to work if you are in the film industry.

So those are all of my updates. And I don't know if Jennifer mentioned – I was on but I couldn't recall if she mentioned that the best place in large cities is Albuquerque. So it's great that both Albuquerque and Santa Fe are in the top five in their categories. That's all I have. Thank you.

CHAIR HAMILTON: Outstanding. Thank you.

## **9. MATTERS FROM COUNTY COMMISSIONERS AND OTHER ELECTED OFFICIALS**

### **A. Commissioner Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions and Requests for Updates or Future Presentations**

CHAIR HAMILTON: I'll go down the row. Commissioner Hansen. Do

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you want to go later?

COMMISSIONER HANSEN: Why don't you let Commissioner Hughes go first. Then I'll be ready.

CHAIR HAMILTON: That sounds great. Commissioner Hughes.

COMMISSIONER HUGHES: Yes, thank you. Just a couple things so I won't take too much time. We have an interesting issue in District 5 where the First National Bank installed a new lit sign on their building that was very, very bright, shining into the windows of people across the street from them and causing great annoyance. It was almost the only subject we talked about at my last townhall meeting. Interestingly enough, the sign complies with our Dark Skies Ordinance, at least on paper. But fortunately, the band agreed to turn the sign off at 9:00 at night and they were able to get the work done, so it was resolved, but I think it's interesting that a sign that is bright enough to annoy people several blocks away complies with our Dark Skies Ordinance. So that was maybe something we want to look at in our strategic planning. I never knew when I got into this how important dark skies are to people but it is important to many people. Especially if they're trying to sleep at night and this light is shining into their windows, then it becomes even more of an issue.

The other thing, and Commissioner Hamilton knows about this. We've been approached by several constituents about the animal control situation and dogs being treated potentially cruelly in the county, I guess particularly being left out on very, very cold nights, and that's a concern to many of our residents which Commissioner Hamilton and I will be investigating how to perhaps make that situation a little bit better for our canine friends.

And last of all, my next public Meeting with Hank will be on February 3<sup>rd</sup> at 5:30 and again, we will be virtual, online. Thank you.

CHAIR HAMILTON: Excellent. Commissioner Roybal, do you have anything you'd like to bring forward?

COMMISSIONER ROYBAL: Yes, thank you, Madam Chair. I do just want to say that we've been sending out some public updates to the internet and broadband situation in the Pojoaque Valley and so there are projects that are moving forward and also projects that are coming forward in my northern part of the district in Chimayo, Santa Cruz, La Puebla that I think that constituents are really excited to hear how Santa Fe County is working in those areas to provide that service. I guess we're not providing it but we're definitely helping with the infrastructure and working with REDI-Net and Comcast. So I think that constituents are really excited and happy and we'll be having another community meeting in this next month, early in the month to update the community on further stuff. So that's really all I have at this point. Thank you.

CHAIR HAMILTON: Thank you so much. Commissioner Hansen.

COMMISSIONER HANSEN: Okay. So the first thing I wanted to share with you is I will be going to NACo on February 11<sup>th</sup> and I do have a resolution that I have brought forward at the Arts and Culture Commission. It is a resolution that was introduced by Senator Ben Ray Lujan and Representative Theresa Leger Fernandez entitled The Creative Economy Revitalization Act. It seeks to both support and employ artists and creative workers and strengthen local economies by galvanizing and investing in civic infrastructure fueled by creative workers and recovering creative workforce.

The CERA legislation will get creative workers back into jobs by creating workforce grant programs within the Workforce Innovation and Opportunity Act. This was unanimously supported by the 94 members of the Arts and Culture Commission and it is now going to be heard by the Community Workforce Development at NACo. I think I'm grateful to Representative Theresa Leger Fernandez and Senator Ben Ray Lujan for sponsoring this bill and I'm happy to have been able to bring this forward at NACo.

I also spoke in support of America the Beautiful and the Thirty by Thirty Plan on a listening session from DOI, Department of Interior, and I also spoke in support of new rules regarding WOTUS and making sure that ephemeral and intermittent streams were included in that rule.

Also I attended some of New Mexico Counties but I did that virtually, and otherwise, I think that's all I have to share at the moment. It was a busy couple of weeks with all these conferences and all the things that were going on at NACo. So thank you.

CHAIR HAMILTON: Excellent. Thank you. I see Commissioner Roybal. Does that mean you have something?

COMMISSIONER ROYBAL: Oh, no. I didn't have anything additional. Thank you, Madam Chair. I did want also to just recognize how busy the week was with the New Mexico Association of Counties and also with all the legislative mechanisms and all the moving parts around. So we definitely had a busy week. I know I had a few meetings with constituents as well, so I know that it was a very busy and pressing week this last week. But I glad that it was really productive. So thank you for bringing that up, Commissioner Hansen.

CHAIR HAMILTON: Excellent. Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Yes, thank you. I hate to go backwards a little bit but I got a note from Director Montoya pointing out that changing the Anti-Donation Clause will not actually benefit Santa Fe County because we have REDI-Net which gives us an advantage to using state general funds for broadband that other people don't have. I don't know if we would – I just wanted to mention that.

CHAIR HAMILTON: Well, nevertheless, broadband might be the primary target right now but there could be other things – but it is a good point. I respect that point, but there are places REDI-Net doesn't go, in addition to everything else so far.

COMMISSIONER HUGHES: Just thought I would mention that since it came from a very thoughtful member of our staff.

CHAIR HAMILTON: Yes. Thank you, Commissioner Hughes, and thank you, Mr. Montoya. It's a really good point. So I have been also hearing from some constituents and I just thought I would share that there's a big fire burning in the middle of the winter, right now, in California, and with the recent Colorado fire, it's no surprise that I have a lot of constituents concerned about fire and what we can do about it and how we can plan for it on an emergency basis and on a prophylactic basis. With the drought people are really concerned about what we are doing at the County locally about planning for water availability.

And frankly, with the ongoing pandemic, even with an end potentially in sight, people are continually concerned about how they can function without broadband and the issues going on with that. I respect and am very grateful for everything the County does on those three topics. I just think it's worth mentioning that in my district those are the



three topics that are coming up really pretty frequently right now.

So with that, if there's nothing else from the Commissioners, that takes us to 9. B.

**9. B. Elected Officials' Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions and Requests for Updates or Future Presentations**

CHAIR HAMILTON: So, Madam Clerk, do you have anything?

KATHARINE CLARK (County Clerk): Yes. Thank you, Madam Chair.

As the County Manager mentioned, there is a municipal election in just a couple of our precincts in Española. Polling locations are actually located in Española, not in Santa Fe County, but there is a designated polling place on election day for Santa Fe County. So make sure when you go to the City's website you're clear about which place to go vote.

We will be doing the canvass March 8<sup>th</sup> and then soon after we'll be filing day for the primary election. So that's coming up very soon. So if you're interested in running for office make sure you know if you need to file \$50 to become countywide or you need to file with the Secretary of State with your petition. So there's a lot of confusion about that but the information is all online and thank you to the Commission for supporting voting rights. One of the things that we've also noticed is that we need to make sure we have funding for elections. There's a lot of elections bills that come through. Every time there's a new election the rules have changed and the Secretary of State has requested \$20 million for the election fund, because as you may know, there is an election fund, zero dollars has been put into it so far. So we're hoping to see more money out of the legislature so we can make sure we protect voting rights. Thank you.

CHAIR HAMILTON: Excellent. Thank you so much. Are there any other elected officials on Webex? Our Treasurer? Our Sheriff? Our Assessor? Anybody who would like to take a moment to speak to their constituents at this point?

MS. MASCARENAS: No, Madam Chair. There does not appear to be.

CHAIR HAMILTON: Excellent. Thank you so much for checking, Tessa Jo.

**10. C. Resolution No. 2022-006, a Resolution in Support of a Memorial Requesting the New Mexico Public Regulation Commission Study Public Power in the State of New Mexico**

CHAIR HAMILTON: I'll go to Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair and thank you for co-sponsoring this resolution with me.

CHAIR HAMILTON: Absolutely.

COMMISSIONER HANSEN: I think it is important that we have the opportunity to study public power. That is what this resolution is about. I appreciate all of the public support. Former Commissioner Paul Campos, Paul Gibson, and the others. I think it is important to be able to hear from our community about such a thing and we need to start thinking in different modes, and that is part of the reason why I brought this resolution forward is we need to be able to think about New Mexico having its own

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energy and taking care of our constituents, and then taking care of other constituents.

But this has been one of my issues for quite some time is that I want New Mexicans taken care of with public power first, and then we can sell excess. But I don't feel that that is actually what is happening at the moment with utility run power. And so I brought this resolution forward. I think it is a good resolution as it stands and I will let Commissioner Hamilton say a few words or anybody else on the Commission.

CHAIR HAMILTON: Thank you very much. I am pleased to be co-sponsoring this. I think the opportunity to do a study of the feasibility of moving to public power is all of our constituents' best interest. I respect the fact that people are often constrained by the legacy of what came before. I believe that given the challenges we have, societal challenges, with climate change and the desperate need to become sustainable and to also be resilient, which requires some application of thinking globally and acting locally, which is a fundamental principle of resilience.

This study would, in my mind, allow the state to look at the feasibility of changing fundamentally a mode of operation. I want to say that there have been some concerns about certain aspects of wording in this resolution. Some of them I have no particular problem changing. There have been some last minute changes suggested. One of them on the first page, or the first couple, actually just speak to the way I read it, trying to assure that wording in this resolution is more consistent with the way we have worded things in previous resolutions. For example, having to do with how you refer to zero carbon emissions.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: If we're going to look at the resolution and the changes I would like them to be shared with the public.

CHAIR HAMILTON: Yes. Well, we can do that momentarily as we go through this discussion, but that's a very good point. But I have to say I have less motivation for some of the other suggested changes, but because this is to support a study to look at feasibility, I truly have no reason to think that that study isn't going to include all aspects of feasibility and do it fairly, including pros and cons, costs and benefits, and influence on existing infrastructure and existing private utilities. So from that point of view I think this resolution is decent the way it is.

But more importantly, I think supporting doing this study is in our mutual best interest. There have been so many times – the utility field, it's at the center of a lot of impacts and options for adaptation and mitigation of climate change impacts. And so it at some point becomes the gorilla in the room to just let things go forward the way they have always functioned and not step back and at least take a look at what the alternatives might be. And this is an opportunity to take that kind of look at alternatives.

So at this point I would open it up to other Commissioners, if there are comments and questions. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I'll just – without being lengthy, because we certainly heard a lot of good reasons for this from the public, but it's an opportunity for us to look at what might be a better way to manage our electricity generation in New Mexico. It certainly seems like public ownership could have lots and lots of benefits but this study will look at all sides of the issue, I am sure,

and make some recommendations. So I would certainly support this resolution.

CHAIR HAMILTON: Thank you, Commissioner Hughes. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, is it appropriate for us, for myself and/or Commissioner Roybal and Commissioner Hughes, if we all would like to sponsor this? Or just by passing the resolution, basically says we're all for it?

CHAIR HAMILTON: I don't know. I would think yes to both. I think just passing the resolution indicates the support for it.

COMMISSIONER GARCIA: Okay. That's fine. So I know – it looks like ex-Commissioner Paul Campos is still up there, and it looks like Mr. Paul Gibson is still on there also. I know we've tried this in the county. Commissioner Campos was very instrumental in actually getting the Buckman Diversion project done. Foresight, very good. And Mr. Gibson mentioned, the City of Santa Fe tried for many, many years to actually do something similar to this and it seems like it just fell by the wayside.

However, this is kind of an example of whenever the City of Santa Fe acquired the water utility from PNM. Same type of similar situation except now we're dealing with energy. And I understand this is actually the point in our New Mexico tie-ins, local government tie-ins where we need to look at renewable energy. Because you see global warming is just getting out of control, basically. And I understand this is a study. We have to do a study on major impacts to law such as this, which this is Senate Memorial 10, sponsored by Representative Romero as well as Senator Stefanics.

And once again, I understand it's a study, just similar to things that I just have questions. I just want to put on the record for myself. The ETA, which is the Energy Transition Act, it does set standards for energy companies that actually work from coal. How does this study work with the ETA? Those are things I'd like to know. And nighttime energy, like Commissioner Hamilton mentioned, this is all going to be within the study and we're going to have all these questions that are going to come out. Nighttime energy, where will that come from?

And whenever we have government-run power regulated, would it be the best thing for New Mexico? And I'm sure the study will outline that, whether it's a good or a bad thing for New Mexico, and hopefully it's a good thing for New Mexico. Because there is the utility in the far northwestern part of the state, in Farmington. And Farmington's utilities seems to be doing very well. We do have other large utilities such as San Diego, PG&E, Edison Electric in California. Some of those. We know some of those due to fires and due to things that have happened have gone bankrupt. Some of the things, I know and I see where the state legislature has gone 50 years ago into requiring PNM to do renewable energy. And once again, the solar grid, which has actually affected a lot of rates, our ratepayers, our bills. PNM has actually had some kind of awards, like the county sustainability achievements, which PNM has done great on their Solar Direct, which I agree and I'm sure we all agree that solar has been good for PNM and the State of New Mexico.

Some of the studies, some of the things that the study I hope actually represents is the electric company or the shareholder dollars. As we know, PNM is a huge shareholder. They're actually on the stock market. And how does the shareholders, such as a co-op, if this moves forward, how does that affect the shareholders, or do we become shareholders

or not? So those are just some of the questions I hope the study actually outlines.

It would actually take the cost for energy efficiency. This is all going to be done in the study. And I understand many of these answers to questions are probably still unknown and they should be answered in a study like this, right? Which we all agree to, as well as the Senator and as well as the Representative. And I just want to make sure that the impact to the State of New Mexico or Santa Fe County – because this is going to affect every – all 33 counties in the State of New Mexico. And I just want to make sure that the constituents and the study, that it basically be transparent and that any constituent that this is affecting, which is the entire state, just be – that everybody be on the up and up and know what's going on. And just that the study be transparent.

So I'm good with this study, because it's something that has to start with this big – I don't want to say ordeal, but this big of an impact to the State of New Mexico. Thank you, Madam Chair.

CHAIR HAMILTON: Excellent. And I particularly agree with your comment on transparency. Are there other comments?

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. I know I had a lot of questions one of the days and asked if you knew and I don't think you had too many answers at that point. But I was just curious – I did make mention of the El Paseo Electric and it looked like it should have been El Paso.

CHAIR HAMILTON: Yes.

COMMISSIONER ROYBAL: So I did mention that, and I did also bring up the issue on the whereas where I noticed on the SB 489 that it does talk about, in that bill, and I don't know if we wanted this resolution to reflect exactly what that bill says and that bill did say that's the portfolio standard is to require 100 percent zero carbon, and I know that ours actually said zero greenhouse gas emissions. So that was why I brought that issue up.

And then I know that as far as the – and maybe you guys can answer this, but as far as the public electric utility system, would the PRC regulate that? Or how would that work as far as who would regulate that? But one thing I want to say is hats off and big thank you to Senator Stefanics for bringing this forward. I had the honor of serving with here for a few years on the Commission, and we always had a great relationship. She's a very smart and great leader. But I do want to say that appreciation. I don't know if any of those questions would be – and that was one thing that I was asking about as far as if the PRC would not regulate, or how would that work? And then what would be the function of the PRC or would they still have other things that they would do?

CHAIR HAMILTON: Thank you, Commissioner Roybal. I was going to go to some of the specific suggested changes that you had asked about. So I think it's pretty non-controversial to correct El Paseo to El Paso.

COMMISSIONER ROYBAL: Those were the main ones, Madam Chair. Those were the ones I had said.

CHAIR HAMILTON: Yes.

COMMISSIONER ROYBAL: Thank you.

CHAIR HAMILTON: Thank you. And with respect to-

MANAGER MILLER: Madam Chair.

CHAIR HAMILTON: Manager Miller.

MANAGER MILLER: I hate to interrupt. I'm sorry. So just to clarify, there were some – we received a couple comments and we asked the staff to provide some alternative language, plus correct the items that Commissioner Roybal brought up that were in error. So some of these are those corrections and some are just some other suggestions. By no means are we suggesting that the Board has to adopt them but I did want to make sure that those options were available to the Board based upon some comments we received and based upon Commissioner Roybal's request.

CHAIR HAMILTON: I understand. Thank you very much, and I was going to have us page through all of those. But I was going to start out by saying, like I said, making that slight edit, I think is fairly non-controversial. The first – if everybody can see the screen, the first suggested change, to change New Mexico greenhouse gas emission free to 100 percent zero carbon by the end of 2045. That's fine with me. Commissioner Hansen, are you agreeable to that change? I don't think it changes the content. I think it just makes the wording more consistent.

COMMISSIONER HANSEN: Madam Chair, I'm good with this first one.  
Yes.

CHAIR HAMILTON: Fine. Thank you. So we could accept that change.  
So can we scroll up to the next redline?

COMMISSIONER HANSEN: Okay. This one is on page 2.

CHAIR HAMILTON: So yes to strike "inequitable financing."

COMMISSIONER HANSEN: I don't want to strike that.

CHAIR HAMILTON: I wondered, is there a reason? What's the rationale behind suggesting that strike? I'm looking at Attorney Brown, but nobody else knows that. Do you know if there's a rationale for suggesting that strike-out?

RACHEL BROWN (Deputy County Attorney): Madam Chair, I do not know where that came from but I can see if there person who was involved in creating the revisions is available to us.

CHAIR HAMILTON: Okay. That would be fine. But I'm not sure, Manager Miller, do you have any insight into – from the County's point of view, is there any rationale for that strike-out?

MANAGER MILLER: Well, I think that – I don't know that equitable – using the state's bonding capacity necessarily – it would be less expensive. I don't know that that makes it equitable financing, so I think the concept behind this is that the study should evaluate whether it could be structured to use the state's full faith and credit for public financing. So I think it was that as it was worded did not necessarily mean that that was equitable financing, but rather less expensive financing.

CHAIR HAMILTON: I understand. I had read, when I read equitable, as implying consideration of the public and not just shareholders.

MANAGER MILLER: Right.

CHAIR HAMILTON: I have no problem – Commissioner Hansen doesn't want to strike that. I have no problem with changing "institution" to "entity" as far as I can tell.

COMMISSIONER HANSEN: No problem.

CHAIR HAMILTON: So why don't we just accept that change? Do you have a comment at that reading. The next one is to insert after "lowering the capital cost" the insertion is for the state study should fully evaluate whether a public utility could be structured to use the state's full faith and credit to access public financing thereby potentially lowering to be added" which makes no sense to me. And the prices of electricity compared to private companies. So I'm not sure what that gets to. There's kind of an editing problem there I think.

COMMISSIONER HANSEN: I'm okay with lowering the cost of capital for the state, but then the next sentence, I agree with you, seems just like a lot of words.

COMMISSIONER HANSEN: My thinking is that that's what – it's not bad to make some assumptions that a feasibility study is going to look at that. It's just my three cents. And I have no problem changing "should" to "could" because the study is actually looking at that. Commissioner Hansen, do you see that second to the last sentence in that area?

COMMISSIONER HANSEN: Yes, I saw the "could." I'm okay with that.

CHAIR HAMILTON: So we could accept the "could" and we can accept "for the state" and we can accept the change from "institution" to "entity."

COMMISSIONER HANSEN: So they added in this language –

CHAIR HAMILTON: Well, we can just bypass that for the moment.

COMMISSIONER HANSEN: And they changed the whole sentence, so to speak.

CHAIR HAMILTON: What? "A study should fully evaluate"?

COMMISSIONER HANSEN: Yes, because then it goes "and the prices of electricity compared to private companies." So do we get rid of "a" from "a study" to "and the price of electricity compared to private companies"?

MANAGER MILLER: I apologize, Commissioners. This was done really quickly and I'm not physically there so I've been trying to do it via email and it's been a little difficult. I think what it was supposed to say was "cost of capital for the state." And then "a study should fully evaluate whether a public utility could be structured to use the state's full faith and credit to access public financing, thereby potentially lowering the price of electricity compared to private companies." And that would be the whole intent of using bonding capacity is that you'd be dealing in tax-exempt financing. And then "This access to less expensive capital combined with the lack of a profit maximization incentive and a mandate to prioritize disadvantaged communities could allow New Mexico to increase its investment in a host of de-carbonizing strategies."

So the idea being that being a publicly owned entity you get that advantage, and that's one of the things that should be fully vetted. Is that a good enough – does that provide a good cost incentive?

CHAIR HAMILTON: So it makes sense if you take out the added words "to be added."

MANAGER MILLER: Yes. Correct. I think that was a mistake.

CHAIR HAMILTON: And then I'm fine with it. Commissioner Hansen.

COMMISSIONER HANSEN: Okay. As long as we get rid of "to be added" because obviously what it was saying was it was to be added and it got put in this thing.

CHAIR HAMILTON: Yes. So take out those words, “to be added” and let’s go on to the next piece of redline.

MANAGER MILLER: Madam Chair, I just want to be clear, we will leave the words “and equitable”. That will stay.

COMMISSIONER HANSEN: I would like to leave “and equitable” in there.

CHAIR HAMILTON: That’s fine.

MANAGER MILLER: Okay.

COMMISSIONER HANSEN: Now we’re on to the “Whereas, of any comprehensive study to evaluate.”

CHAIR HAMILTON: So the first Whereas that’s added reads, “Whereas, any comprehensive study to evaluate public power should be unbiased and should include a full discussion of the potential costs to acquire assets from existing investor-owned utilities. A review of cost estimates in other states that have sought to undertake such a conversion to public power, and participation from business representatives, industry, and New Mexico Chambers.” I assume those are like Chambers of Commerce. Is that what the implication is? Or the legislative chambers?

MANAGER MILLER: I believe that was business chambers.

CHAIR HAMILTON: Business chambers. Commissioner Hansen.

COMMISSIONER HANSEN: I can live with that except for end it at “conversion to public power.” And take out “participation from business representatives, industry and New Mexico Chambers” because this is a study, and as it’s going to be a study then it’s going to bring everyone together anyhow.

COMMISSIONER HANSEN: So frankly, I agree with that. I just feel like that’s something we might – if we were implementing this at this time we might want to assure the structure of the participants in the study with greater specificity. I just don’t see the benefit of doing that at this point.

COMMISSIONER HANSEN: So I think we just end it at “conversion to public power” and then I can accept that Whereas.

CHAIR HAMILTON: Okay. And the second Whereas is “Whereas, the study should consider the effects of alternative energy programs currently offered to businesses, individuals and government entities by the Public Service Company of New Mexico, i.e., Solar Direct, ending due to the creation of a publicly owned electric power utility. I personally think that the study has to consider all of those things, and when we start adding it needs to do this one specifically and that one specifically. We’re leaving some other things out. I have no desire to put this in. There are a lot of impacts that have to be considered in a feasibility study, including the fact that we’re currently on private power and all of the things that would be impacted by considering going to public power have to be evaluated. So if we’re going to start listing one we’re going to have to list all of them and frankly, I can’t sit here and do that. That’s what the study is for.

COMMISSIONER HANSEN: Exactly. I agree with you. I say no to the second Whereas here. And I actually say no to the next Whereas also.

CHAIR HAMILTON: For the same reason.

COMMISSIONER HANSEN: Then that’s it.

CHAIR HAMILTON: That’s it.

COMMISSIONER HANSEN: So I would be happy to make a motion to accept this – make a motion to pass this resolution with the changes that we accepted and remove the items that we chose to remove. Do I need to list them all? Does Rachel have what we said? Okay.

CHAIR HAMILTON: I would second it. Under discussion, Commissioner Hughes.

COMMISSIONER HUGHES: Yes, I just wanted to say I think the important thing is to pass the resolution and I wanted to defer to the co-sponsors with which wording you wanted to go with.

CHAIR HAMILTON: Thank you. Any further discussion? Hearing none, we have a motion and a second.

**The motion passed by unanimous [5-0] voice vote.**

CHAIR HAMILTON: Thank you very much, Manager Miller and Deputy Manager Elias and Attorney Shaffer and Attorney Brown and all the other staff who helped do the last minute review on this and account for everybody's comments. I really, really appreciate the effort.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I agree with you. I thank everyone for reading it over, making an effort to make the changes and I just once again thank everybody from the public who supported this. I just was going to suggest that maybe we go to – if I may, Madam Chair, go to the public hearings before we go to the County Attorney, number 11.

COMMISSIONER ROYBAL: I just want to echo the same comments by follow Commissioners. Thank you for all your comments today and also for staff's hard work to get these issues, recommendations that were brought forward.

CHAIR HAMILTON: Thank you, Commissioner Roybal, and thank you for your close read on this. Really appreciate the interest. Manager Miller, Attorney Shaffer, would there be any objection to doing the Public Hearing first? Okay.

## **11. PUBLIC HEARINGS**

- A. CASE # 21-5210 Le Pommier LLC, Beer and Wine License. Le Pommier LLC, Applicant, Adela Duran, Agent, Request Approval of a Restaurant Beer and Wine License (Restaurant A) to be Located at 7 Caliente Road within La Tienda at Eldorado. The Property is Zoned as Commercial Neighborhood within Section 16, Township 15 North, Range 10 East (Commission District 5)**

CHAIR HAMILTON: Mr. Larrañaga.

JOSE LARRAÑAGA (Case Manager -via Webex): The Applicant is requesting approval of a Restaurant Liquor License to serve beer and wine with meals at the Le Pommier Bistro Restaurant. The property is located at 7 Caliente Road, A-1. A restaurant with incidental consumption of alcoholic beverages has

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historically occupied this site. Le Pommier Bistro Restaurant is in possession of a current Santa Fe County Business License.

The zoning for this property is regulated by Ordinance No. 2016-9, the Sustainable Land Development Code, Chapter 9, Section 9.10, U.S. 285 South Highway Corridor District Overlay. The site is zoned as Commercial Neighborhood.

Table 9-10-12 285 South Highway Corridor District use table allows for a restaurant with incidental consumption of alcoholic beverages as a permitted use within the Commercial Neighborhood Zoning District.

The State Alcoholic Beverage Control Division granted preliminary approval of this request in accordance with Section 60-6B-4 NMSA of the Liquor Control Act. The Liquor Control Act requires the Local Option District to conduct a public hearing on the request to grant a Restaurant Beer and Wine Liquor License at this location. In accordance with the Liquor Control Act the BCC may disapprove the issuance of the license if the location is within three hundred feet of any church or school; the issuance would be in violation of zoning or an ordinance; or the issuance would be detrimental to public health, safety or morals of the residents of the local option district.

Growth Management staff has reviewed this request for compliance with pertinent Code requirements and finds the following facts to support this submittal: Table 9-10-12 285 SHCD use table allows for a restaurant with incidental consumption of alcoholic beverages as a permitted use within the Commercial Neighborhood Zoning District; the Applicant has met the State of New Mexico requirements for noticing; the site is 2,000 feet from the nearest church and 1.5 miles from the nearest school.

Staff recommendation is approval of a Restaurant Liquor License to serve beer and wine with meals to be located at 7 Caliente Road, A-1. Madam Chair, I stand for any questions.

CHAIR HAMILTON: Thank you so much, Jose. Before I go to public hearing, is the applicant present and do they care to make a statement at this time?

[Duly sworn, Adela Duran testified as follows:]

ADELA DURAN (Via Webex): My name's Adela M. Duran. My address is 141 East Palace Avenue in Santa Fe, New Mexico.

CHAIR HAMILTON: Excellent. Thank you. Proceed.

MS. DURAN: So my name is Adela Duran. I'm serving as agent for Le Pommier and behind me I have Alain Jorand, a nice French name for his nice French restaurant, and his partner, Susan Eichler, and we just appreciate the Commission's consideration of Le Pommier's application and I would like to, if the Commission would oblige me to just thank Jose. He's been so very helpful to us and has had a lot of patience for all the questions that I've had and we really appreciate his help. And with that, Madam Chair, we will answer any questions the Commission has.

CHAIR HAMILTON: Excellent. Thank you so much. We really appreciate your being here. I think before we go to any questions I would open it to public comment. So Tessa Jo, do you know if anybody has signed up for comment?

MS. MASCARENAS: No, Madam Chair. No one has signed up for public

comment on this case.

CHAIR HAMILTON: Okay. Is there anybody on Webex or on the telephone from the public who wishes to speak to this case? So if there's anybody on Webex or the telephone you would have to unmute yourself. I believe if you're on the phone that's star 6. Is there anybody from the public here who wants to speak to this case? Hearing none, I will go ahead and close public comment. Do any Commissioners have any questions or comments about this case? Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. Not really a question, just a comment. This is of course my district and I know that the previous restaurant in this location did have a beer and wine license and I also know that my constituents will probably be looking forward to being able to enjoy beer and wine with their meals at Le Pommier. I've heard that the food is very good. I've not had a chance to go there myself but I'm sure that this is not controversial in my neighborhood.

CHAIR HAMILTON: Excellent. Thank you. Any other inputs or questions? Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. That was the question that I had, whether there was an existing beer and wine license at this location because I think these days in dealing with the zoning on that property years ago I guess I just had the question, how many beer and wine licenses can we have in each one of those units? But thank you, Commissioner Hughes, for answering the question. So if there already was a beer and wine license I don't have any further questions but thank you, Ms. Duran for your testimony and thank you for being patient, waiting for us as well as our staff. We have to do the public hearings after 5:00 but thank you all for being patient.

CHAIR HAMILTON: Thank you.

MS. DURAN: Of course. Thank you, and we want to invite Commissioner Hughes and any of the other Commissioners out to the restaurant at your earliest convenience.

CHAIR HAMILTON: We almost certainly try it. I'm in the neighborhood, in the neighboring district. So if there's no other discussion, what's the pleasure of the Board? Commissioner Hughes.

COMMISSIONER HUGHES: I'd like to make a motion to approve the application for a beer and wine license at this location.

COMMISSIONER HANSEN: I'll second.

CHAIR HAMILTON: Thank you. I have a motion and a second. Is there any further discussion?

**The motion passed by unanimous [5-0] voice vote.**

## **12. INFORMATIONAL ITEMS/REPORTS**

- A. Quarterly Report on Restricted Housing at County Correctional Facilities Pursuant to Laws 2019, Chapter 194 (HB 364). (Public Safety Department/Deputy Warden Robert Page and Captain Vanessa Rios)**
- B. Community Development December 2021 Monthly Report**
- C. Community Services Department January 2022 Monthly Report**

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- D. Finance Division October 2021 Monthly Report**
- E. Finance Division November 2021 Monthly Report**
- F. Growth Management Department December 2021 Monthly Report**
- G. Human Resources Division January 2022 Monthly Report**
- H. Public Safety Department December 2021 Monthly Report**
- I. Public Works December 2021 Monthly Report**

CHAIR HAMILTON: I would go to Attorney Shaffer to tell us what we would be going into Executive Session for.

MR. SHAFFER: Thank you, Madam Chair. Before we go to that item of business, do any Commissioners have any questions of staff relative to the informational items or reports that were included on the agenda and in the packet?

CHAIR HAMILTON: Thank you for pointing that out. Are there any questions or comments on the reports? Commissioner Hansen.

COMMISSIONER HANSEN: No. Just thank you, everyone for your diligence and reports. I appreciate all of them. That's all I have.

CHAIR HAMILTON: Thank you. And yes, staff, thank you very much for hanging around for questions and for presenting us with the reports. But there seems to be no questions, so there's no need to stay further. Really appreciate your attendance.

#### **10. MATTERS FROM THE COUNTY ATTORNEY**

- A. Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Administrative Adjudicatory Proceedings, Including Those on the Agenda Tonight for Public Hearing, as Allowed by Section 10-15-1(H)(3) NMSA 1978; Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Between the Board of County Commissioners and Collective Bargaining Units, as Allowed by Section 10-15-1(H)(5); Discussion of Contents of Competitive Sealed Proposals Pursuant to the Procurement Code During Contract Negotiations as Allowed by Section 10-15-1(H)(6); Threatened or Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(7) NMSA 1978; and, Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1(H)(8) NMSA 1978, including:**
  - 1. Solid Waste Convenience Center Locations and Disputes**
  - 2. Breach of Settlement Agreement and Related Agreements Related to Annexation**
  - 3. Executive Management Personnel Matters**
  - 4. In Re: National Prescription Opiate Litigation, US District Court, Northern District of Ohio, Eastern Division, Case No. 1:17-md-2804**

MR. SHAFFER: Given that, Madam Chair, we would look for a motion to

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adjourn the open meeting and go into executive session for purposes of discussing limited personnel matters as allowed by Section 10-15-1 (H)(2) NMSA 1978, threatened of pending litigation in which Santa Fe County is or may become a participant, as allowed by Section 10-15-1 (H)(7) NMSA 1978; and discussion of the purchase, acquisition or disposal of real property or water rights, as allowed by Section 10-15-1 (H)(8) NMSA 1978, including one, solid waste convenience center locations and disputes; two, breach of settlement agreement and related agreements related to annexation; three, executive management personnel matters; and in re: National Prescription Opiate Litigation, US District Court, Northern District of Ohio, Eastern Division, Case No. 1:17-MD-2804.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I move that we go into executive session to discuss the items that Attorney Shaffer described.

COMMISSIONER GARCIA: Second.

MR. SHAFFER: And just to be clear, we will be adjourning the open meeting so we will not be coming back into open session.

COMMISSIONER HANSEN: Yes, and I include that we will adjourn at this moment.

CHAIR HAMILTON: Thank you. Can we get a roll call please?

**The motion to go into executive session passed by unanimous roll call vote as follows:**

Commissioner Garcia	Aye
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Hughes	Aye
Commissioner Roybal	Aye

[The Commission met in executive session at 5:54.]

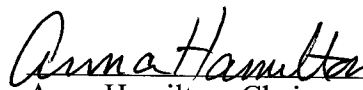
**13. CONCLUDING BUSINESS**

**A. Announcements**

**B. Adjournment**

Having completed the agenda and with no further business to come before this body, Chair Hamilton declared this meeting adjourned at 5:54 p.m.

Approved by:

  
Anna Hamilton, Chair  
Board of County Commissioners

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ATTEST TO:



KATHARINE E. CLARK  
SANTA FE COUNTY CLERK



Respectfully submitted:



Karen Farrell, Wordswork  
453 Cerrillos Road  
Santa Fe, NM 87501

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