

October 26, 2021

Rudy Garcia - District 3 [Excused]

SANTA FE COUNTY

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

October 26, 2021

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:18 pm by Chair Henry Roybal in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

The meeting was conducted on a hybrid platform incorporating both virtual (via Webex) and in-person participation.

B. Roll Call

Roll was called by County Clerk Katharine Clark and indicated the presence of a quorum as follows:

Members Present:

Commissioner Henry Roybal, Chair
Commissioner Anna Hamilton, Vice Chair
Commissioner Anna Hansen
Commissioner Hank Hughes

Members Excused:

Commissioner Rudy Garcia

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance and the State Pledge were led by Chair Roybal and the Moment of Reflection by Tessa Jo Mascarenas from the Manager's Office.

COMMISSIONER HANSEN: Thank you, I wanted to take a moment to remember Halyna Hutchins, the cinematographer who was shot on set this last week, and pray for her family and send love and kindness through this very difficult time, and for the entire film community which I am sure is suffering from this incredibly unfortunate accident that happened. So I would ask that we take a moment of silence.

COMMISSIONER HUGHES: That was the same that I was going to ask for.

F. Approval of Agenda

CHAIR ROYBAL: I'm going to go to Manager Miller first.

KATHERINE MILLER (County Manager): Mr. Chair, yes. We posted the

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original agenda on Tuesday, October 19th at 5:15 pm, and then we posted the amended agenda with the following amendments on Friday, October 22nd at 5:00 pm. Those amendments are that item 3. B, which was a budget resolution, that item was withdrawn. Item 3. I, which is an MOU between Santa Fe County and AFSCME, Council 18, that item was added. Item 4. B, 4. C, and 4. D – the packet material that was online was updated. And then item 9. A, which is executive session, the matters to discuss in executive session, items number 1 through 3 were added, and those are all the amendments to the original agenda

CHAIR ROYBAL: Okay. Thank you, Manager Miller. Are there any other requests from Board members for changes to the agenda? If not, what's the pleasure of the Board?

COMMISSIONER HAMILTON: Mr. Chair.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: Mr. Chair, I move to approve.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hamilton for approval and a second from Commissioner Hansen.

The motion passed by unanimous [4-0] voice vote.

G. Years of Service and New Hire Recognitions

CHAIR ROYBAL: We're going to go to our County Manager, Ms. Katherine Miller.

MANAGER MILLER: Thank you, Mr. Chair. As you know, several years ago we initiated a service recognition program and it recognizes employees on a monthly basis who have completed years of service in five-year increments, consecutive years. And we did this because we really do recognize the value of employee retention and believe it's important that we express that appreciation to employees who contribute to the County and who choose to have a career here at Santa Fe County.

So this month we've had several people who hit five-, ten-, and fifteen-year anniversaries. In the County Assessor Department, we have Alyssa Bowles, who hit her five-year anniversary on October 3rd, along with Douglas Burrion in our Fleet Service/Public Works on October 3rd, Jeremy Garcia in our Legal/Administration. Also on October 3rd Frances Martinez in the County Treasurer's Office.

Then on October 17th we had two others that hit their five-year anniversary and that is the Fire Marshal Blay and Matthew Lindsey in Solid Waste/Public Works. And then ten-year anniversaries on October 8th, Anita Lucero in the County Assessor's and Travis Darnell in Senior Services doing home delivered meals on October 20th. And then tomorrow, in our Seniors Program, Dianne Sena will hit her ten-year anniversary. And then in Road Maintenance on October 2nd, James Salazar and on October 30th Tommy Garcia – those two will both have their 15-year anniversaries this month, and he's from the County Assessor's Office as well.

So I just wanted to recognize them and if you have an opportunity to thank them for their service I'm sure they would appreciate it and I definitely appreciate them

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choosing to stay at Santa Fe County.

CHAIR ROYBAL: Thank you, Manager Miller, and it's always a huge thank you from the County Commission Board for the dedicated service to Santa Fe County and its residents. So we do appreciate the years of service and picking Santa Fe County as their career choice. Any other comments from the Board? Okay, Manager Miller, do you want to go over your new hires now?

MANAGER MILLER: Yes, Mr. Chair, Commissioners. We also like to welcome new employees who've decided to come work at Santa Fe County and these are new hires for the month of September. On September 11th we had three new hires. That's Caitlyn Weber in Sustainability as a Sustainability Specialist. And then in the Clerk's Office, Recording Clerk, Natalie Franco and Rudie Martinez, and also Angelina Payn started on September 25th and Cindy Benavidez as a voter information specialist also.

Then in Corrections, on September 11th we had Booking Clerk Fatima Avila and Colton Jones, Detention Officer. In our Fire Department, Maria Harris and Trever Carson, and that's a Secretary Senior and Accounting Tech Senior, respectively. And then in our Dispatch, Elise Anaya as a Trainee Dispatcher, and Animal Control Office Tasha Baca and Sheriff Deputy III, Stephan Jochum. So those are started at the end of September. So just want to welcome them to Santa Fe County and hope they choose to stay and I'll be announcing their five-year anniversary in five years.

CHAIR ROYBAL: Thank you, Manager Miller and it's really great to see all the new hires. I know it's something the County desperately needs at this point where we need to fill a lot of positions and I see that the Clerk's Office hired four new employees so that's really good to see. Actually it looks like five new employees. Or just four. So I'm glad to see that. I know that we have a lot of need in different departments so welcome aboard and yes, we definitely want to look forward to announcing your five-, ten-, fifteen-, twenty-year anniversaries working for Santa Fe County, so we hope that you'll continue your career here, but welcome aboard. Any other comments from the Commission?

3. APPROVAL OF MEETING MINUTES

A. Request Approval of the September 28, 2021, Board of County Commission Meeting Minutes

CHAIR ROYBAL: Are there any changes? Commissioner Hansen.

COMMISSIONER HANSEN: Mr. Chair, I would like to move to approve.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: So we have a motion from Commissioner Hansen and a second from Commissioner Hamilton.

The motion passed by unanimous [4-0] voice vote.

5. CONSENT AGENDA

A. Request Approval of County Health Care Assistance Claims in the Amount of \$2,090 (Community Services Department/Jennifer

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- Romero)
- B. **Item Withdrawn**
 - C. **Resolution No. 2021-086, a Resolution Requesting a Budget Increase for the Housing Division's Section 8 Housing Choice Voucher Fund (227) in the amount of \$22,647, Public Housing Funding (517) in the Amount of \$133,239, and the Housing Capital Improvement Fund (301) in the Amount of \$35,018 for Increases in Grant Eligibility Provided to the Housing Division by the U.S. Department of Housing and Urban Development (Finance Division/Yvonne Herrera; Housing Division/J. Jordan Barela)**
 - D. **Resolution No. 2021-087, a Resolution Confirming and Ratifying the County Manager's Authority to Approve and Sign Grant SAP 21-F2374-STB for the Chupadero Water Service Improvements, and Designating an Official Representative and Fiscal Officer for Such Grant (Finance Division/Yvonne S. Herrera)**
 - E. **Resolution No. 2021-088, a Resolution Designating Official Representatives for Grant 21-F2378-STB for the Agua Fria Wastewater System Expansion and Requesting the Chair of the Board of County Commissioners to Sign and Accept the Grant on Behalf of Santa Fe County (Finance Division/Yvonne S. Herrera)**
 - F. **Resolution No. 2021-089, a Resolution Confirming and Ratifying the County Manager's Signature Approving Grant SAP 21-F2379-STB on Behalf of Santa Fe County for the La Cienega Water Master Plan, and Designating an Official Representative and Fiscal Officer for Such Grant (Finance Division/Yvonne S. Herrera)**
 - G. **Resolution No. 2021-090, a Resolution Confirming and Ratifying the County Manager's Signature Approving Grant SAP 21-F2380-STB for the Santa Fe County NM Hwy 14 Bulk Water Station Expansion, and Designating an Official Representative and Fiscal Officer for Such Grant (Finance Division/Yvonne S. Herrera)**
 - H. **Request (1) Approval of Amendment No. 1 to Agreement No. 2021-0031-SO/MM with Santa Fe Animal Shelter and Humane Society for Animal Care and Sheltering Services to Extend the Agreement for a Term of 1 Year; and (2) the Grant of Signature Authority to the County Manager to Sign the Purchase Order(s) (Purchasing Division/Bill Taylor)**
 - I. **Request Approval of a Memorandum of Understanding Between Santa Fe County and the American Federation of State, County, and Municipal Employees (AFSCME) Council 18 (Referring to the Bargaining Unit as Local 1413) (County Manager's Office/Rachel A. Brown, Deputy County Attorney and Human Resources and Risk Management Director Sonya Quintana) (Item Added)**

CHAIR ROYBAL: Is there anything on the Consent Agenda that any Board member would like to pull off? Commissioner Hughes.

COMMISSIONER HUGHES: Yes, I have a question about 3. G. I don't think we need to pull it off but I do have a question.

CHAIR ROYBAL: Please proceed, sir.

COMMISSIONER HUGHES: So on item 3. G, which is the \$25,000 for the bulk water storage expansion, it seems like that's not getting us very far toward the full price of this project expansion, and also I think we were going to build the one at the end of the line first, so I just wondered if someone could tell me how this \$25,000 fits into that overall plan to increase bulk water on Highway 14.

MANAGER MILLER: Mr. Chair, Commissioner Hughes, I think that the language in this is broad enough that we'll be able to use it on the site that we have already designated funds for, but even if we can't, we still have the need to expand the existing facility and we would put that funding towards it. We did – the Board did appropriate or allocate funds for that expansion and obviously we would use grant money first if we can towards that and if we have enough, if we have anything left over then request that the Board allocate the federal funds elsewhere. But what we try to do is accept aid grants and expend them first, and no, it's not really enough to do either project but hopefully we can put it towards the part that's been approved already, the language I think with it being on Highway 14 and an expansion of what we currently do for bulk water, it's likely we can use it but if we can't, as I said, we still have improvements to do at the other facility as well.

COMMISSIONER HUGHES: Okay. That makes a lot of sense. If we can't use it at the one we already voted to do first, can we hold on to this money for a while, while we collect more money to do the second phase?

MANAGER MILLER: So Mr. Chair, Commissioner Hughes, usually these agreements are three to four years. I'd have to look at this one specifically. So this one's for three years, and what we would do is one of two things. Either try to get enough, continue to get – and we have it on the ICIP, request funding for the complete project at the current site, and we if we weren't able to do that between state grants and our own funds, prior to it expiring we could ask for it to be reauthorized to something else in the area, or if this language isn't broad enough to use it on the one we've already appropriated funds for we could potentially ask for a language change this session as well. But I think – and I don't think we've put the question to DFA yet but the fact that it is on Highway 14, so that's the first requirement that we make sure it's located where the appropriation is made, and it's an expansion to our existing system, it probably does fit into the category. But we'll double-check it before we try to draw it down.

COMMISSIONER HUGHES: Okay. Very good. Thank you. I'll go ahead and make a motion to approve the Consent Agenda.

CHAIR ROYBAL: So we have a motion from Commissioner Hughes.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: And a second from Commissioner Hamilton. Is there anything else under discussion?

The motion passed by unanimous [4-0] voice vote.

[Clerk Clark provided the resolution numbers throughout the meeting.]

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4. MISCELLANEOUS ACTION ITEMS

A. Resolution No. 2021-091, a Resolution Amending Resolution No. 2019-6 Adopting the Santa Fe County Debt Management Policy

[Commissioner Roybal read the case captions throughout the meeting.]

CHAIR ROYBAL: From our Finance Department we have our Director, Ms. Yvonne Herrera.

YVONNE HERRERA (Finance Director): Good afternoon, Chair Roybal, Commissioners. I'm here before you to request approval of an update to the debt management policy. The purpose of the debt management policy, which was approved on January 8, 2019, under Resolution 2019-86 was to provide the effective management of the County's debt programs in a manner consistent with applicable laws, industry standards, and that maintains or improves the County's credit ratings.

In addition to the establishment of a policy, the effectiveness of the policy needs maintenance, which requires the policy to be reviewed and changed as necessary for changes in processes, laws and regulations, and evolving risks. The current debt management policy is missing information on the budgeting and payment processes, Section 12, Debt Service Requirements, is being added to address these. The addition specifies the Finance Division responsible for budgeting debt service payments for bonds, as well as processing the payments. While the departments are responsible for other types of debts for leases and loans the new section also provides details on the processes and timings of initiating bond payments through completion including verifying the required payments to ensure bond payments are made accurately and timely.

And with that, Chair Roybal, I stand for any questions.

CHAIR ROYBAL: Okay. Thank you, Ms. Herrera. Does the Board have any questions for Director Herrera? Okay, Seeing none, what's the pleasure of the Board? Commissioner Hansen, did you have a question?

COMMISSIONER HANSEN: Mr. Chair, no, I'm going to make a motion.

CHAIR ROYBAL: Okay. Go ahead.

COMMISSIONER HANSEN: I would like to make a motion to approve a resolution amending Resolution 2019-6, adopting the Santa Fe County Debt Maintenance Management Policy.

COMMISSIONER HUGHES: And I'll second.

CHAIR ROYBAL: So we have a motion from Commissioner Hansen and a second from Commissioner Hughes. Under discussion, is there any other discussion from the Board? Seeing none.

The motion passed by unanimous [4-0] voice vote.

4. B. Request Authorization to Publish Title and General Summary of Ordinance No. 2022-___, an Ordinance Amending Ordinance No. 2018-4 (an Ordinance Establishing Santa Fe County Utility Water Service Rates and Charges and Repealing All Prior Water Service

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**Rates and Charges) to Update Water Service Rates and Charges
Through Use of Utility Expansion Charges**

CHAIR ROYBAL: From our Public Works Department we have Mr. John Dupuis.

JOHN DUPUIS (Utilities Director): Good afternoon, Mr. Chair and Commissioners. HGR Engineering previously completed a study on the County's current water connection fee approach and developed water and sewer utility expansion charges. I've provided a one-page summary as requested previously by Commissioner Hamilton of the UECs for water and sewer and I will review that now.

A one-time charge required of all new customers desiring, or existing customers requesting an increased level of service – so it is only at the time of service and a one-time charge. Second, the amount for the water UEC will be \$3,165 for a 5/8" meter. The amount for larger meters is equal to the base amount multiplied by the American Water Works Association ratio of the capacity of the larger meter to that 5/8" meter.

At the October 12th BCC meeting a reduced UEC rate for affordable housing was discussed. Since that time, in consultation with the County Attorney, Section 13.6.4 of SLDC describes affordable housing relief and it was determined that this relief would also apply to the water UECs, which will result in a cost of zero for an affordable home for a water UEC. So instead of adding wording to the proposed ordinance as discussed we left the wording as is and the dollar amount as is, and that affordable housing relief will be provided by that existing section in the SLDC.

And with that I would stand for any questions.

CHAIR ROYBAL: Thank you, Director Dupuis. Do we have any questions from the Board? If not, what's the pleasure of the Board?

COMMISSIONER HANSEN: Mr. Chair, move to approve.

CHAIR ROYBAL: So we have a motion of approval from Commissioner Hansen. Do I hear a second?

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: And a second from Commissioner Hughes. Under discussion, is there anything else? Okay, thank you, Director Dupuis for working on this.

The motion passed by unanimous [4-0] voice vote.

- C. Request Authorization to Publish Title and General Summary of Ordinance No. 2022-___, an Ordinance Amending Ordinance No. 1998-16 (an Ordinance Establishing Provisions for Extension of Sewer Service; Adopting Operating and Management [Procedures]; and Establishing Design Standards for the Santa Fe County Wastewater Utility) to Update Sewer Service Connection Fees Through Use of Utility Expansion Charges**

CHAIR ROYBAL: Once again, we have our director, Mr. John Dupuis.

MR. DUPUIS: Good afternoon again, Mr. Chair and Commissioners. The summary is relatively similar to the prior action item and I will point out the differences

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that are specific to the sewer UEC. Specifically, the amount of the sewer UEC is \$1,635, and that's for a 5/8" meter. As previously explained, the water meter size would be multiplied by the AWWA ratio of the capacity of the larger meter if anyone is requesting service and requires a larger water meter. So the sewer service charge is dependent upon their water meter size which is generally indicative of the demand for water and sewer service.

Regarding the discussion on the October 12th BCC meeting, to provide for affordable housing relief from the sewer UEC, the reduced rate amount discussed was \$400 and as mentioned earlier, the Section 13.6.4 of the SLDC only applies to the water connection charges, and with the direction to do so from the BCC we would propose updating the SLDC to provide the same exemption for the sewer UECs.

And I stand for any questions.

CHAIR ROYBAL: Okay. Do we have any questions from the Board?
Commissioner Hughes.

COMMISSIONER HUGHES: Yes, thank you, Mr. Chair. So when we publish this for title and general summary, are you proposing that we would include that exemption right away in the same time that we're proposing the fee?

MR. DUPUIS: Mr. Chair, Commissioner Hughes, I am not proposing that it would be at the same time. I'm proposing that would follow, and the timeline in between would be a relatively short period of time that should not cause any problems for developers.

COMMISSIONER HUGHES: Okay. That was my question. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hughes. Any other questions or comments from the Board? Commissioner Hansen.

COMMISSIONER HANSEN: Yes. Thank you, John, I think this is an important move, that we make it match, especially for low income families throughout the county and will provide help that many of them need, since we have many low income families in our community. So thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Commissioner Hamilton.

COMMISSIONER HAMILTON: I was just going to make a motion to approve.

COMMISSIONER HANSEN: I'll second.

CHAIR ROYBAL: We have a motion from Commissioner Hamilton, a second from Commissioner Hansen. Under discussion, any other comments? Seeing none.

The motion passed by unanimous [4-0] voice vote.

4. D. **Request Authorization to Publish Title and General Summary of Ordinance No. 2021-__, an Ordinance Adopting The 2021 Redistricting Plan For Santa Fe County Commission Districts Based Upon 2020 US Census; Reassigning Precincts to the Five Commission Districts in Accordance with the Redistricting Plan; Amending Ordinance No. 1989-10; And Repealing Ordinance No. 2011-8**

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CHAIR ROYBAL: From our Growth Management Department we have Mr. Erle Wright.

ERLE WRIGHT (GIS Manager): Good afternoon, Mr. Chair, Commissioners. Again, we're here to request authorization to publish title and general summary, adopting the 2021 redistricting plan. And again, these are based on the 2020 census numbers. This is actually the formality of getting the redistricting done in which we need to amend the 1989 ordinance, which actually created the five Commission districts, moved the county from three to five Commission districts, and also repeal the 2011 ordinance which created the current Commission districts.

So you have the exhibits attached, the draft ordinance, and I will stand for any questions you may have.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: I want to thank you, Erle, for your work on this and making it such a smooth process. I think that since most of the growth happened in the city this is a really good solution, and with that, I would like to make a motion to approve title and general summary.

COMMISSIONER HUGHES: And I'll second.

CHAIR ROYBAL: We have a motion from Commissioner Hansen, a second from Commissioner Hughes. Under discussion? I also want to thank you for the work on this, Mr. Wright. We really appreciate it. It's made it really easy for us so thank you for all your hard work, sir.

MR. WRIGHT: Thank you, Mr. Chair.

CHAIR ROYBAL: All those in favor.

The motion passed by unanimous [4-0] voice vote.

5. PRESENTATIONS

A. Presentation from the Santa Fe County Water Policy Advisory Committee (WPAC) on Drought Management Planning Guidance

CHAIR ROYBAL: And from the WPAC Board we have Mr. Ken Kirk and Mr. Bryan Romero.

ANJALI BEAN (Utilities): Thank you, Mr. Chair, Commissioners.

CHAIR ROYBAL: Sorry about that, Anjali. Go ahead.

MS. BEAN: Good afternoon, Mr. Chair, Commissioner. I just wanted to quickly before Ken provides his presentation I wanted to give a little bit of introduction to the members of the WPAC who are here. This is a presentation from the Water Policy Advisory Committee, and we have Mr. Ken Kirk, who is a member of the WPAC, and I do believe also that Bryan Romero who is the chair of the Water Policy Advisory Committee on Webex as well if you should have any questions.

CHAIR ROYBAL: Okay. Thank you. Welcome, Mr. Kirk and Mr. Romero. So the floor is yours, Mr. Kirk.

KEN KIRK (via Webex): (Due to the poor connection Mr. Kirk was

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unable to give the presentation which was made by Bryan Romero instead.)

BRYAN ROMERO (via Webex): I would like to proceed at just presenting at this point.

CHAIR ROYBAL: Okay. Please proceed, sir.

MR. ROMERO: So in your packet is the complete Planning Guidance document. This is a power point presentation that highlights what we felt were the important parts. All of it's important so this is just for highlighting purpose. I would like to at the end of the presentation answer any questions that the Board of County Commissioners may have moving forward.

The Drought Planning Guidance was a document that was put on a work task for the WPAC. It was quite a bit of effort for the fact that there's a lot of components to it, looking at drought planning. And as you can see it says guidance for the fact that the guidance of it is, these are ideas and things that the County and the methods that we think could be moved forward to help out in this drought planning effort.

What is the WPAC? What we did is the drought planning is part of the WPAC work plan as I stated before and what we did was we understood that there is a – it ties to the US Water Alliance's National Education Plan, "Imagine a Day Without Water." And that's a plan that kind of – it's a national type event where everybody kind of – it's an established event and there's events related to it, meaning that imagine a day without water. It's just what it says. Just imagine that. And with this drought that we have we want to maybe look at how we can solve that before we have to imagine that or let it happen.

Water systems impact our lives and our community. Our water systems, we have different ones in our region. There are different utilities. They could be wells, they could be mutual domestics. They could be more of a regional type system, but they all impact our lives and our communities. Water is an essential and invaluable resources. There's a limited amount of water that we have access to and so we really need to look at conserving it and look at how we use it today. So in the plan there are key components and how we believe conservation efforts could be taking place to secure this resource and manage it in a way to protect it.

And that goes along with water resilience and sustainability. Water resilience is just making sure that you do have different sources of water and you have the ability to get and sustainability is that you can always have it; it's something that's a little bit more long term. And of course water is life. I'm the mayordomo of a ditch and we always say, *agua es la vida*. And so we understand as a community that water is life. I think that everybody understand that. I think it's just educating on how we can do better about conservation.

Why it's important to the county? We have an increasing population in Santa Fe County and so of course we definitely have water demand, and so with that, a lot of our water is groundwater and so I know there is places where we're trying to use surface water first but we do understand that with increased population there's more reliance on the water and also there is a finite supply. Now with the droughts that we had, some of the water that we used to get, the amounts have reduced. So we have two things working against us. One is the climate. The climate has changed a little bit, and also too is increased water demand. So there's a little bit less and we have more demand on it, so the

only way you can get through some of these things is through conservation.

One of the things that we found as a committee is that 46 percent of the county is from small wells or small systems. I'm particularly one that lives in Pojoaque and I'm off a well, and I've always been of the opinion that we need to educate people on the conservation efforts that water users could do and also too is educate areas – the different types of aquifers that their wells are tied to and maybe some of the things that would allow them to understand the system more and to protect the resource better.

That's one of our tasks that we're putting in our work plan for 2022 is the educational component. It was in 2021 but I think we're going to be more active after this drought management plan guidance document moves forward is the next concentration of the committee is through educational outreach on this particular item – wells, and how to educate – on how we move forward in educating the customers and the well users about the resource that's there. So that's the next objective of our committee is.

And of course every time I turn on the news channel there's something about climate change imposing significant impacts. You just have to turn on the news and you'll see California's struggle, Utah. It's most everyone in the Southwest. So with that said, this shows – this is something out of the guidance document. This is kind of a quick look at the increasing populations. There are different sources here but like the Santa Fe Basin Study shows a population growth to 226,242 people. You can see that our population is growing, and so as we said, 46 percent of the county is served via domestic wells, so you can translate that to more groundwater usage.

One of the things we thought about early on on this guidance document was to try to figure out and develop triggers, what we call triggers, on how things could be done, depending on the severity of the drought. What our committee did was we used the National Oceanic and Atmospheric categories and what we did in the document is we associate them with the different categories and we gave ideas for implementation on how we could maybe – how the County could implement some mitigation measures, depending on where you're at regarding the drought index. We understand that this is a beginning step. These are ideas on how you could go forward. It does need more refinement. We believe that this is a beginning part because triggers are really important for the fact that when will you call a drought and what will you do next? And I think the defining of the drought is very important because there could be significant financial impacts depending on what you do with the triggers.

For instance, on a severe drought, you may want to look at your rates and how you change your rate structure within the Utility Department to try to curb usage in the correct manner, but there's a lot of moving parts on how you would proceed on that, and I know that these are ideas and they're guidance but I think they could be further formulated to make them action. And like today, you guys have two items regarding your utility expansion charges, things that you guys are doing related to rates and this may be something you look at, the County looks at as ideas.

And so another key thing was that we felt as a committee that there's different emergency actions that the County would take when there is a called drought. The committee thought that a drought management group comprised of people like the Fire Department or Public Works people, the County Utility Department Director, or people in that manner that have boots on the ground, ideas of how this drought is affecting them

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and to kind of figure out how they can manage through the drought and the impacts on maybe conservation or other impacts that you do with triggers to make sure that they're managed and it doesn't affect other places of operation within the county.

And we thought that this group would be more regional rather than jurisdictional. It would be more like water users in the area made up of different components, but this just an idea. But I think it's a really important idea that should be looked at further. And so with that, I think it could help through – they would be the ones – the idea would be they would be the ones to look at the declaration of emergency and water use restrictions. So it would be more on that level. This is just an idea but this is something we think could be very useful to the County.

Recommendations: As I stated before, develop an educational outreach program to inform county residents on levels of drought conditions and encourage them to become aware of their own water footprint; engage a consultant to update conjunctive management plan and all other ordinances and policies to reflect drought conditions and measures to be taken in a drought emergency; encourage partnerships through networking, resources, sharing agreements, master planning and water resource investments to augment water supply and diversify the regional water supply portfolio; make conservation the key component of the County's drought management strategy; and of course, as I mentioned before – and Ken was really the one who really knows a lot more about the alliance on this Imagine a Day, so I wish he would have been able to speak to this a little bit more, but it's to adopt a resolution in support of the US Water Alliance, October 21, 2021, Imagine a Day without Water National Educational Campaign.

The other thing too is Ken, when he was doing a presentation earlier, it was broken up, but he was trying to – and when he left it was the appreciation of all the WPAC members that worked on this. There was a subcommittee that worked really hard and did a lot of work. The work was done mostly within the WPAC so we had a assistance from staff but it really was a work of the WPAC in developing this document with the assistance of staff in guiding us through those meetings that we had and subcommittees.

With that, I stand for any questions you may have.

CHAIR ROYBAL: Okay. Thank you, Mr. Romero and Mr. Kirk as well for this presentation. It's very informative. Do we have any questions from the Board? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Romero and thank you, Mr. Kirk, and thank you, Mr. Chair. So I see that you recommend in this particular presentation, conservation. I don't believe conservation is the only issue we need to deal with and I do agree with educating people, but we are also facing a consistent La Niña pattern and I know that we are starting to do a well water metering – and I want to thank the Sustainability for getting that RFP out to start doing water metering. But I think there's a number of other things that have not been taken into account, as something that I have worked on consistently for the past five to six years is that sewers play a major part and I'm drawing on an article that was sent out by Bernardine Padilla at the Buckman Direct Diversion, and she sent it out. California is spending billions on drought-related projects and is not borrowing to do so.

So I know that besides the countywide effort it is also a statewide effort but what they recognized was how important sewers are. And the reason sewers are so important is because they take the water and they recycle it. The water that goes to the wastewater plant can be recycled and reused, so therefore the water is not just going back into the ground. Definitely here an ASR aquifer recharge system is important, but at the same time, getting sewers is also incredibly important, both in the city and in the county, for resiliency.

So those are some of the other things that I think we're talking about. I have comments on the other document also but I'm going to wait for that presentation to make comments on that. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Any other comments or questions? Okay. Once again, thank you for the presentation, Mr. Romero, and Mr. Kirk, we really appreciate it and I know Mr. Romero actually lives in the same community as I do and so he understands the need that he brought up and the issues as far as the drought management planning. So I do appreciate it and as I think as a mayordomo for an acequia he even understands it that much more. So thank you again and thanks for the presentation and have a good evening.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: Are we not going to have a presentation also on the Santa Fe County Drought Planning Guidance?

CHAIR ROYBAL: That was the presentation, I believe.

COMMISSIONER HANSEN: There's a much longer document that's like 46 pages.

CHAIR ROYBAL: Was there an additional presentation with this one, Mr. Romero?

MR. ROMERO: No. That was 46 pages so we wanted to just highlight things for you, the County Commission. And what I would suspect is that you guys would look at in detail and staff can maybe give you some guidance on what you may want to do, like Commissioner Hansen, and talk about resiliency which was sewers and some other things. So if there's anything on the WPAC that we need to bring back or discuss more, we can. But I think at this point it's just a matter of these are some of the things we could be working on. Ours is the educational outreach side. If after reviewing the guidance document, if there's anything else that we would need to come back to the Board to present we would be happy to do that.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Yes.

COMMISSIONER HANSEN: So going over this guidance document, in one place I read – I can't find the page exactly, but it referred to the fact that the City and County systems are interconnected and the two water utilities co-own one regional source or supply, so the Buckman Direct Diversion is owned by both the City and the County, but we each have our own regional water treatment plant. So I think that's not exactly clear in this document, and maybe I'm misunderstanding what you're saying here. As far as I know we don't own a joint water treatment plant, the City and the County.

And there were a few other things but I think that I will have a conversation

offline with you because I am concerned about some of the things that I did see in the Drought Planning Guidance document. And I would like to see sewers included as something that is thought of as a drought planning guidance program.

MR. ROMERO: I think one of the things that you see in the guidance document, it's guidance, number one. It is not all inclusive so things can be added. I think it's just a start. But we can talk more about that but I think there's a lot to that document and so as I stated before, we can revisit some of the areas that the Board of County Commissioners would like to have us focus further on.

COMMISSIONER HANSEN: Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Thank you, Mr. Romero.

6. MATTERS OF PUBLIC CONCERN

CHAIR ROYBAL: Tessa Jo, do we have anybody signed up right now for public concern?

MS. MASCARENAS: Yes, Mr. Chair, and if there's anyone else on Webex who would like to sign up if you would please do that.

CHAIR ROYBAL: Okay if there's anybody on Webex that would like to address the Commission, please unmute yourself and state your name for the record.

JAMES MACCREIGHT (via Webex): Sure my name is James Meehan MacCreight. Can you hear me?

CHAIR ROYBAL: Yes.

MR. MACCREIGHT: Thank you, sir. I'm be speaking quite rapidly in order not to take up too much of your time. Commissioners, thank you for your time. I'll try to make this as brief as possible, but realizing it entails over 18 years of harassment and misdeeds, I will give it my best effort.

Considering that I served my country for over a million and half minutes I humbly request a few minutes or so of your time to give you an accurate overview.

CHAIR ROYBAL: Sir, you're a little bit muffled. Can you guys hear him okay? Okay. Go ahead. Sorry about that. It's just me that's having some issues. Go ahead, sir.

MR. MACCREIGHT: Thank you. I want to clearly state the intention of this communication is that I get on the agenda and appear before the BCC in order to expose the ongoing misconduct by some County employees, particularly of one individual in Land Use. I come to you because all attempts thus far have been ignored at every level including the Legal Department. This is what happens when a group of individuals who over the years come to the realization that they're policing themselves, only to be inhibited by a few individuals willing to undertake the time and expense to enter the court system. Keep in mind, the court system is their trump card. This is how they leverage what they want.

I would like to ask you Commissioners, who is really running the County? This rhetorical question is meant to give you pause. I was under the impression that the County Commissioners who were all duly elected to represent their constituents were firmly in charge. That all changed around June 25th of this year when I received a

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disturbing phone call from the head of the Land Use Department. This call set off a very revealing sequence of events and in a matter of weeks exposed the inner workings of a very sick organization in dire need of help. Within seconds of this phone call I was being chastised by a very aggressive voice for having the audacity to call my County Commissioner and discuss the ongoing harassment that has taken place between Land Use and myself.

I was told the County Manager is not in charge of Land Use; the County Commissioners are not in charge of Land Use. I am, she said. Wanting to take full advantage of this call I expressed to the head of the department that I did not go through her because I did not get a fair shake from her staff. I then proceeded to tell her about the ongoing harassment that I was experiencing at the hands of one and in my opinion, a very disturbed, psychotic individual, that she considers a key member of her staff.

After sharing case after case of clear-cut violations I thought I would get some level of concern and interest which would elicit a professional response. What I got was a gruff response stating that I've worked with him for 25 years. Commissioners, if some of you are sitting saying to yourself, that's not what I experienced with the individual at Land Use, that is because what you see, hear and get is what they want you to know. Make no mistake, they're controlling the narrative.

My family, and particularly myself have been turning the other cheek for close to 20 years. Regarding the bitter individual under the supervision of the department head, every time I go to Land Use I have to be creative in ways that I capitulate in order that this pathetic individual so that he can feel his self-importance. His ego is that fragile. When I go to the Clerk's Office everyone is extremely courteous and attentive. When you go to the Assessor's Office, it's like a Swiss watch.

Ever since the Land Use Department was forced to take classes on the County's rates it's been an us against them attitude. That being said, I apologize to these fine and outstanding individuals who do work in Land Use and have to struggle on a daily basis having their integrity violated by the actions of a few. The legacy that's being created there with the inappropriate listening in on phone calls, having employees intentionally delay the processing of permits, telling applicants fee costs, then upon delivery doubling the price. Every vindictive concept that can be conjured up in order for an individual to orchestrate and manipulate the process for their own individual sick satisfaction should not be tolerated.

Yet these employees are victims. They envisioned a career ahead of them. How could they possibly protest? On October 12th of this year I wanted to come before the Commission to expose these transgressions. I had written a letter earlier that day withdrawing my desire to extend my building permit which had run out. I suggested that if anyone came to their senses prior to the meeting I would listen. Two hours later I received a phone call from the head of Land Use that they wanted me to finish my home and that she would talk to her staff and that we could work everything out. I gave her that opportunity and I did not engage in the BCC meeting.

Three days later I received a phone message with that assertive voice back in play. We need to make an inspection of your property ASAP. Strangely enough, my attorney received a message from the County Attorney the same afternoon asserting that if we don't give him access to my property he was going to create some scenario where

the Public Health Department would invade my property. Their intention is to file any charge they can dream up so that they would be in the position to tell the Commissioners that this is an ongoing investigation and cannot be discussed, therefore silencing my voice. I guess that civil rights is becoming as passé as civility. This isn't just happening to me. It's happening to you, Commissioners, because it's been suggested that the Commissioners should not take direct phone calls from their constituents, that staff will take care of them. Someone told the Commissioner I was suing the County and watch what he says to me. I have stated time and time again, I'm not suing the County.

Last year my Commissioner's liaison officer realized that she was being misled and given misinformation time and time again by Land Use in order to delay my permit from being reinstated. I want to commend her for being courageous enough to stand up to the key manipulator over there.

Let me bring this to a close. You're going to hear all kinds of claims about me regarding my [inaudible] project. I'm all for exposing it. Let's put it all on the table for the public to see what an unmitigated disaster Land Use is. Land Use has been desperate for me not to reveal what's going on over there. I have requested that they leave me alone. Please stay off my property. I'm a four-time wounded Marine being treated for kidney issues twice a week. I'd like to have a little peace in my life but they won't leave me alone. I look forward to cooperating with you and your staff to remediate these issues. Thank you very much for your time, sir.

CHAIR ROYBAL: Okay. Thank you, Mr. Meehan. Are there any other –

MR. MACCREIGHT: It's actually James Meehan MacCreight. Thank you, sir.

CHAIR ROYBAL: Thank you, sir. Is there anybody else from the public that would like to address the Commission? If you're a call-in participant please hit star 6, and if you on Webex, please unmute yourself and state your name for the record. Okay, hearing none, I'm going to go ahead and close Matters of Public Concern.

7. MATTERS FROM THE COUNTY MANAGER

A. COVID-19 Updates

MANAGER MILLER: Thank you, Mr. Chair. So under COVID updates, the Clerk actually reminded me and this wasn't in here but New Mexico passed 5,000 deaths for the state. So COVID is still prevalent and causing problems in the healthcare community in our country and around the world. We're seeing a heightened number of cases and the county currently does not have any ICU beds available in any of our hospitals. All counties in New Mexico are in the red zone, indicating a high rate of transmission.

Overall, Santa Fe County does have the second lowest positivity rate and is seeing an average of 32 cases per day. The cases per 100,000 from October 5th to October 18th were 20. The positivity rate was 4.33 percent. The percent of residents with at least one shot is 92.3 percent, and percent of residents with vaccination series completed is about 82 percent. Our reporting indicates that County staff are a little below that at about 77 percent Countywide. We are still working with the unions to implement a vaccine mandate. So we are still working on that.

Also, as far as vaccination events, Santa Fe County is partnering with FEMA and the state on vaccination events at the Community College. We've had several events over the past week in Madrid, which actually yielded about 44 vaccinations. Other planned activities included working with the Department of Health on Saturday clinics that offer shots for children and booster shots for those over the age of 65. And the Community Services Department is also partnering with the state to hold flu and COVID booster shots this fall. Clinics are tentatively planned in northern Santa Fe County at the fairgrounds and in Edgewood.

Also, we have multiple prongs of public awareness campaign going with CSD staff preparing for another COVID-19 public awareness campaign that focuses on the following: the continued need to use protective face coverings and good hygiene to reduce transmission of COVID-19 in our community. Also, the individual collective benefits to getting vaccinated, available community resources for those impacted by COVID-19 including but not limited to the CONNECT program, and tools and resources to assist community members in identifying and mitigating the mental health impact caused by the COVID-19 pandemic.

Also, we are working on all of the contract amendments for CONNECT that were approved by the Board out of the ARPA funds, and we're working with the City on our CONNECT programs as well as funding for the Up Together initiative that the Board approved. Those are my COVID updates. I don't know if you have any questions on those.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Manager Miller, for updating on the sobering news of our hospitals. That is very concerning. It seems we have a very high vaccination rate but at the same time we still have a lot of people infected with COVID. I know that this is probably a rhetorical question, but what is happening? We have a high vaccination rate and all of our hospitals are full and it's very sobering. I am extremely concerned. Are people just not taking this seriously?

MANAGER MILLER: Mr. Chair, Commissioner Hansen, I can't speak as a professional to this but I can talk about some of the conversations we've had with the professionals about what's happening. One of the things too to realize is that there are a lot of vaccination mandates or testing requirements in Santa Fe County. While Santa Fe County as an employer doesn't have that there are a lot of employers that do, including the state. So you have the City and the state and other employers that are either saying you have to be vaccinated or tested, so we have a lot more testing than what was happening previously. So it's mandatory weekly testing or in some cases every 72 hours for work. So you're getting more testing.

The vaccination does reduce your chances of getting it but doesn't prevent you from getting it and does not prevent you from spreading it, so while we might see a higher positivity rate some of that is also – and cases per 100,000, some of it is due to the fact that there's a lot more testing because of it being mandatory. Previously, testing was if you had symptoms. Now you're getting them even if you're asymptomatic. So that's one factor the healthcare industry is attributing to higher numbers of cases, but you also still have individuals who aren't vaccinated. You have younger kids that aren't

vaccinated and they have outbreaks at schools. So you've had groups of students or classmates or people that they've been in contact with have multiple positives. And aside from that I can't really speak to it but that's some of the things that in my meeting last week were reported. You are still seeing though of those that are hospitalized or deaths that that's a low percentage of people who are vaccinated. It's predominantly – over 90 percent – are people who have not been vaccinated.

CHAIR ROYBAL: Thank you, Commissioner Hansen and Manager Miller. Any other questions?

B. Miscellaneous Updates

MANAGER MILLER: Mr. Chair, the Miscellaneous Updates, I just have a couple. This was a really good statistic. The Fair Board actually reported at their first meeting since the fair that they had a record number for sales of the animals that they auction off. They had \$232,319.72. So holding the fair this summer generated a lot of sales for those 4-H kids and that was really good news.

And then also Chief Jackie Lindsey has been appointed by Governor Lujan Grisham as the chair of the State Emergency Response Commission, SERC, and also elected Metro Fire Chief Association Vice President. And both those appointments are for two years and we're proud of her for those appointments. And those are my updates.

CHAIR ROYBAL: Thank you, Manager Miller, and congratulations to our Fire Chief, Chief Lindsey, we're very proud of you. Great job, and really awesome news to hear about the 4-H, and I've already started getting letters from the 4-H thanking the Commission for everything that we help with to make sure that the fair is actually successful, but really it's the kids and the volunteers and all of the staff of the 4-H that makes it successful. We help as much as we can but really it's the participants that make this fair successful. So congratulations to all of you and great job. Any other comments from the Commission?

COMMISSIONER HAMILTON: Mr. Chair.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: I just wanted to add my voice to the congratulations to Chief Lindsey on the appointment to serve. That's really outstanding. It does well for the County, not just optics, and she has a huge amount to contribute as is clear what she contributes to the County. So that's really, really good to hear and congratulations.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. Thank you, Manager Miller, once again.

8. 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 ROYBAL: I'm going to go to Commissioner Hansen.

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COMMISSIONER HANSEN: Thank you, Mr. Chair. I appreciate you recognizing me. I too want to thank Chief Lindsey for attending the townhall that I had on October 19th at the Nancy Rodriguez Community Center. Chief Lindsey was there and she did make the announcement that she had been appointed by the governor to the task force and she did a great presentation. It was really engaging and I'm really grateful for her to be there.

We had 35 people in attendance in person and we had over 70 constituents watching via YouTube, so we had about 100 people. Bob Aly from Available Media streamed the event for us and so that was really fantastic. I also want to especially thank County IT Desktop Support Specialist Matthew for setting up the mikes and speakers and projector equipment, and for Emergency Management Coordinators Ignacio Dominguez and Matthew Harding for providing the COVID screening and helping with the sign-in table. It was a very successful event and I want to thank my other two fellow Commissioners for holding the event earlier in the summer, because I think there is a tremendous amount of concern and interest about this topic. I'm hoping that I will have the opportunity to present at the Radioactive and Hazardous Waste Legislative Committee on November 12th about this issue. I have been in conversation with them and I hope that will happen because I do think that residents are very concerned about the transportation of plutonium and plutonium oxide on their highways.

And then on an opposite note, I had the great pleasure of going to the Jicarilla Apache Nation last Wednesday for Solar Direct. I want to thank Commissioner Hamilton for bringing that resolution forward and our Commissioners for supporting the Solar Direct program with PNM. It was just a presentation and the City of Albuquerque Mayor Keller and myself were the only two elected officials that were there, but the City of Deming was involved, the school district in Deming, Walmart, Grant County, Bernalillo County – I can't remember all of the partners but there is a number of partners and it is a huge, huge array out there and I'm very proud that we're part of it and that it will supply half of our electricity that we buy from PNM and the people who are building the facility were quite impressed that we will be getting half of our PNM electricity from this facility. That was a really – it was a long drive but it was completely worth it to be there and to support this important project and definitely the kind of project that we need.

This morning, I attended the climate summit in person at the Roundhouse. This morning I watched it on Zoom and it was really good to see the Jicarilla Nation president again speaking and he did mention the Solar Direct project that they are building. One of the interesting things about the Solar Direct is that they are also being delayed by the problems in the harbor in Los Angeles. Any time they see a truck coming down the road they know the only place that truck is going is to this facility. And so – because you're kind of out in the middle of nowhere. So that day and that morning we saw four or five trucks actually coming in while we were there and everybody was extraordinarily happy.

So also, on my last Coffee and Tea under the Trees will be held this Saturday, October 30th and I've moved it back to noon. So it will be from noon to 2:00 pm at Reunity Resources. I changed the time also because in the morning there is a big trash cleanup with New Mexico Wild and it's out on the Caja del Rio and the La Cienega/La Cieneguilla area and I love their flyer: Illegal dumping is creepy. Prizes for best costume.

Lunch will be provided. It's meeting at 10:00 am so you can also join them in the cleanup and then come to Coffee and Tea under the Trees and have a wonderful lunch at Rose's Kitchen.

Thank you, Mr. Chair, for letting me continue on, but I wanted to mention that the Old Santa Fe Association bulletin finally came out and our building is on the front page. I want to thank Paul Olafson and the County Manager for their contributions to the story that we wrote for the paper. It has some wonderful pictures, our award that was given to the Santa Fe County, and a nice picture by Daniel Fresquez that shows the remodel of our building. So it's a wonderful story. I can't take total credit for it because I feel like it was a collaborative effort from the County to present this to the Old Santa Fe Association.

And the big announcement at the climate summit yesterday was that the governor wants to meet the Paris Agreement of 2050 of being net zero by 2050. I am proud to be part of Santa Fe County that is really trying to move towards that goal and that we have a Sustainability Department that is working really hard to meet those goals. So thank you, everyone. Thank you to my fellow Commissioners for supporting that effort to make us climate neutral and zero neutral by 2050. And thank you, Mr. Chair, for letting me share all of those items. I appreciate it.

CHAIR ROYBAL: Thank you, Commissioner Hansen, for all the information and updates. I'm going to go to Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair. Just a few things. One is I wanted to note that I have been getting a lot of thank you notes from the young people who attended the county fair and that's a lot of fun to get the thank you notes and I'm glad the fair was such a success for them. It's obvious that they put a lot of work into it.

I also wanted to mention on November 4th I'm having my regular townhall meeting, Hour with Hank, and it will feature John Dupuis, so it will be more of an hour with John Dupuis talking about water. I get a lot of questions about water and I thought, well, why not bring the expert. So we're looking forward to that. That will be 5:30 on Webex on November 4th.

Also, a project that New Energy Economy did with Casa Milagro – Casa Milagro is a housing program for homeless people with very severe mental illness, and they are getting a solar project donated with the help of New Energy Economy, and we're going to celebrate that on November 6th, and I know that Commissioner Hansen and I were invited and I was originally under the impression that since two of us were invited the rest of you couldn't come but I've been told that we can actually notice the meeting if anybody else wants to come. So that will be a really nice – it's a really nice project because it has the dual purpose of, of course, helping the climate by having solar energy but it's going to cut down on the utility costs for this program and give them money that they can spend in other ways on their clients who are among the neediest people that we serve anywhere.

And finally, I just wanted to mention that, as you know, I've mentioned before, when I met with the Ethics Committee earlier – well, it was last year, actually, right after I started my appointed position as County Commissioner, that they asked me to be sort of a cheerleader to get their revisions of the Ethics Ordinance through the process. And then as you may know, we appointed some new people to the Ethics Commission so those

people have made a few additional changes. They've put a lot of work into it. I don't think that there is really much if anything that's going to be controversial in that. They're planning to present it to us at one of the next two meetings in November, and I just encourage my fellow Commissioners to, when they do present it, to read it carefully so that we can decide what of their suggestions we want to accept and if there's any that we don't want to accept that we can kind of get this done and then we don't have to look at it again for hopefully a long time. But there are some important changes that they're suggesting.

And that is it for me, Mr. Chair. Thank you very much.

CHAIR ROYBAL: Thank you, Commissioner Hughes. I'm going to go to Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you. So definitely I agree with my colleagues that congratulations should go to primarily the participants and especially the kids who did so well at the fair and I send out a big thank you to them for sending the delightful thank you notes to us. I think Mr. Chair is correct that they're the ones that make it a success.

I agree – I want to chime in with Commissioner Hansen on being proud of being in a county and a state that is really trying to move forward and do well addressing climate change and some of the recent activities in particular. Our first climate summit is a really big deal in trying to get there.

And I think the last thing I have is Coffee with the Commish this Saturday. I've also changed the time. It's from 10:00 to 11:00. It will be virtual. So look for the announcement coming out tomorrow. Make sure you and all your friends come. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. And for my district, we did have a meeting or a community meeting on the 19th and that was a really successful meeting so we're going to make them a little bit closer together for the next couple of months. So we're actually going to have our next one on the 2nd of November. So I hope I can see everybody out there. I think it's going to be the 2nd or 3rd, but we'll send out notices. So I just want to thank all the participants for being there. It was really a productive meeting so I'm happy that we were able to have such a successful meeting.

I also want to thank my liaison, Ambra Baca for her hard work facilitating these meetings. My community and district really appreciate it and I also want to thank Daniel Fresquez for his participation and Chris Hyer as well for being at these meetings. So thank you very much. I really appreciate all your hard work.

I'm going to go back to Commissioner Hamilton.

COMMISSIONER HAMILTON: Yes, and thank goodness for my liaison, Tina Salazar because I clearly misspoke. This Saturday is not the first Saturday of November; it's the last Saturday of October. Coffee with the Commish is the first Saturday of November, so it's in a week and a half, more or less. So thank you very much, Tina, for keeping me straight.

COMMISSIONER HANSEN: And Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Commissioner Hamilton, for

keeping us all straight, and thank you, Tina for keeping us straight because mine is this Saturday, and yours is the following Saturday. So we've tried to schedule them so if we have cross-over constituents that they all get to participate.

I also wanted to thank Community Service for helping pay for the ad for Solar for All for the Casa Milagro and helping to spread the word on this important project, Solar for All. And thank you, Commissioner Hughes, for mentioning that.

I also wanted to mention that both Commissioner Hughes and I had the opportunity to speak at an immigration rally last week and to say a few words about our immigration and brothers and sisters and also mention how grateful we are that we are able to help them through the ARPA funds. If you wanted to say anything else about that, Commissioner Hughes. We both spoke and it was a very nice event.

COMMISSIONER HUGHES: Mr. Chair, if I might just add that it's always a pleasure to participate in something sponsored by Somos un Pueblo Unido. They do a great job of representing the workers and the immigrants in Santa Fe and I was happy to join the Mayor and Commissioner Hansen and many other people, Representative Leger Fernandez was there as well. It was a good event.

CHAIR ROYBAL: Thank you, Commissioner Hughes and Commissioner Hansen. Was that it? Okay. Thank you.

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

CHAIR ROYBAL: Is there any elected official that would like to make any announcements to the residents of Santa Fe County or to their constituents? Tessa Jo, do we have any elected officials online right now?

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: I see that our County Clerk is not present I think I will just remind people that there is an election going on in the city and please take the time to vote. It's really easy. I think a number of the early voting sites have opened and there is also the opportunity to vote at our County building at 100 Catron. It's very easy. It's a simple walk-through and I believe that a number of early voting locations throughout the city are open and so please go vote. Thank you.

EVONNE GANZ (Deputy County Clerk): Thank you, Commissioner Hansen. Chair Roybal, if I can add to that – I didn't want to interrupt if there was anybody online.

CHAIR ROYBAL: If you want to just announce your name for the record. I know it's our Deputy Clerk, but just so the people out there know who's speaking.

MS. GANZ: For the record, yes. This is Chief Deputy Evonne Ganz. So we do have the election going on right now and as Commissioner Hansen mentioned, we have early voting going on now, but that ends on Saturday, and we've had 60+ people use the same-day voter registration but that is only good through early voting. So we encourage anybody who still needs to register to do so during the early voting time. Election day is a week from today and we will have 30 locations set up around the

county. The early voting and drop-box sites and polling locations are listed on the Santa Fe County Clerk's website. And just as a note for county voters, if you have requested an absentee ballot, we encourage you to drop it off at the drop boxes or early voting sites because it is likely too late to be able to mail it back to guarantee a delivery. With the way the mail has been going these days, with it being a little slow, we are encouraging everybody to drop off their absentee ballot if they have one.

All ballots have to be delivered to the Clerk's Office by 7:00 pm on Tuesday, November 2nd. Not post-marked by November 2nd; it has to be delivered by 7:00 pm November 2nd. So we highly encourage everybody to get out and vote.

CHAIR ROYBAL: Thank you. We appreciate that update for all of our voting constituents that are out there, and so we all have to remember to get out there and vote. Your vote does matter, so please get out there and vote. You have a voice. Actually, I'm going to ask one last time, are there any other elected officials that would like to address their constituents? Okay, I'm going to go ahead and close item 8. B.

9. **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. **Disposal of County-Owned Real Property**
 2. **Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Concerning COVID-19 Vaccine Policy**
 3. **Acquisition of Real Property Interests for Solid Waste Convenience Center**

CHAIR ROYBAL: County Attorney Shaffer, can you give us a summary of what we're going into executive session for?

GREG SHAFFER (County Attorney): Thank you, Mr. Chair. We'll be going into executive session to discuss 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); 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

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disposal of real property or water rights, as allowed by Section 10-15-1(H)(8) NMSA 1978; including: one, disposal of County-Owned Real Property; two, discussion of bargaining strategy preliminary to collective bargaining negotiations concerning COVID-19 vaccine policy; and three, acquisition of real property interests for solid waste convenience center.

CHAIR ROYBAL: Thank you. Do I hear a motion to go into executive session?

COMMISSIONER HANSEN: So moved.

CHAIR ROYBAL: We have a motion from Commissioner Hansen.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: And a second from Commissioner Hamilton. Deputy County Clerk, can you conduct a roll call, please?

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

Commissioner Garcia	Not present
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Hughes	Aye
Commissioner Roybal	Aye

[The Commission met in executive session from 4:00 to 5:53.]

CHAIR ROYBAL: Coming out of executive session, if I could get a motion.

COMMISSIONER HUGHES: Mr. Chair, I move we leave executive session.

COMMISSIONER HAMILTON: It takes a little more than that.

CHAIR ROYBAL: The only things that were discussed were the items that were summarized by our County Attorney and –

COMMISSIONER HAMILTON: No decisions were made.

CHAIR ROYBAL: And no decisions were made.

COMMISSIONER HAMILTON: Is that your motion?

COMMISSIONER HUGHES: That’s my motion.

COMMISSIONER HAMILTON: I’ll second that.

CHAIR ROYBAL: Okay, so we have a motion from Commissioner Hughes, a second from Commissioner Hamilton.

The motion passed by unanimous [4-0] voice vote.

10. PUBLIC HEARINGS

- A. Case # 20-5111 Vista de Sangres Reconsideration of a Condition. El Llano Company Inc., Applicant is Requesting the Reconsideration of a Previous Condition Imposed by the BCC on the Final Plat Approval**

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for the Vista de Sangres Subdivision Which Required the Final Plat for Phase 1 to be Recorded within 60 Days After the Board Entered an Order Conditionally Approving the Consolidated Submission. The Applicant is Requesting an Additional 60 Days to Record the Final Plat for Phase 1. The Site is Located North of the NM 599 Frontage Road at the Intersection of Caja del Oro Grant Road within Section 31, Township 17 North, Range 9 East (Commission District 2)

VICKI LUCERO (Case Manager): On May 11, 2021, the BCC granted approval of a conceptual plan for a 23-lot subdivision consisting of 22 residential lots and one open space/remainder tract to be developed in two phases. The approval also included preliminary and final plat approval for Phases 1 and 2.

Prior to the BCC's action on the subdivision application Santa Fe County and El Llano Company Inc. had entered into a Settlement Agreement and Release of Claims in an attempt to resolve a dispute regarding the legality of the previously recorded subdivision plat. The settlement agreement specified that the applicant would submit a consolidated application for subdivision approval. One of the stipulations of the settlement agreement, was that, "El Llano shall record the final plat for Phase 1 within 60 days after the Board enters an order conditionally approving the consolidated submittal.

The final order conditionally approving the application was recorded on July 28, 2021. Therefore, the final plat for Phase 1 should have been recorded by September 28th.

Mr. Chair, Commissioners, the applicant was originally requesting an additional 60 days from the September 28th deadline to record the final plat for Phase 1. Since the time that the application was made the applicant has amended their request and they're now asking for a 90-day time extension to record the final plat for Phase 1.

Recommendation: In regards to applicant's request for the time extension, there is a section in the SLDC, Section 4.6.11 that allows minor amendments to applications and the Board can grant those without further notice, so they do meet that request for a minor amendment, being that they're asking for an additional 30 days.

Recommendation: The applicant has been working with staff to address all redline comments and conditions of approval. The applicant has also begun obtaining signatures on the plat and water covenants from the eight other property owners. The applicant has made a good faith effort to comply with all conditions of the BCC's approval. Therefore, staff recommends approval of the request to modify the previously imposed condition and grant an additional 90 days to record the final plat for Phase 1, subject to the following condition. And the only condition that we would recommend is that:

1. The Applicant shall comply with all other conditions imposed by the BCC on the Conceptual Plan, Variance, and Preliminary and Final Plat approval.

MS. LUCERO: Mr. Chair, with that, I stand for any questions.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Thank you, Ms. Lucero. Commissioner Hansen.

COMMISSIONER HANSEN: So when would they have to file for the final plat? September 28th, October – by the end of the year? When is the deadline?

MS. LUCERO: Mr. Chair, Commissioner Hansen, yes. The 90 days from

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September 28th would be around December 28th, or we can set that as December 28th just to avoid confusion.

COMMISSIONER HANSEN: Okay. It seems like they have been working with staff. Everything seems to be moving forward. Do we have to do a public hearing?

CHAIR ROYBAL: Yes, we do.

COMMISSIONER HANSEN: Okay. And is the applicant here?

CHAIR ROYBAL: I believe the applicant is here so we will call on the applicant and then I'll call on public comment after that. Okay, so the applicant, if you're here, sir, you can go ahead and address the Commission.

SCOTT HOEFT (via Webex): I just want to say I concur with Vicki's recommendations and I can stand for questions.

CHAIR ROYBAL: Okay. Is there any questions for the applicant from the Board? If not, I'll go to public hearing and then we can come back to questions. Commissioner Hansen, this is in your district, is that okay? Okay, so I'm going to go to the public. Is there anybody from the public that would like to speak in support or opposition of this case? Please unmute yourself and state your name for the record. If you're a call-in participant it's star 6 to unmute yourself. Once again, I'd like to ask is there anybody from the public that would like to speak in support or opposition of this case number? Okay, hearing none, I'm going to close public comment and I'll go back to Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. So I'm grateful that they have been working diligently to get everything done and I would like to see them be able to do this sooner rather than later, so I am willing to give them the extension. So I would like to make a motion to approve Case 20-5111, Vista de Sangres for reconsideration of a condition of El Llano Company, for 90 days till December 28, 2021.

COMMISSIONER HAMILTON: Second.

COMMISSIONER HANSEN: You second that? Okay. Can you, the applicant, can you meet that deadline?

MR. HOEFT: Yes. It is our hope.

COMMISSIONER HANSEN: Okay. Thank you.

CHAIR ROYBAL: Okay. So we have a motion from Commissioner Hansen and a second from Commissioner Hamilton.

The motion passed by unanimous [4-0] voice vote.

11. INFORMATION ITEMS/MONTHLY REPORTS

- A. Quarterly Report on Restricted Housing at County Correctional Facilities Pursuant to Laws 219, Chapter 194 (HB 364)**
- B. Public Works September Monthly Report**
- C. Community Services Department October Monthly Report**
- D. Growth Management Department September Monthly Report**
- E. Community Development September Monthly Report**
- F. Public Safety September Monthly Report**
- G. Human Resources Department October Monthly Report**

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H. Finance August Monthly Report

CHAIR ROYBAL: Item number 11 is informational items. I just want to thank staff for these reports and I don't know if there's any other questions from the Board for staff on any of these.

COMMISSIONER HANSEN: I'm grateful to be able to read them.

CHAIR ROYBAL: Thank you, Commissioner.

12. CONCLUDING BUSINESS

- A. Announcements**
- B. Adjournment**

Following motion by Commissioner Hansen and second from mm, and with no further business to come before this body, Chair Roybal declared this meeting adjourned at 6:02 p.m.



ATTEST TO:

KATHARINE E. CLARK
SANTA FE COUNTY CLERK

Approved by:

Henry Roybal, Chair
Board of County Commissioners

Respectfully submitted:

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

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