

SFC CLERK RECORDED 12/15/2021

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

**November 9, 2021**

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

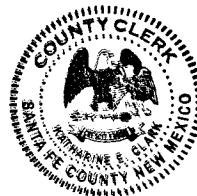
BCC MINUTES  
PAGES: 39

COUNTY OF SANTA FE       )  
STATE OF NEW MEXICO    ) ss

I Hereby Certify That This Instrument Was Filed for  
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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**

**November 9, 2021**

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:16 p.m. by Chair Henry Roybal in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

The meeting was conducted in a hybrid format incorporating both 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 Rudy Garcia [2:45 arrival]  
Commissioner Anna Hansen  
Commissioner Hank Hughes

**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 Roybal and the Moment of Reflection by Tessa Jo Mascarenas of the County Manager's Office.

COMMISSIONER HANSEN: I wanted to share with everyone, and I hope that you all received this but former County Commissioner Robert Anaya's mother passed away on October 29<sup>th</sup>. MaryAnn was born on January 11, 1937 in Illinois, her parents Roscoe Dayne and Ella Dora Phillips, and her spouse are all deceased.

MaryAnn married Joe Anaya, the love of her life, high school sweetheart and fellow Stanley Cyclone. Together they began their life-long journey while raising their family in Galisteo, New Mexico and at the ranch in Stanley, New Mexico. Mary Ann and Joe had six children: Rick Anaya, JoAnn Chan, Spouse Roy, Jean Moya, Spouse Steve, Mike D. Anaya, partner and Mark B. Anaya, and Robert Anaya.

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Mary Ann had many grandchildren and she will be extremely missed by the entire Anaya family. We send our condolences and heartfelt thanks to everyone. They send their heartfelt thanks to everyone who took care of them during this difficult time. I wanted to mention that because I did write to Commissioner Anaya and mentioned that I would mention this from the dais and he was extremely grateful.

I also wanted to mention that one of my long-time friends in Santa Fe, Peggy Carter McDowell passed away. I had known her since the late 70s and she was married to Doug McDowell and her children -- and I also send my condolences to them.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Commissioner Hughes, did I see your hand up as well?

COMMISSIONER HUGHES: Yes. I also wanted to acknowledge the passing of Bill Carson, who founded the Salazar Partnership, which evolved into the Salazar on Agua Fria School Partnership where they connected volunteers with underprivileged children to read to them on a daily or weekly basis, and I think that thing eventually evolved into Communities in Schools. And he was just a great example of using your retirement years for something useful, even though he had a great life of service before that. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hughes. Any other Commissioners? Okay, I did have a few announcements and people to add to the moment of silence and one of them was Mary Ann Phillips Anaya and I'm glad that Commissioner Hansen brought that up. I did have a phone call conversation with Commissioner Anaya and I know that it's a very difficult time to lose a family member and I just wanted to thank Commissioner Hansen for bringing that forward and reading it into the record.

Also I did want to mention and ask for a moment of silence for Luciano Trujillo. He was 78, from Pojoaque. This is our former representative, Mr. Carl Trujillo's father. He passed away and did a lot of things for the community and was always a very hard working man and had a great reputation in the community.

Also, I wanted to mention Mr. Guillermo Garduño. He was 60 years old from Nambe. He also passed away. Mr. Nike Valdez, 33, from Nambe. We had quite a few deaths in the district in the last month and it's very sad. We had also Mr. Brian Vigil, from Cundiyo. He was 44 years old. Lionel Garcia from La Puebla, 50 years old. Lisa Lucero, she was 69 years old, in La Mesilla. And a classmate of mine, Dr. John Paul LeDoux, 51 years old, formerly from Dixon but we did go to school together. He did have Lou Gehrig's disease and he had that for four years. Mr. Ronald Binion, and also Stephen Garduño from Nambe Pueblo. He was 40 years old. And one of our very own County employees, Mr. David Barros. He also passed away just yesterday, I believe, so I don't have too more to share with that but I know in talking to his supervisor he was one of our heavy equipment operators in District 1 and he's going to be greatly missed. I know that he had a great work ethic and we just don't know from day to day.

I want to also go to Madam Treasurer, Jennifer Manzanares. I believe that she wanted to speak a little bit more to this. Treasurer Manzanares, are you at the meeting?

JENNIFER MANZANARES (Via Webex) (County Treasurer): Good afternoon, Commissioner, members of the Commission, County Manager. Yes, it is with

great sadness that a very dear family member as well as a Santa Fe County employee, David Barros has passed away, and I'll be visiting with the family this afternoon and sharing his obituary, hopefully at the next Commission meeting. But if we could just keep the family in our thoughts and our prayers, that would be much appreciated.

CHAIR ROYBAL: Thank you, Treasurer Manzanares, and it's with a heavy heart that we say so long for now. It's not good bye. I know that David provided a valuable service to our constituents and all the time I get a lot of grateful constituents that appreciate the work that is done on our roads in the district and I know that sometimes we borrow employees to different districts. I know they had a big project they were working on in Eldorado that they just had a paving project and we pooled a lot of our resources to get that done for the Eldorado community and I know that David was a part of that. So I just want to give my condolence to the family and we're very saddened for the losses with experience in our community and I thank god at a time that the community and family had with their loved ones. And may god bless them and give them peace and understanding.

Is there anything else? So if we could just have a moment of silence. Thank you, Commissioners and thank you, everybody.

**1. F. Approval of Agenda**

CHAIR ROYBAL: Are there any changes to the agenda or requests from the Commission? But first, I'm going to go to our County Manager.

KATHERINE MILLER (County Manager): Yes, Mr. Chair. The agenda was posted seven days prior on Tuesday, November 2<sup>nd</sup> at 5:00 pm and they amended agenda was posted on Friday, November 5<sup>th</sup> at 6:00 pm. The items that changed from the original agenda are item 2. C, that packet material was updated. The Consent Agenda item 4. G, that item was added as well. Item 6. D, that item – the caption and the packet material were updated. Item 8. C, the interim legislative update, that packet material was updated. And then on executive session, item number 3 was also added to the executive session. And those were the changes posted to the amended agenda on Friday, November 5<sup>th</sup>. And those are all I have.

CHAIR ROYBAL: Thank you, Manager Miller. Are there any other requests or changes to the agenda? Commissioner Hansen.

COMMISSIONER HANSEN: I will move to approve the agenda.

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.** [Commissioner Garcia was not present for this action.]

**2. County Canvassing Board Meeting – The Board of County Commissioners Will Temporarily Recess and Convene as the County Canvassing Board**

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Commissioner Hamilton moved to recess and reconvene as the County Canvassing Board. Commissioner Hughes seconded and the motion carried unanimously [4-0] at 2:30.

**A. 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

**B. Approval of Agenda**

Commissioner Hansen moved to approve the agenda. Commissioner Hamilton seconded and the motion carried without opposition [4-0].

**C. Request Approval of November 2 Regular Local Election Report of the Canvass, Pursuant to NMSA 1978, Section 1-13-13(A)**

CHAIR ROYBAL: I'm going to go to our County Clerk, Ms. Katharine Clark.

KATHARINE CLARK (County Clerk): Thank you, Mr. Chair. We are requesting approval of the results of our regular local election that was conducted this last Tuesday. Theresa is passing out the unofficial results. Essentially, we're asking for approval to be able to forward on our canvassing to the Secretary of State. As this is a statewide election, the Secretary of State will be officially approving the candidacy of all the candidates and sending their certificates.

CHAIR ROYBAL: Okay. Thank you, Madam Clerk. Any questions or comments for the Clerk? If not, what is the pleasure of the Board? Commissioner Hamilton.

COMMISSIONER HAMILTON: I move to approve.

CHAIR ROYBAL: We have a motion from Commissioner Hamilton for approval. Do I hear a second?

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: And a second from Commissioner Hughes.

**The motion passed by unanimous [4-0] voice vote.** [Commissioner Garcia was not present for this action.]

CHAIR ROYBAL: I want to say thank you for all the due diligence from the Clerk's Office and great job. Thank you for working so hard for our constituents and

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making sure that we have a very good and fair election. Thank you so much for that.

CLERK CLARK: Mr. Chair, I would like to say that I want to thank the rest of the County who was actually very instrumental in helping us get through many of the new requirements that were piloted introduced this election. So we were – it was a learning process and we could not have done it without the County Manager's Office, IT and Public Works. So thank you very much.

CHAIR ROYBAL: I appreciate the recognition of everybody that was involved in helping you with that and that's the sign of a true leader, so thank you, Madam Clerk, once again.

#### **D. Adjourn and Reconvene as Board of County Commissioners**

Commissioner Hughes moved to adjourn and reconvene as the Board of County Commissioners and Commissioner Hamilton second. The motion carried by unanimous (4-0) voice vote at 2:34.

CHAIR ROYBAL: Thank you, and I want to say congratulations to all the individuals that were successful in their campaign for election. We look forward to working with each and every one of you as the Santa Fe County Commission and thank you for your service.

### **3. APPROVAL OF MEETING MINUTES**

#### **A. Approval of October 12, 2021 Regular Board of County Commissioners Meeting Minutes**

CHAIR ROYBAL: Are there any changes? Commissioner Hansen.

COMMISSIONER HANSEN: Mr. Chair, I would like to move to approve the October 12, 2021 meeting minutes.

CHAIR ROYBAL: Thank you, Commissioner Hansen.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hansen, a second from Commissioner Hamilton.

**The motion passed by unanimous [4-0] voice vote.** [Commissioner Garcia was not present for this action.]

### **4. CONSENT AGENDA**

- A. Final Order in the Matter of Case # 21-5020 Manuel Roybal Rural Commercial Overlay. Manuel Roybal, Applicant, Siebert and Associates, Inc., Agent, Requested Approval to Create a Rural Commercial Overlay District (O-RC) on Three Contiguous Parcels of Land (SLDC, Section 8.11.2). The Current Zoning on the Parcels is Residential Community (RES-C) for All of 17723 B US Hwy 84/285, Virtually All of 17747 US Hwy 84/285, and Approximately Half of 17725 US Hwy 84/285, and Rural Fringe (RUR-F) for a Small Sliver**

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- in the Northwest Corner of 17747 US Hwy 84/285 and the Western Portion (Approximately Half) of 17725 US Hwy 84/285). The Parcels are Located at 17723 B US Hwy 84/285 (2.624 acres), 17725 US Hwy 84/285 (6.254 acres), and 17747 US Hwy 84/285 (3.543 acres) within T19N, R9E, Section 28, SDA-2 (Commission District 1) (Jose E. Larrañaga, Case Manager) (Approved by 5-0 Vote)**
- B. Resolution No. 2021-092, a Resolution Adopting Local Governments Road Improvement Fund Project No. CAP-L500421 for Pavement Rehabilitation/Improvements of Camino de Roberto & Camino de Quintana (Public Works/Gary L. J. Girón)**
  - C. Resolution No. 2021-093, a Resolution Adopting Local Governments Road Improvement Fund Project No. SB-L500413 for Pavement Rehabilitation/Improvements of Agua Fria Road (CR 66) (Public Works/Gary L. J. Girón)**
  - D. Resolution No. 2021-094, a Resolution Adopting Local Governments Road Improvement Fund Project No. SP-L500389 for Pavement Rehabilitation/Improvements of Agua Fria Road (CR 66) and Main Street (Public Works/Gary L. J. Girón)**
  - E. Resolution No. 2021-095, a Resolution Requesting a Budget Increase to the State Special Appropriations Fund (318) to Budget a Grant Awarded Through the State of New Mexico for the Vista Grande Library in the Amount of \$24,564.90 (Finance Division/Yvonne S. Herrera, Community Services Department/Rachel O'Connor and Anna Bransford)**
  - F. Resolution No. 2021-096, a Resolution Requesting a Decrease to the Alcohol Programs Fund (Fund 241) in the Amount of \$12,143.00 to Accurately Budget the CDWI Grant #02-CD-05-091 Received from the State of New Mexico, Department of Transportation. (Finance Division/Yvonne S. Herrera and Community Services Department/Chanelle Delgado)**
  - G. Request Approval of Amendment No 3 to Collective Bargaining Agreement Between Santa Fe County and the Santa Fe County Firefighters Association, Local 4366, International Association of Firefighters. (County Manager's Office/Rachel A. Brown and Human Resources and Risk Management Director Sonya Quintana) (Item Added)**

CHAIR ROYBAL: Are there any items on this Consent Agenda – I know that there was an added item which was the request for the approval of the amendment #3 to the collective bargaining agreement between Santa Fe County and the Santa Fe Firefighters Association. Are there any questions or comments relative to these items on the Consent Agenda, or what's the pleasure of the Board?

COMMISSIONER HUGHES: I'll move for approval of the Consent Agenda.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hughes for approval of the Consent Agenda and a second from Commissioner Hamilton.

**The motion passed by unanimous [4-0] voice vote.** [Commissioner Garcia was not present for this action.]

[Clerk Clark provided the resolution numbers and Chairman Roybal read the case captions throughout the meeting.]

## 5. APPOINTMENTS/REAPPOINTMENTS

### A. Reappointment of Three (3) Members to the Capital Improvements Advisory Committee (CIAC)

CHAIR ROYBAL: From the Growth Management Department we have Ms. Maggie Moore.

MAGGIE MOORE (Growth Management): Thank you, Mr. Chair, County Manager. I am here to seek the reappointment of three members to our Capital Improvement Advisory Committee that I'm kind of the liaison for for Growth Management. We currently have the two members, Chris Graeser and Dan Pava who were reappointed just a few months ago, in May, and then three of the members who have all expressed their willingness to continue to serve the County as members of the committee, are seeking reappointment for what would be three-year terms.

CHAIR ROYBAL: Okay. Thank you for bringing that forward. Are these specific to districts or are they?

MS. MOORE: No, they're not appointed to specific districts. The requirement in the Development Fees Act is that a percentage of the appointees represent development or housing interests. So that is one of the requirements. Cass Thompson, who represents the Rancho Viejo development is seeking reappointment there.

CHAIR ROYBAL: Great. So are there any questions from the Board?

COMMISSIONER HANSEN: Not particularly a question, although I think these people are all very well qualified and I want to thank them for their service to the County and working on this important thing because this is a requirement of our capital projects and the capital improvement projects. So I think this is really great and I would like to move to approve Barbara Felix, Daniel Painter and Cass Thompson.

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hansen and a second from Commissioner Hughes. I agree with those nominations and also want to thank staff for making those evaluations and bringing them forward to the Commission, so Ms. Moore, thank you for your hard work with that. So we have a motion and a second. Under discussion, is there anything else?

**The motion passed by unanimous [4-0] voice vote.** [Commissioner Garcia was not present for this action.]

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**6. MISCELLANEOUS ACTION ITEMS**

**A. Resolution No. 2021-097, a Resolution Adopting Participation in the New Mexico Department of Transportation Project No. LP50024 Administered by New Mexico Department of Transportation for NE/SE Connector Road(s): Construction of 3.96 Miles of New Roadway**

CHAIR ROYBAL: From the Public Works Department we have Mr. Ryan Ward.

RYAN WARD (Public Works/Roads): Thank you, Mr. Chair, Commissioners. This was one that the staff was asking for approval on the resolution. It's the transportation project funding from NMDOT. This funding – this source specifically is new this year. We were granted \$2.5 million to use for our northeast-southeast connector project, which currently sits at about \$11.8 million that we have funded currently. It will add and be an addition to that with the rising and escalating costs of construction materials and some of those things. We were really thankful to get this particular fund.

And so our ask is that the Board would consider this. Our match is five percent. The state's share is 95 percent, so \$2.375 million will be the state's portion and then the County will make up the other \$125,000. And as an update just for the Commission and the public as well, currently where the northeast-southeast connector project is we have Souter Miller is our engineer of record that we're working with and Souter Miller has been working closely with us to make sure that we're moving things forward. We left off months ago, 60 percent design set. We've been working through, as you know, the acquisition for right-of-way, from all the different landowners in that area. We have one remaining, and I believe there in agreeance at this point, and so we're waiting for signature and sign off on that. And so that's one piece of it.

Some other things that I wanted to share is that we will make sure that we have fiber conduit put in place for this project, and so we will try to be pro-active and have that in so that an internet provider can come in there and connect those folks, as well as I think there's been some question on some of the add-alternates, and so we're really moving forward. Hopefully we'll be able to do some of those which is safety lighting as well as roundabouts at all intersections. Currently two of the main intersections will get roundabouts and the add-alternates will take care of all the other intersections. And I'll stand for any questions.

CHAIR ROYBAL: Thank you, Mr. Ward. I know this project has been long in coming. It's been here in the mix since pretty much – probably before I was a Commissioner, but I know there was clearly intent when I was first on the Commission and that's almost been seven years now. So I really appreciate this project come forward. Commissioner Hansen.

COMMISSIONER HANSEN: Likewise. I have been involved in this project since 2006 so I think that I am always grateful to hear anything that is happening, and especially for the people in Oshara Village. They have suffered a long time with this roadway and the recession definitely – the 2008/2009 recession definitely hurt them in

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many ways. I want to especially recognize Michael Sandoval, our DOT Secretary. When he first came into office I met with him and mentioned this project to him in 2018 and to see us get a \$2 million grant is a great thing from the Department of Transportation.

Also, thank you for including the Dig-Once. I really appreciate that and putting conduit in is really important to me. And I wonder about the roundabout or the signal at Richards Road that goes into La Pradera.

MR. WARD: Is it the northern piece, off of Richards?

COMMISSIONER HANSEN: Dinosaur Trail?

MR. WARD: Yes.

COMMISSIONER HANSEN: I know that it's Rabbit Road to Dinosaur Trail and I love that, that the rabbit gets to become a dinosaur. My own sense of humor. So will that remain a signal or will that be changed to a roundabout?

MR. WARD: So, Mr. Chair, Commissioner Hansen, that will actually change to a roundabout. The signal will be taken down but we will at some point in the future, if there's another intersection needed, we are going to salvage the signalized intersection and all the components to that and we'll have it at our County yard. But it will be a roundabout.

COMMISSIONER HANSEN: That will be great. I think that a really good traffic mechanism for roads. I know you've all heard me say how much I love roads but I also love roundabouts, and so I think this is a good addition since there are already two roundabouts on Richards. I think it will make it a much smoother, manageable traffic situation. This is in Commissioner Hughes' district so I want to allow him to opportunity to make the motion. So thank you, Mr. Chair.

[Commissioner Garcia joined the meeting.]

CHAIR ROYBAL: Thank you, Commissioner Hansen, and thank you for allowing Commissioner Hughes. Commissioner Hughes.

COMMISSIONER HUGHES: Yes, thank you, Mr. Chair, and I'll just echo what my colleagues have said. We're really glad to see this project moving forward. I want to thank everybody for having the foresight to apply for this extra money that we needed to make it happen in the higher cost environment. And so as expected, I'll make the motion to approve this item, this resolution.

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

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hughes, a second from Commissioner Hansen. Under discussion, anything under discussion, Commissioners?

COMMISSIONER HANSEN: Just yay.

CHAIR ROYBAL: I'm really glad to see this finally come to fruition. So motion and a second.

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

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: Commissioner Garcia.

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COMMISSIONER GARCIA: Thank you. Just for the record, just note that Commissioner Garcia is here. Late, but I'm present now. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia, and we did have some items that we vote on prior to you being here. I know that you've probably looked at the items that are up for tonight and if you want to mention a few or if you want to vote in the affirmative with the other Commissioners on those items.

COMMISSIONER GARCIA: Mr. Chair, thank you for the opportunity to voice my concern on that and yes, I do vote in favor of the previous cases prior to item 6. A.

CHAIR ROYBAL: Thank you, Commissioner Garcia.

**6. B. Resolution No. 2021-098, a Resolution Requesting a Budget Increase to the Fire Protection Fund (209) for Various Fire Districts in the Amount of \$3,836,543**

CHAIR ROYBAL: From the Finance Division we have our Director, Ms. Yvonne Herrera, and from our Fire Department we have our Fire Department Chief, Ms. Jackie Lindsay.

YVONNE HERRERA (Finance Director): [inaudible] the funding is allotted based on equipment needs identified in the capital master plan, and the Fire Department's five-year plan for purchases such as fire apparatuses and equipment, station upgrades and construction, daily operations as well as maintenance to equipment and facilities. And with that we stand for any questions.

CHAIR ROYBAL: Okay. Thank you, Director Herrera. Are there any questions from the Board? If not, what's the pleasure of the Board? Commissioner Hamilton.

COMMISSIONER HAMILTON: I move to approve.

CHAIR ROYBAL: Okay. We have a motion from Commissioner Hamilton. Do I hear a second?

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: And a second from Commissioner Hughes. Under discussion, are there any comments or questions from the Board before we move on?

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

**6. C. Request Authorization be Delegated to the County Manager to Negotiate and Execute on Behalf of the County All Contracts and Purchase Orders Necessary for the Environmental Assessments and Resource Investigation Necessary for the County-Maintained Roads and Right-of-Ways Located Within the Pueblos of Nambe, Tesuque, San Ildefonso and Pojoaque Related to the Settlement Agreements with the Pueblos and the Bureau of Indian Affairs**

CHAIR ROYBAL: From the Public Works Division we have Mr. Ryan Ward.

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MR. WARD: Thank you, Mr. Chair. Good afternoon, Commissioners. Again, this is a condition of the road settlement agreement with the pueblos of Nambe, Tesuque, San Ildefonso and Pojoaque that require Santa Fe County to conduct an environmental assessment and prepare reports that are required to support the right-of way applications under Part 169 for the County-maintained roads on pueblo lands. In compliance with the agreement Santa Fe County is requesting proposals from qualified environmental professionals or consultants to provide environmental assessment and environmental resource investigation services in accordance with the National Environmental Policy Act or NEPA, the National Historic Preservation Act, the Endangered Species Act and the Clean Water Act.

As this work is necessary and on a critical path for completion to comply with the agreement and that the cost of these services is anticipated to require BCC approval pursuant to the County Resolution 2014-143, the Public Works Department requests authorization to be delegated to the County Manager to expedite contract negotiations and contract execution for the services. Our request is for authorization to the County Manager to negotiate, execute and sign all necessary contracts and purchase orders for the environmental assessments and resource investigations necessary to meet the requirements of the road settlement agreements. And I'll stand for questions.

CHAIR ROYBAL: Are there any questions from the Board?  
Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, Ryan, really, I understand what this is for. This is actually for the County Manager to negotiate the provider that's going to help us do the environmental assessments. Once environmental assessments are completed, who will review the environmental assessments?

MR. WARD: Mr. Chair, Commissioner Garcia, internally, staff will review those type of documents. Through these consultants, we've actually been working with OAS on another piece of environmental. But we do review those internally, both with us and our legal team.

COMMISSIONER GARCIA: So, Mr. Chair, Ryan, so whenever an environmental assessment is done, due that these are federal lands, is it required that the environmental assessments and all other attachments to the assessment, does that mean we'll be reviewed by BIA, the Bureau of Indian Affairs, or the Environment Department? Or is it just staff that's going to review the assessment that is produced by the provider?

MR. WARD: If I can, Mr. Chair, Commissioner Garcia, I will defer to Legal for clarification.

GREG SHAFFER (County Attorney): Thank you, Mr. Chair, Commissioner Garcia. Ultimately the resulting work product is being done on behalf of the Bureau of Indian Affairs so that they can satisfy their obligations under those various acts. So we are required as the applicant under federal regulations and under the settlement agreement to prepare any necessary reports, but as I understand the actual relationships again, ultimately we're doing so on behalf of the Bureau of Indian Affairs so that they can satisfy their obligations under NEPA and the National Historic Preservation Act and the Endangered Species Act.

COMMISSIONER GARCIA: Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Are there any other

questions, comments? Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair. I understand what we're doing except that I just had a question. Is this something we've already budgeted for or is this going to come back to us with a budget, or how does that part work?

GARY GIRON (Public Works Director): Mr. Chair, Commissioner, this has been budgeted for. We set aside \$4 million several years ago by action of the Board of County Commissioners and it will be part of those funds. It will be utilized for this expenditure.

COMMISSIONER HUGHES: Okay. Thank you.

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

COMMISSIONER HANSEN: Thank you, Mr. Chair. Right before our meeting I was on a call with the Western Leadership Network and the Indian tribes. Hilary Tompkins, who is a former Interior solicitor, mentioned that in the new infrastructure plan that has just passed there is money for pollinator programs along rights-of-way. I don't know if we could get any money from that to help pay for this and at the same time fulfill some of our goals to enhance pollinators but I am just mentioning that because I had just heard this afternoon from Hillary Tompkins. And I will make sure to follow up with the County Manager and see if there's any money that could be allocated from the infrastructure bill for this.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Any other comments or questions?

MANAGER MILLER: Mr. Chair, I just wanted to clarify one thing. Director Giron is correct that we don't have to come back for budget for this. We do have \$4 million. But this was not anticipated as part of the overall project to get the roads completed, so we may have to come back to the Board to allocate additional funds. We'll obviously look for other funding sources but before we complete the construction and paving of the roads. One of the things we have been able to do is get additional recycled asphalt donated to the project so we're saving money on materials.

But I just want to put that out there for the Board to understand that we had hoped that we had hoped we would not have to do this piece of the project since those roads have been there for decades but BIA was not willing to give us a waiver on that so it is something we do currently have budget for in the project budget, but if we get to the point where we finish this and we get to the point of construction and we don't have enough funds to finish constructing those roads we will have to come back to the Board for additional funds if we can't find another source. So I don't anticipate that being for a while, but I just wanted to make sure that the Board understood that this was not originally a cost we had anticipated having.

CHAIR ROYBAL: Okay. Thank you for that clarification, Manager Miller. So I'll go ahead and move approval for the County Manager to negotiate and execute on the County's behalf contracts and purchase orders necessary for our environmental assessment and resource investigation.

COMMISSIONER GARCIA: Second.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: So we have a motion from Commissioner Roybal, a

second from Commissioner Garcia and Commissioner Hansen.

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

- 6. 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. (Action Would Supersede Authorization Provided at October 26, 2021, BCC Meeting Under Agenda Item No. 4. D)**

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

ERLE WRIGHT (GIS Director): Good Afternoon, Mr. Chair, Commissioner. I didn't think you were going to see me until November 30<sup>th</sup>, after Thanksgiving when I was all fat and happy. As you know, on October 26<sup>th</sup> the Board authorized staff to publish total and general summary on this ordinance. However, since then staff was asked to bring forth an additional redistricting option for the Board to consider. If the Board were to approve this agenda item today both options would be considered at the public hearing at the November 30<sup>th</sup> meeting.

So essentially, we're recommending that this be approved but I'll stand for any questions that the Commission may have in regards to this option and this request to publish title and general summary.

COMMISSIONER GARCIA: The last time we actually met up here, seeing as we all agreed on what we were going to do, and so are we at that same recommendation that staff had at the last Commission meeting?

MR. WRIGHT: Mr. Chair and Commissioner Garcia, that recommendation is still up for consideration. However, there's a second option which changes another precinct in the city, which is the city precinct that's moving from District 1 into District 4. And it's on –

COMMISSIONER GARCIA: [inaudible] and now you're telling me there's an additional option that was added since the last meeting?

MR. WRIGHT: Yes.

COMMISSIONER HANSEN: Mr. Chair.

COMMISSIONER GARCIA: I need to know, before we start making recommendations on different precincts in different districts, I just need to know where this came about.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: Mr. Chair, Commissioner Garcia, early on, I suggested that Precinct 130 be moved to District 4 from District 1, so I asked for an additional option to be placed on the agenda. So this is a more condensed, a more dense precinct, that is more in the city which is what we talked about as the plan, that we would move precincts that were in the city and very densely populated. And so I asked for that

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to be added as an option.

COMMISSIONER GARCIA: Mr. Chair, thank you, Commissioner. I appreciate where this came from and I just, kind of just wondering if – so I guess the County Commission up here would like to start adjusting boundaries that do not affect my district then it's possible for me to make some recommendations to adjust District 5 and District 4 as well. I guess I'm just wondering if we can come up with different options, and I have some other options that affect my district, because I know my district, and so if I want to talk about somebody else's district, then as long as we all agree up here at the County Commission that we can make recommendations for another Commissioner, or other Commissioners' boundaries then I just need another for obviously a level playing field. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. So this is a recommendation for Commissioner Hamilton's and my district. Is that correct, Commissioner Hansen?

COMMISSIONER HANSEN: Yes. And I had suggested that quite some time ago.

CHAIR ROYBAL: And this is because the smaller area that has a denser population?

COMMISSIONER HANSEN: Yes.

CHAIR ROYBAL: Is there that same situation with the two districts from Commissioner Garcia's and yours as well?

COMMISSIONER HANSEN: No.

CHAIR ROYBAL: Okay. Because I thought there was.

COMMISSIONER HANSEN: This is staying within the city limits and keeping districts within the city limits and condensed.

COMMISSIONER GARCIA: So, Mr. Chair, Mr. Wright – if I may, Mr. Chair?

CHAIR ROYBAL: Absolutely.

COMMISSIONER GARCIA: Can you bring up what the additional proposal is so we can see it on the map? Because I'm not too familiar with Commission District 4 and District 1 in the northeast area of the City of Santa Fe. So I want to know what we're talking about, because as I mentioned, I definitely know my district, when it affects my district, whether it's increasing or decreasing precincts in my district, I want to know what's happening in my district, because I want to make that ultimate recommendation/decision for my district. So if you can please bring that up on the map so I can know what Commissioner Hansen is proposing.

COMMISSIONER HANSEN: Commissioner Garcia, it is in your packet on Exhibit #2.

COMMISSIONER GARCIA: Sorry. I just got on my BoardDocs up.

COMMISSIONER HANSEN: And partly, it's also right next to my district and Commissioner Hamilton would be right next to my district.

COMMISSIONER GARCIA: So Mr. Chair, Commissioner Hansen, which exhibit are you looking at?

COMMISSIONER HANSEN: I'm looking at Option 2, Exhibit Redistrict 2021, Option 2.

COMMISSIONER GARCIA: Thank you. So we're talking about Precinct is going to move D1 into D4? Is that what we're talking about in the proposal?

COMMISSIONER HANSEN: Yes.

COMMISSIONER GARCIA: And what is your rationale for making this recommendation?

COMMISSIONER HANSEN: Because it is a densely populated within the city as we have done with Precinct 29 and Precinct 145. They are all densely populated and within the city limits.

COMMISSIONER GARCIA: So that Precinct 30 is actually – there's not going to be any additional growth in that area other than possibly minimal infill of housing per half-acre, third of an acre in that area. There's already – there's no additional population that's going to happen in that area. So this is once again to publish title and summary, and this is our first meeting in regards to – I just drew a blank.

MANAGER MILLER: Yes, Commissioner Garcia. So this is just authorization to publish title and general summary to allow for the two options to be considered on November 30<sup>th</sup>. That's when we would have the public hearing.

COMMISSIONER GARCIA: And Mr. Chair, what is the last date to get any options that I would like to add to that, that affects my district? When is the last – what is the deadline for staff to give us another option prior to November 30<sup>th</sup>?

MR. WRIGHT: Mr. Chair, Commissioner Garcia, my understanding is the deadline for this redistricting is the end of the calendar year, December 31<sup>st</sup>. These changes will take effect in January of 2022. For the record, the map is up there for the public to view as well, and I do have hard copies if you're interested.

COMMISSIONER GARCIA: Mr. Chair, Erle, I understand the deadline for the state of New Mexico. What is our deadline for Santa Fe County for the County Commission to get my changes, proposed changes, an additional third option, to staff in order to put it on the County Commission agenda as well as get packet material to you?

MANAGER MILLER: Mr. Chair, Commissioner Garcia, so we have two meetings left after this meeting, November 30<sup>th</sup> and December 14<sup>th</sup>. So if you want additional options, we would have to publish title and general summary again. So this particular one, if you do this, we will literally advertise it tomorrow for the November 30<sup>th</sup> meeting because we have to have two weeks. If you ask for additional ones on November 30<sup>th</sup> we don't have enough time to publish between that regularly scheduled BCC meeting and the December 14<sup>th</sup> BCC meeting. So we would need to have a special meeting, sometime, probably after the 16<sup>th</sup> so that there's enough time to get it to the newspaper and get it published for two weeks, or after the 15<sup>th</sup>, I should say, and before the 31<sup>st</sup>.

COMMISSIONER GARCIA: Mr. Chair, thank you, Manager Miller. Thank you, Erle. I have no further questions at this point.

COMMISSIONER HANSEN: With that I would like to make a motion to approve to publish title and general summary.

CHAIR ROYBAL: So we have a motion. Do I hear a second?

COMMISSIONER HUGHES: I'll second for discussion purposes. I think that being open is perhaps important and giving the public a chance to comment on options might be important. But I'd certainly like to hear from the two Commissioners



affected, because I think ultimately I would defer to whatever you both want.

CHAIR ROYBAL: We have a motion from Commissioner Hansen and a second from Commissioner Hughes. Commissioner Garcia, under discussion.

COMMISSIONER GARCIA: Mr. Chair, I just want clarity from either Manager Miller or our County Attorney. So once again, this to publish title and general summary of a proposal. We're not wed to this proposal yet, and if there's an additional proposal that comes forward from me, that affects my district and my adjoining Commissioner district, I can still bring that forward, and then we can vote on that on the 30<sup>th</sup>. Correct?

MANAGER MILLER: Mr. Chair, Commissioner Garcia, no. Right now, what's in front of the Board – so we have one authorization to publish title and general summary for the one option that the BCC authorized on October 28<sup>th</sup>. So that's what's currently in effect. If the Board does not vote in favor of this particular request then that would be the only option that comes forward on November 30<sup>th</sup>. If you vote today in favor of this request to publish title and general summary, it will give you the two options, the one that was approved on October 28<sup>th</sup> and then this one here. And that's what would be up for consideration on November 30<sup>th</sup>.

If you want any other options, I don't know that we have time to get those in for the November 30<sup>th</sup> hearing unless Attorney Shaffer thinks we would be able to put those back in front of you.

MR. SHAFFER: Mr. Chair and Commissioners, based upon the direction you were given by the Board of County Commissioners we started down a path that was somewhat different than what was utilized I believe, at least the last time. There were many options on the table for redistricting, which was to simply publish notice of title and general summary of the single option that the Board was seriously considering. What we've tried to do with what is in front of you now is to clearly identify for the public that these are the two options that are under serious consideration so that the public actually knows what's being considered.

I won't say that we could not potentially do something different, but it does give me a little bit of pause to say to the public that it's going to be a sort of free-for-all in terms of options coming on to the table for the first time at the public hearing that nobody's had a chance to look at or analyze prior to that. So it's a not very precise answer to your question as now we move forward, if we want to put additional options on the table. But I did want to at least give you that context in terms of how we got to where we are today and the path that we are trying to go down.

COMMISSIONER GARCIA: Mr. Chair, Attorney Shaffer, thank you for that. Here's where I'm going with this and here's – if we're going to be putting different options out on the table other than what we all agreed to at our last County Commission meeting and the general public do not come forward – at least not to me or anybody from the public came to talk to me about anything, so as I had mentioned at the last meeting is that, say, for instance, my district, the blue area there at the bottom left of the page, and the pink area, which is Commissioner District 2. I represent La Cienega, La Cieneguilla. If you actually in reality look at Precinct 80, which is 1933, that precinct is within the La Cienega land grant and it just makes me – I feel that the La Cienega land grant, which includes La Cienega, which includes La Cieneguilla, and the land grant that is partially in

Precinct 80, that entire land grant if you go by districting, whether it's a County road, a state road, a river, some sort of monumental, tangible item that you can see, not just a fence line, not just a precinct. I would assume that the entire La Cienega land grant should be within District 3.

A perfect example of that is Commissioner Hansen knows that when you go down Airport Road past 599, past the sewage treatment plant, that County road divides District 2 and District 3. That means the La Cienega land grant is half in District 3, my district, and the other half of the La Cienega land grant would be in District 2. And so I just feel that that entire land grant, for example, should be within an entire Commission district boundary. And so that's my thoughts as into if we're going to start adding options then I may want to see if I can propose that option. I haven't decided that at this moment in time right now. So that's where I'm thinking that we had all agreed to the first option last month.

COMMISSIONER HANSEN: Mr. Chair.

COMMISSIONER GARCIA: And with that, Mr. Chair, those are some of the concerns – I'm looking at the larger picture because none of us will be here in ten years to look at the redistricting and I was looking ten years ahead as into the next County Commission that sits in all five of these seats here, but how is it going to work, because in that district right there that Commissioner Hansen realizes and knows this, because she has worked on a lot of the projects and a lot of communication that's happening in the petroglyphs area, right across the street from my district, and that entire Caja del Rio area, which is – not the entire Caja del Rio but a majority of that Caja del Rio area is within the La Cienega Land Grant. So that's kind of, Mr. Chair, where I'm thinking ten years from now, because there's going to be a lot of federal possible designation of monument for the Caja del Rio area that some individual will be voting with Commissioner Hansen on it, so I'm just trying to absorb all this and options are going to start flying if we put Commissioner Garcia up the hill. So I was thinking as the wheels start turning – so as you know, and so that's where I'm at. So those are the questions and concerns and looking forward, Mr. Chair. Thank you. Thank you, Erle.

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

COMMISSIONER HANSEN: So one of the things that we talked about is that we would keep all the precincts within the city boundaries and that's one of the reasons why we brought this up and also to deal with Precinct 81 is that it is part of the Agua Fria Traditional Historic Village. It is part of the Las Campanas area, and the Caja del Rio is also part of that area that I have worked very hard for. This was also brought to me by a constituent, this request for Option 2, and so that is why I have brought it forward. And that's why at a public hearing people can comment on Option 2 or Option 1. And that's all I can say.

COMMISSIONER GARCIA: So, Mr. Chair, Commissioner Hansen, would you be amenable to actually adding – removing Precinct proposal 45 out of District 3 and let's talk about Precinct 80, to add it?

COMMISSIONER HANSEN: No.

COMMISSIONER GARCIA: No? I don't understand why not.

COMMISSIONER HANSEN: Because it's in the unincorporated areas

which is something that we decided that most of the growth that has happened in the county and in the city has been in the city, and so we made that decision that we would stay within the city. So I have worked very hard for the people in the Caja del Rio area and I'm not willing to give that up, because I feel like – you don't have enough land to take care of, Commissioner Garcia? What about Stanley? What about Galisteo? Or not Galisteo – yes. Galisteo is in your district, right? You're taking care of those people also?

COMMISSIONER GARCIA: Mr. Chair, I don't need to go into any discussion with Commissioner Hansen at what I'm taking care of in my district. And yes, I am taking care of the communities in my district and I just find it ironic that – I'll be honest with you; you're actually getting into two different – I don't know how the Commissioners feel. You're actually getting into two different Commissioners' districts adjustment of their boundaries without even consulting with them. Now we're doing it in a public hearing. So yours and ours Precinct 145 and Precinct 80, with all due respect I would actually talk to you about it and not bring it up in a public hearing, but if you want to adjust Precinct 130 then I want to adjust Precinct 145, that's put all three or four on the table. Or five. Whatever. That's the reason why we have Mr. Wright here to help us go through it. So Mr. Chair, I have no further questions.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Are there any other questions or comments? I know that the decision that was presented in the last BCC meeting, I was actually not present because I was hunting but I did want to ask, how did – I think staff made those recommendations, is that correct, Mr. Wright?

MR. WRIGHT: Mr. Chair, yes. It was based on the input I did receive additionally from – before coming up with these I did speak with Commissioner Hansen and Commissioner Garcia. These precincts, again, were the simplest to move within the city. They didn't affect anything in the unincorporated areas of the county, and it was, again, a relatively simple fix for the populations that were over. We were just barely over so we just needed minor tweaks. If you roll through the districts, and these were essentially logic choices, looking at that criteria of keeping the changes within the city and not changing significantly the unincorporated areas of each Commission district.

CHAIR ROYBAL: Okay. Thank you. And when you say input that you received, was that input from Commissioners or where did you get the input for that?

MR. WRIGHT: Again, I did have a meeting with Commissioner Hansen early on in the process and also with Commissioner Garcia. You and I had talked about a meeting but we never got a chance to do that and the other Commissioners, those were the only two I had input in, so this is really just – it was really running the numbers with these precincts is how these options came about.

CHAIR ROYBAL: Okay. And I apologize that I never – we talked about looking at sitting down but I didn't have the time to go to that meeting, but in conversations with Commissioner Hamilton, and this affects both her and my district, I remember sitting here saying, do you have a preference? Either way, I look at it as looking constituents and that's always a hard thing to let go of because we represent these constituents and so it's one of those things where, you know, who will I pick? I was actually sort of relieved when I came back and saw that it was presented in a meeting that I wasn't at and staff made those recommendations. And I did talk to Commissioner Hamilton and asked her if she had a preference and if that was okay and she was fine

with that. I told her I'm fine with that as well. It's just one of those things where we thought we were coming to a place that we were in agreement and then we had a little bit of a curve ball thrown at us. And I understand Commissioner Hansen's thoughts as to her recommendation but I think ultimately, Commissioner Hamilton and I, this is our districts, so we need to probably talk about that a little bit more. I appreciate Commissioner Garcia's input as well and I think that – correct me if I'm wrong, but if we vote on this today, then Commissioner Garcia can't make the request that he's asking for as well. Is that correct, Attorney Shaffer? Or do we need to make any kind of amendment if that's going to be considered?

COMMISSIONER GARCIA: Mr. Chair, and also Mr. Shaffer, if I may, also Mr. Shaffer, we actually have a special meeting if we needed to have a special meeting.

MR. SHAFFER: Mr. Chair, Commissioner Garcia, if there's a desire to put more options on the table for further consideration that's what I would recommend. We would actually end up having two special meetings. The first would be to identify those options so that the public has some notice of what's actually being considered with a high degree of interest. That would have to be sometime later this week or on the weekend, and we would have a special meeting on December 2<sup>nd</sup>, which is a Thursday, to have a public hearing on the options that are put on the table, and then that would ultimately allow us to meet the deadline of having the mandatory ordinance in effect by January 1<sup>st</sup>. So I think it is do-able. I believe, and Erle's been through more of these than I have, but certainly providing the public notice of options under serious consideration, I think would be a recommended best practice if nothing more. Would you agree with that assessment, Erle?

MR. WRIGHT: Yes, Attorney. Mr. Chair and Attorney Shaffer, I think, yes. That probably would be good to get properly announced. And again, I can certainly come up with more options. I'm still capable of burning the midnight oil if need be.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: I just wanted to reiterate that the two options that are in front of us today that affect the choice of one or the other precincts that go between our two districts, Commissioner Roybal's and mine, are fairly – are very nearly equivalent in terms of numbers and what not, and they were both presented by your department. And at this point, they're both reasonable options. And so in the past couple of weeks when I have had discussions with Commissioner Roybal I didn't have – there's no reason to have a preference for one or the other. I see no reason not to just pass this and have the public have two options to look at.

CHAIR ROYBAL: I agree. Commissioner Hamilton and I did have conversations and we were fine with staff's recommendations and we were fine with moving forward in that direction. But just to make sure that I understand I'll go to Commissioner Garcia.

COMMISSIONER GARCIA: [inaudible] Why did you choose Precinct 130 instead of Precinct 36? They have the same number of voters, same number of population, right? Why did you choose Precinct 130 instead of 36? Why did you choose Precinct 130 instead of Precinct 27? Why did you choose Precinct 130 instead of Precinct 25?

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COMMISSIONER HANSEN: If you want to read the minutes and go back to the minutes when we first talked about this, those were the two precincts that I had talked to Erle about when I had met with him many, many months ago, and you can find it in the minutes, and it suggests that I said 130 or 30 was a very good option, and that is in the minutes. And I can promise you that because I read the minutes and I know what I said, and I just felt like they were easily – like they kind of melded into the district. They didn't create and issues and I just think that Precinct 130 is very densely populated and matches with Commissioner Hamilton's district in the city, and if there is going to be growth it is most likely – it's going to be difficult to be in 130, because it's a really populated, dense district right at the moment.

COMMISSIONER HAMILTON: And what does that have anything to do with why we're redistricting?

COMMISSIONER HANSEN: It was just a suggestion, and I'm continuing – I was just bringing it up as another suggestion and it's a densely populated area within the city, which is what we talked about before. I didn't think this was such a big issue. I definitely think that it's up to you and Commissioner Roybal which districts you want in your district.

COMMISSIONER HAMILTON: Which is why you were making the suggestions weeks and weeks ago for our districts?

COMMISSIONER HANSEN: I made it, and it's up to you what you want to do.

COMMISSIONER HAMILTON: Yes, I know.

CHAIR ROYBAL: Okay. Do we have any other questions or comments? I would agree with Commissioner Hamilton that this is something that whenever it comes to two different Commission districts it's really not the place for another Commissioner to make recommendations, especially without consulting with the Commissioners from that district. It's just not right, disrespectful but I would agree with that. Commissioner Hughes, did you have a comment?

COMMISSIONER HUGHES: Yes. Thank you, Mr. Chair. I was just going to say I think this is – I had been so happy at the last meeting that we had decided and it was all simple and done. We didn't have to do anything else, but I do think that there will probably be some constituents who want to talk about these two options and we should give them the chance. That would be my opinion however this came about.

CHAIR ROYBAL: I would agree, Commissioner Hughes. And so once again, if we vote on this then we would move forward two options for Commissioner Hamilton's district and my district, but not the other two districts. Is that correct? Yes. So I guess at that point we have a motion and a second.

**The motion passed by majority [3-2] voice vote with Commissioners Roybal and Garcia voting against.**

CHAIR ROYBAL: I really think that Commissioner Garcia brought up some valid points and I think that his points should have been considered, so that's why my vote was no.

COMMISSIONER GARCIA: Mr. Chair, just for the record, I want to say

that it appears to me that there is – there's something, and if I find out, and I will bring it up on the record, if this is made for a certain reason, it will be brought up by me at the next County Commission meeting. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Okay, thank you, Mr. Wright. We appreciate your time, sir.

MR. WRIGHT: Thank you, Commissioners.

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

CHAIR ROYBAL: Is there anybody from the public that would like to address the Commission? Tessa Jo, is anybody signed up?

TESSA JO MASCARENAS (Operations Manager): Mr. Chair, no one has signed up at this point. If there's someone who's joining us via Webex you will have to unmute yourself by selecting star 6.

CHAIR ROYBAL: Okay, so once again, if you're participating through the telephone, please hit star 6 to unmute yourself and state your name for the record. And if you are participating through Webex, please unmute yourself and state your name for the record. Once again, I'm going to ask if there's anybody from the public that would like to address the Commission. Okay, hearing none, I'm going to go to item #8.

## **9. MATTERS FROM THE COUNTY MANAGER**

### **A. COVID-19 Updates**

CHAIR ROYBAL: So Manager Miller.

MANAGER MILLER: Thank you, Mr. Chair. So let's start with the COVID-19 updates. I wish I had better news. Both Santa Fe County and New Mexico continue to see a rise in the number of COVID-19 cases. All counties but two in New Mexico are in the red zone, indicating a high rate of transmission and overall, Santa Fe County is seeing an average number of 30 cases a day, but daily numbers began to climb again last week. Our cases per 100,000 from October 19<sup>th</sup> through November 1<sup>st</sup> were 20.9. Our positivity rate was 4.53 percent. Our percent of residents with at least one shot are 93.3 percent, and the percent of residents with their vaccination series completed is 82.5 percent.

But I wanted to also highlight that in – and I don't have this by county, but in New Mexico – at the last meeting, Commissioner Hansen you asked if vaccination rates are so high why are we still having so many cases? Well, if you look across the state, from February 1<sup>st</sup> to November 1<sup>st</sup> there have been 103,000 cases, 103,543. 81.4 percent of those have been with the unvaccinated. So over 84,000 of the 103,000. And hospitalizations, there's been over 7,000 with 86.2 percent of hospitalizations among the unvaccinated, and deaths, 1,168 in the state, 92.1 percent of those unvaccinated.

So from the information that we've been able to get from hospitals and the Department of Health, it's that the delta variant is so very virulent and spreads rapidly among unvaccinated and also vaccinated can get it but the severity of symptoms is much greater amongst the unvaccinated. And as I said, with 82 percent of the positive cases since February 1<sup>st</sup>, since they've been tracking vaccinated versus unvaccinated have been

with the unvaccinated. So I just wanted to point that out.

Also, we continue to work through negotiations with our bargaining units and we're moving forward with the vaccine policies with the different bargaining units. We have several vaccination events that Santa Fe County is participating in or hosting over the past two weeks and we'll continue to have some in the coming weeks. But we've had one in Pojoaque, Madrid, Santa Fe Community College and at our Public Works Department, which was very highly attended. That site yielded about 145 vaccinations including many Santa Fe County employees.

We also, in the process of amending our contract, our RFP to include an additional \$90,000 for COVID-19 public awareness campaign that would include messages relative to vaccinations, mask mandates, mitigation efforts, strategic mitigation efforts to reduce the physical and emotional toll of COVID-19 on our community. Needless to say, everybody, I think, has pandemic fatigue.

Also we have begun to procure some of our ARPA contracts. We're working on a memorandum of agreement with the City of Santa Fe on the UpTogether funding that the Board approved. They are going to work with us to help execute expenditure of those funds, and also we have a request for proposals for substance use and harm reduction services in Edgewood and the East Mountain area for the crisis triage center in Edgewood. Originally we were working with Bernalillo County to move forward with Bernalillo County. They have decided to focus their efforts in Tijeras so we are going to move forward, still coordinating with them on provision of services just in the southern part of the county, northeastern part of Bernalillo County, northern part of Torrance County, but we'll be working to getting our facility up and running in the southern part of the county. And those are all the COVID-19 updates I have.

COMMISSIONER HANSEN: Madam Chair.

COMMISSIONER HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Manager Miller, so much for those updates. That's definitely sobering news. I want to say there was some good news last night at the Agua Fria Village meeting. The El Camino Real School has an extremely low rate of COVID transmission compared to some of the other schools and I was really happy to hear that for the children in my district, especially those who attend the El Camino Real because that is a very populated school. It has over 780 students and the fact that they've had seven cases over the last month of so is really amazing and I want to give them a shout-out for doing such a great job of keeping those children safe. So thank you, Madam Chair.

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

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you, Commissioner Hansen, for bringing that forward. I was going to bring that forward, but thank you once again. Yes, the schools are actually challenged by the – kids are kids. It's getting to the season where the flu is coming around. But yes, El Camino Real is doing excellent in the actual – in regards to the COVID testing and results. Thank you for that.

Manager Miller, thank you in regards to the East Mountain area, which is on the east side of my district, and thank you for working with Bernalillo County because as you know there's a road or two that separates Bernalillo County and all the way down to

Torrance County, Santa Fe County and that tri-county area. And I have received the booster. I received it last Friday, and I think our team that goes throughout Santa Fe County is doing an excellent job and actually does help out that we are working in the southern part of my district. That I know. We are working with all three different county and people can go to our mobile unit and get a vaccination.

In regards, to Mr. Chair, Manager Miller, do you have any pulse of what the Governor's Office is going to move forward with the mandates, mask requirements, and just –

COMMISSIONER HAMILTON: Extended to November 17<sup>th</sup>, the mask mandate.

COMMISSIONER GARCIA: So I just want to know if you have any idea what the administration, what the Governor's Office is going to possibly come forward, because I was at a sporting event last Friday – congratulations, by the way to the Santa Fe Demons boys soccer. They took the state title. And nobody was wearing masks there. And I understand it's outdoors but I just wondered if you have any pulse from the Governor's Office as into where the State of New Mexico is going to move forward with mandate vaccination as well as mask requirements. If you have any answers to that, Manager Miller.

MANAGER MILLER: Mr. Chair, Commissioner Garcia, I know that the Governor's administration, Dr. Scrase. They're very concerned with the continued increase in the surge in positive cases. The hospital systems are struggling under an emergency order there. I know that they had extended the indoor mask mandate the last time and it's up for review again. With the count we had just this last week 3,300 for three days. It's triple what we'd been seeing. So I think there is a great concern that there's going to be another surge as it gets colder and as we get into the holidays and that I think the focus is still on very much getting people vaccinated.

Also, a federal mandate came down for OSHA states and we are one of those, that there has to be, by January, a mandatory vaccine testing policy for any employers over 100, so I think – I know that the counties, because I have a lot of communication with all the other county managers that that's something that they are all – because a lot of counties don't have either vaccine or testing mandates. Bernalillo, Albuquerque, City of Santa Fe, State, currently have a mandatory vaccine or mandatory testing. I would see more and more shifting to mandatory vaccination because testing doesn't prevent it.

One study was completed and I heard it come out over the weekend that unvaccinated hospitalizations have cost American insurance companies, Medicare, Medicaid, cost Americans \$5.4 billion since the vaccines have been available. That's based on 187,000 hospital stays for unvaccinated at an average of \$20,000 a stay. So insurance companies are also – they're going to start changing their insurance provision. That also came out over the weekend. The insurance requirements for unvaccinated.

So I think – I can't speak for the administration, but what you're seeing is the cost of this virus on the healthcare side is really starting to be evaluated, what that impact is across the country, and you're going to start seeing more and more employers, states, local governments, insurance companies, what not, try to mitigate that impact because it's in the billions. And one of the ways to do that is mandatory vaccination.

So I can't speak for what their next announcement will be but I know that there's



great concern about the holidays and a winter surge and increased cases.

COMMISSIONER GARCIA: Mr. Chair, Manager Miller, thank you for that, and I understand that the president's administration is requiring vaccinations for employers over 100 and there as we know organizations nationwide that are actually challenging the president's request through the court system that is possibly going or going now as we speak and I understand the individuals that have not been vaccinated the ability to catch the virus is very high and people who have had vaccination are also still getting COVID. And so it's a huge, large moving target that the nation, State of New Mexico, local government entities, ourselves as policymakers need to determine what the best is for the community as a whole. I just wanted to bring that forward, Mr. Chair and my colleagues here. Thank you, Manager Miller.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Any other comments or questions from the Board? So go ahead, Manager Miller.

## **8. B. Miscellaneous Updates**

MANAGER MILLER: Thank you, Mr. Chair. Under Miscellaneous Updates I don't have too many except the important event coming up on Saturday, November 13<sup>th</sup>. That's a job fair and rapid hire event at the Santa Fe County Fairgrounds and we'll have individuals from – representatives from Human Resources, Fire Department, Corrections, Public Works, onsite to answer questions and assist with the application process, and rapidly recruit for vacant positions. The ones we'll be focusing on, but they won't be limited but the main focus will be emergency dispatchers, detention officers, sheriff's deputies, registered nurses, equipment operators, utility systems operators, custodians, maintenance workers, community planners and various administration positions. And the idea is that people will be able to come there, fill out their application, get an interview right on the spot, where we have that ability and if possible make contingent offers based upon background checks and what not, but at the rapid hire event.

Also KSWV will be there onsite at the fairgrounds with us from 10:00 to noon to assist with promoting the event and speaking with representatives from our Public Works Department and our Public Safety Department. And if you are in the neighborhood, stop by and encourage people to come out to the rapid hire event.

And then I had one other update. I think the Board will be happy on this announcement. I see her sitting in the back. Cindy McKee is sitting with Elias in the back. She is our strategic planning and operations director we just hired and she started on Monday in the Manager's Office. So expect to start hearing from her soon.

CHAIR ROYBAL: Okay. That's wonderful and welcome Ms. McKee. Thank you and welcome to the County. We're glad to have you. It's going to be exciting to have you here working with us on the different projects that we have here at Santa Fe County so we're excited. Thank you for being here.

MANAGER MILLER: Mr. Chair, I just had one other update. We had in Utilities over the course of the pandemic we had had a lot of customers who had gone delinquent with their utility bills, and I had announced probably in August that in October we would start sending shut-off notices but I'm happy to say that we really directed a lot

of people to some assistance and we had very few customers that needed to go through a shut-off process. So we're continuing to direct people to the state programs where they can get their assistance in paying their bills and working with people before having shut-off notices sent to them. So I just wanted to let you know that there's many just a few that are still pending disconnection if they don't come forward and work with us on a payment plan or getting assistance through one of the many avenues that are available right now.

CHAIR ROYBAL: That's great. I'm glad to hear that. I know there's a lot of people struggling with those issues. I'm glad that we were able to work through our Community Services Department, our navigators, correct? That will send them in that direction.

I did have a constituent that called, one of the acequias where I live up north in Pojoaque and they asked if there was any assistance relative to people that are unable to pay their acequia bills. I was just curious, would that fall into that category, possibly? I know Community Services Department was looking at that but I hadn't heard anything, but I was just curious if you would know if that possibly would fall into that criteria. Because it's a bill but it's an acequia bill that they get yearly and I guess the acequias have a huge amount of people that aren't able to afford to pay that.

MANAGER MILLER: Mr. Chair, I don't know on that one whether an acequia bill would qualify for a utility type bill, but certainly we can follow up with you and get the information back to your constituents.

CHAIR ROYBAL: Great. Thank you, Manager Miller. So with that, I'm done with Miscellaneous Updates and Hvtce is here.

## **8. C. Interim Legislative Update**

MANAGER MILLER: It's that time of year when the interim committees have been meeting and developing all their legislative proposals. It's a 30-day session but that doesn't mean there aren't lots of ideas floating around out there for legislation. So Hvtce is going to start us off with our first legislative report for the upcoming session, our interim legislative report. Thanks, Hvtce.

HVTCE MILLER (Manager's Office/Liaison): Good afternoon, Mr. Chair, Commissioners. What I'm here to do today is provide you a brief update of the occurrences which have been going on in the interim of the legislature. They've been meeting since May of this year and the committees are meeting actually today and will be meeting this week and into next month.

The report that I have is rather brief and that is to allow any discussion that you may have regarding any legislative matters that you would like us, County staff, to look into for you, and also look at any past legislative items which may have occurred and may not have passed. We'd be willing to bring those forward again and look at any of those.

The first page of the report are the session dates and the session starts up on January 18<sup>th</sup> and it ends on February 17<sup>th</sup>. So as Manager Miller pointed out it's a short session, a 30-day session. It's the budget session so everything and anything people are going to be asking money for for services from the state are going to be brought up. Your

capital outlay dates – you can start putting in for your projects October 7<sup>th</sup> of this year and the submission deadline as it usually is is half-way – is the mid-point of the session and that's January 13<sup>th</sup>, and those submissions are due by 3:00 pm that day.

Also I have on the calendar of legislative events is a possible redistricting special session which has been rumored to take place next month, December 6<sup>th</sup>. So that's most likely going to be quick, a one-day special session usually covers those matters and they'll have that before they start the regular session in January.

Starting on page 2, there's been the usual discussions in the interim committees of all the different groups within the state and their wants and needs. The two major items which there has been definitive proposals of legislation is one, the budget, and the second is on crime and the Governor has outlaid some particular ideas that she has regarding addressing the high crime rate within the state.

Starting off first though, let's talk about the state revenues. The outlook looks good for the state right now. The number that legislators are going to be looking at for this session is this dollar figure within the third column there on page 2 and that's the \$1.39 billion. That \$1.39 billion is considered new money that's going to be occurring in fiscal year 23. So what that means is that new money is going to be up for new projects and services by the state. So something that's not covered right now and that might be or that could have been a wish list item in the past. They're going to try to introduce legislation so that new projects or services can be covered by that recurring new money revenues. So that is quite a substantial amount in new revenue that has been seen in the state in I would say its entire exist.

So it's going to be fast and furious, the ideals floating forward of how to spend that much money within the 30-day session. As I mentioned before, the crime issue was the other issue which solidified legislation has been proposed so far, and what the Governor is proposing is \$100 million devoted to going into a fund that would collectively allow 1,000 additional statewide officers. What she has said about that is it's not just State Police, that she's trying to get a thousand more new State Police. Somehow those one thousand new officers would be statewide. So it's the belief that this would trickle down and go into local law enforcement agencies as well – sheriff's offices and municipal police departments as well.

The second item that the Governor has proposed is another look at bail reform. Bail reform is the other crime-related measure to be on her agenda to combat crime, in particular those crimes committed with a weapon would disallow persons to not be eligible for release before trial. So there is a lot of work that needs to be done, looking at is the reason for the increased crime the fact that there are as many offenders being sent to jail automatically and is there something that the state needs to do to re-examine that. The one for sure, certain reason for crime increase is believed people using weapons are still being released so she automatically wants to take that out and say if you're using some sort of weapon within your crime it's demonstrating that there are violent tendencies associated with the crime that you're committing and she definitely wants to keep those persons behind bars.

So those were the two items right now and I think there's a multitude of different options and considerations being put forth right now as to how to address crime, both within the metro areas and in the rural areas within the state. I think everybody's seeing it

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over this past year for sure.

The next big issue which I have here on page 3 was the environment and in particular the legislature held the New Mexico Climate Summit and that was in October, and the focus was how the state can move forward from fossil fuels in an equitable energy transition. And also discuss the energy transition – how is it better to protect air, land and water and to diversify the energy economy, creating competitive waged jobs. So I have not seen any particular pieces of legislation addressing these issues which they brought forth within the climate summit, but based on the fact that they held the summit itself is an indicator that they are looking to address the change for sustainable practices for energy within the state. So we should look forward to seeing changes within the state that's going to address this particular issue.

On particular item that has been spoken about by a legislator was the New Mexico Green Amendment, and this was supported by the Commission last session and it looks as though this particular proposal will be brought forth again, and in the interim, the supporters for this particular green amendment have been going around and obtaining more support for this particular amendment.

The next item I have within the report is on page 4, and this is the New Mexico Counties priorities. Last year there was not a resolution brought forth by New Mexico Counties but this year they are once again bringing forth the priorities which the board has identified and soon will be seeking the support from the Santa Fe County Commission as well, and I can go over those. The particular items within House Bill 2, which is the state budget that they have identified as priorities is money for the detention reimbursement fund, RISE program funding, the law enforcement protection fund, and also courthouse funding.

Also, an item that the NMC is supporting but hasn't identified as a priority right now is a memorial to study a unified jail/prison system. They want to take a look at seeing if each individual county in the state working to house inmates is not the way to go and maybe that there is another solution which involves all the counties in the state in addressing the inmate issue within the state and could there be cost savings behind this?

On page 5 I have identified, in speaking with different Commission districts that these are expected legislative action items that are coming up, the first one being the support for the PERA retirees for a return to work for a period of five years. And this is brought forth to address the current employee shortage within local governments. It is thought that if localities are able to get back into the pool of PERA retirees perhaps we can work to address the staffing shortage which exists across the entire state and all its local governments.

The next item is the Coalition of Sustainable Communities' New Mexico legislative priorities. This goes to address the different environmental and sustainable issues brought forth to address climate change issues within the state, the nation and the world.

The next item New Mexico Counties legislative priorities, which I just addressed, and lastly is the New Mexico Food and Ag Policy Council legislative priorities. That covers a lot of different things including issues regarding farmers, ag producers, food supply and funding for food supply, food banks, those types of issues.

Lastly, I have on here the various resolutions which we have passed in the County

last year for the pieces of legislation that the Commission wanted to provide support for. And with that those are the different topics that I needed to discuss to get your input as to direction that we need to go for in the upcoming legislative session in 2022. Thank you. If you have any questions I'll be happy to answer them.

CHAIR ROYBAL: Thank you, Mr. Miller. Commissioner Garcia, and then I'll go to Commissioner Hansen.

COMMISSIONER GARCIA: Mr. Chair, Mr. Miller, thank you for being Santa Fe County's eyes and ears at the session. It's something that you bring forward to us. There's times out there that we cannot make it out there. I appreciate that. This morning I had an early morning meeting with several Senators and several representatives and some of the topics did come up. Police officers – do you know if the Governor is actually talking about State Police officers or is she going to allow for that potential funding for local government agencies? That's a question you just might want to look into that.

Also, crime. When I get home today I'm going to look at the news and there's going to be our 100<sup>th</sup> homicide in just Albuquerque alone, which is very sad and I think it's good that the Governor's Office is going to look at crime because it's unfortunate in what they said. I'll be at home; there's going to be that 100<sup>th</sup> homicide today, unfortunately.

Senator Wirth talked this morning regarding MFA, which is Commissioner Hughes is definitely on top of this stuff and interested in is regarding affordable housing for teachers, workers, individuals that cannot afford a \$580,000 home off of Richards Avenue and Governor Miles Road that sold the other day down the street from a friend of mine. I was amazed. \$580,000 on Governor Miles and Richards Avenue. But he said he's going to try for the \$12 million that you mentioned to get that to the Mortgage Finance Authority so we can help out with some kind of affordable housing statewide.

Another thing that's happening with the hold harmless. Maybe Manager Miller knows what's going to happen with the hold harmless. Where are we at in regards to that? These are things if you could just look into if you don't have the answers for them today.

In regards to the PERA, the Public Employee Retirement Authority – I believe it's Authority. It's interesting how that bill is moving forward, because as some of us know – Manager Miller definitely knows this is the fund, in order to keep the fund solvent for the people that are going to be retiring or have PERA pension it's a challenge there to keep that fund solvent. And so the state legislature is going to need to step in to see what and how they're going to keep that fund solvent.

Another fund that they talked about was regarding ERB, which is a different type of retirement fund for educators throughout the state. Those work hand in hand together as well as bringing in retirement individual – State Police, for example. They bring in retired individuals that retired from the state who want to come back to work. All this is effective throughout the state's budget. We appreciate the work that you're doing on that, Mr. Miller.

These are just some of the items as well as the previous resolutions we passed. Those are just some of the items that come into my right now as you're standing in front of us in regards to the legislation that's going to be proposed and how the state legislature

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is going to take the State of New Mexico to the next budget cycle. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia, and great points that you brought up. I'm going to go to Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. So I'm wondering with this crime bill and the fact that it's talking about distributing it throughout counties, cities. Will we need to apply for that? Do we need to request more money for the Sheriff? How is that going to exactly work?

MR. MILLER: Mr. Chair, Commissioner Hansen, at this time, other than the mere fact that she's brought the 1,000 officers statewide, there aren't much more details other than that. It might be a good pre-emptive measure at this point for the County to just let its voice be heard regarding that we as well need funding to deal with crime that happens here within the county. And just let it be known to the Governor's Office that we are in need of funding as well.

COMMISSIONER HANSEN: I completely support pro-active ideas when it comes to crime. Clearly, the crime for Albuquerque spreads and moves up the state and down the state and so the more pro-active we can be as a County to protect our citizens I think that that's really important.

I want to say that I support the resolutions that were brought forward last year and thank you for listing them all. I really appreciate that. I know that the Coalition will have some new listings and so I'm looking forward to bringing that forward also from the Coalition.

I thought it was really important that the tribal communities had a seat at the table at the Climate Summit and were able to talk about how important this is to them also. And then today at the Western Leadership Network it was about Native Heritage Month and how tribal leaders throughout the western part of the country are really working to solve the climate issue and how they can participate. I didn't get to stay for the entire meeting but it was recorded so I'm looking forward to listening to it. There were representatives from all of the western states and all the tribal nations in the western states. So that was really interesting to hear how they want to participate.

And otherwise, thank you very much for the entire update. I appreciate it very much, Hvtce. It's nice to see you in person.

MR. MILLER: Mr. Chair, Commissioner Hansen, yes. I forgot to mention that at the beginning. I'm glad to show that I'm still existing in reality other than virtually. So it's good to see you in person as well.

COMMISSIONER HANSEN: Thank you very much, Htvce. Thank you, Mr. Chair.

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

COMMISSIONER HUGHES: Yes, thank you, Mr. Chair. I just have a quick question. I assume we will be putting together another resolution this year with our priorities. Will that be at the last meeting of the year for that resolution, or the next meeting at the end of November?

MANAGER MILLER: So Mr. Chair, Commissioner Hughes, what we've done in the past is we've put a resolution, usually requesting the Board to adopt the New Mexico Counties. We'll either do that on the 30<sup>th</sup> or the December 15<sup>th</sup> meeting. Then we

also – Commissioners have brought forward their own initiatives that we’ve added. Either we’ve done individual resolutions for them or we’ve added them to our list as you saw at the back of Hvtce’s report. He had all of the ones that came from the sustainable communities. We had our Senior Services infrastructure, our ICIP. What we are going to do – and then we’ve had legislative priorities that we’ve known of at the time when we kind of pile everything together. That’s usually New Mexico Counties and anything that you’ve brought forward, but we’ve tended to them not all at once in one comprehensive resolution. We try to, what we know of before the end of the year or the first meeting in January but this year I think we’re going to try to have some stuff in front of you prior to that.

One of the things we wanted to do is have a breakfast with the legislators, but it’s going to be a little bit challenging because they have their own redistricting process and I don’t know how long that’s going to take. I don’t know if that’s something that we can have a breakfast while they’re doing that. That might be nice if they don’t start too early, and that’s usually where we provide them a copy of our ICIP and individual letters to each one about our capital needs that are related to their own districts. So we will be sending to the liaisons a copy of the ICIP, a list of the projects within your district. We’d like you, once again, to rank them in priority order so that then what we do is we kind of overlap that with the legislative district map and try to request funding in those areas that your districts overlap with a legislative district. And then we’ve also done the countywide requests.

When the Board adopted the ICIP we didn’t have really countywide requests; we had one priority from each district, but we will put forward some countywide requests like our public housing sites as a countywide request, our main water system, if we have any needs there – some of our bigger projects that we put forward to them. Aamodt has been – additional Aamodt funding was considered a countywide request.

So we’ll be bringing that to you as a group but we will ask the liaisons to work with you individually so you can see what projects are currently funded but underfunded with state appropriations, what projects are funded and need maybe some gap funding through the capital process, and then what projects you have on the ICIP that you think we would need additional funding and your priorities on those so that we can then put the letters together.

And what we’ve tried to do is put those requests in along with the resolution that kind of covers everything we have to date from the BCC as legislative priorities. So this one, as I said, we’re kind of kicking it off but I would highly recommend that in the next two meetings that if you have priorities that you bring those forward so that we can get that information to the legislators before the beginning of the session.

Also, we’ll probably start sending out to you some potential dates for a breakfast. That’s been our best attended. We’ve had dinners, lunches, but what seems to work best is a breakfast when they’re actually in session but not too – or kind of the week or two before when they’re focused on being here for the legislative session. So that’s probably what we’re going to try to do. I have some limitations on my schedule so I’m trying to find a date that works with the legislative schedule as well as my schedule and the Commissioners’ schedules. But we’ll be sending emails to that effect so I would start looking for those as well. I know that was a long-winded answer, Commissioner Hughes,

but it was a segue into what I was going to tell you all anyway, so hopefully that helps.

COMMISSIONER HUGHES: Yes, thank you. That answered my question and more.

CHAIR ROYBAL: Okay. Thank you, Manager Miller. Any other questions? I do want to thank Mr. Miller as well. Glad to see you. It's been a bit since we've seen you in person so we're happy to be in the same building together. So thank you. Thank you for all your hard work and you do a great job representing the County so we just want to say thank you for that, sir.

MR. MILLER: Thank you, Mr. Chair.

**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 ROYBAL: So I'm going to go to our first Commissioner. I'll go to Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, thank you. I'd just like to first of all, this week's an important week for our country and for individuals that actually have served and are serving and did serve in the military. Veterans Week, Thursday is Veterans Day and I'd just like to thank every veteran out there who has participated in the military affairs for the government of the United States of America. And thank you to all you veterans out there. We really, really appreciate you for what you have done and what you do and especially to your families that lend you to the United States of America. Thank you, veterans.

A couple of announcements. We did have a trash cleanup on Saturday in the Santa Fe River near the petroglyphs in District 2, across the street in District 3, which is that entire road there, on the 30<sup>th</sup> of October and some of the organizations that were involved there were the New Mexico Wildlife Federation – they assisted in putting that together, HECHO, which is Hispanic Enjoying Camping, Hunting and the Outdoors. They're very instrument in having participated in the cleanup day as well. Boys and Girls Club had many kids out there helping pick up trash along the roadway there. Thank you to our County staff who actually participated in some of the containers out there, our Sheriff's Department that actually had some traffic control and were present out there because there were individuals out there as well as children out there. Thank you for anyone how participated that Saturday, October 30<sup>th</sup>.

And with that, Mr. Chair, that's all I have for announcements, other than one small item is I would like to thank once again Brittany Montoya for assisting me for these last three, four weeks during some challenging times that I've had, and she is stepping up to the place, she has stepped up to the plate and she's actually going to be a good assistant to myself. And I also would like to thank the other liaisons that assisted her in welcoming her to the Manager's Office and assisting her with items that I needed to be done and thank you for your liaisons who assisted as well as my colleagues here for allowing their liaisons to assist Brittany. Thank you, Mr. Chair.

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CHAIR ROYBAL: Thank you, Commissioner Garcia, and I would ditto the sentiments as far as Veterans Day that's quickly approaching. A lot of times I wish people recognize veterans on a daily basis because they're really committed to serve our country. As the saying goes, freedom isn't free. There's always a price to be paid and these veterans have gone out and represented us in a way that a lot of people don't know. We have emergency responders. We have our police department that put their lives in danger every day. Our voluntary personnel also do that. So I just want to recognize Veterans Day and just thank all our veterans.

My father served in Vietnam in 1968 as well and I just want to thank him for his service and thank all of our veterans. You're really appreciated and so thank you for all your services. I'm going to go to our next Commissioner. Commissioner Hansen, would you like to go next?

COMMISSIONER HANSEN: Thank you, Mr. Chair. I wanted to share with all of you that I was recently elected president of the Northern Rio Grande National Heritage Area, and I have their latest magazine, which *Land, Water, People, Time*. We have seven to eight pages in here talking about the three counties that are members of the Heritage Area and I want to share these magazines with you so you can see all the great things that the Heritage Area is doing. We have a very nice office now in the heart of Española and I'm honored to be able to serve as the president of this organization.

I want to thank Commissioner Garcia for attending the petroglyph cleanup. I had my last Coffee and Tea the same day and it was a little hard to be in two places at the same time. I keep telling Sara, my constituent liaison I want to be able to manifest in the ten directions, but so far I haven't managed that. So thank you. I did talk to Mr. Francisco from Solid Waste and he assured me from Solid Waste that he would be out there to pick up all of the things, all of the items when we were at our last SWMA meeting.

On Friday I am giving a presentation on the nuclear waste transportation issue that Commissioner Hamilton and Commissioner Hughes and myself have all had presentations on to the Radioactive and Hazardous Waste Committee for the legislators. Cynthia Wheeler will also be presenting with me.

I also want to recognize that it is Native American Heritage Month and like with Veterans Day we should recognize, especially in the land of enchantment, New Mexico, Native American Day and Veterans Day. My father served in World War II and I am grateful that he made it back home alive and that I was born. I know that he went and served because his homeland of Denmark was being brutally attacked by the Germans.

Then Commissioner Hughes and I had a very wonderful Saturday and I will let him say more about it at Casa Milagro where they installed a new solar panel for Casa Milagro which will cover over 70 percent – almost 100 percent of their electricity and they'll be able to get off of propane. And Jennifer Romero was there also along with Mike from our Opioid Division in Community Services. So it was a great day and thank you, Mr. Chair, very much for your time.

CHAIR ROYBAL: Thank you for sharing with your constituents and with the Board today, Commissioner Hansen. Commissioner Hughes, would you like to go next?

COMMISSIONER HUGHES: Sure. Thank you, Mr. Chair. Just a couple things. Just to add on to what Commissioner Hansen said, it was a very nice event at Casa

Milagro, and these kinds of project not only help us meet our environmental commitments to reduce our use of fossil fuels but it's going to save Casa Milagro between \$10,000 and \$20,000 in utility bills every year that they can put towards their mental health and housing needs. And so I would love to see us as a County promote or assist with or support more of these projects because any social service agency that owns its building could recognize these savings. New Energy Economy was the sponsor for it so it was great to see them out there and be recognized. Commissioner Hansen very generously shared her speaking time with me which I appreciated.

Just a couple other things. We had a townhall on water for District 5 that John Dupuis, our Utilities Director, attended and the constituents from District 5 who are mostly all smarter than me asked really good questions and John Dupuis had really good answers, so it was a really good thing. I think it helped people understand a little bit better how the County deals with water as I've been learning and people, as we know, have a lot of concerns about water. So that was great.

And then I wanted to also mention that yesterday, Olivia Romo, my wonderful liaison, took me around District 5 and we looked at a couple of parks. Carlson Park, which is in a little neighborhood up by the highway on the frontage road, almost into Commissioner Garcia's district but not quite and it's a wonderful little part that we would hope to maybe get developed soon, not a terribly big project. And then we also looked at the Leo Gurule Park named after the Sheriff's deputy who was slain almost 40 years ago, or maybe more than 40 years ago, but that park needs a little bit of an upgrade and it's going to be rededicated with a monument to Mr. Gurule for his service to Santa Fe County.

And last but not least, next week, Commissioner Hansen and I will be meeting with some of the constituents who are asking us to do the ban on single-use plastic bags. This is an idea I got from Commissioner Hamilton although I've changed it a little bit from what we talked about, but we plan to meet with those constituents and groups and talk about strategies for reducing plastic use in the county, because we know that's a companion to reducing our fossil fuel use. Thank you, Mr. Chair.

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

COMMISSIONER HAMILTON: Thank you, I don't have too much in the way of district updates but I want to first agree with everybody who's recognizing Veterans Day. It's a little telling with age that my father is also in World War II and not the Vietnam War. But besides that, we're very glad to have Commissioner Garcia back with us after having weathered some difficult times.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. I couldn't agree more with you. I'm glad to see Commissioner Garcia is back and feeling well. I think that was actually the meeting that I wasn't at as well. It was the same meeting that I wasn't at. So I was concerned when I heard that he wasn't feeling well, so thank you. I'm glad you're back, Commissioner Garcia.

I guess as far as my district, we do have an upcoming community meeting again. We're trying to put some paperwork in place so that we have a really good update for our next community meeting so I'm hoping that around the third week of this month we'll probably have that but we'll make an announcement and send out details when we get

closer to that date or when we know we've got some paperwork in place so that we'll have a good update for the community. So I'll give that update a little bit later and so just once again, happy Veterans Day. I'm going to go back to Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, a couple things. I apologize I didn't bring this up. First of all, thank you for your kind thoughts, Commissioners, my colleagues. Thank you. I'm glad to see Commissioner Hughes actually now to Leo Gurule Park. That's actually a park that's been out there for – I imagine I was a little guy, when my hair was black. But it's interesting, Leo Gurule was an individual, a deputy who actually was killed in the line of duty off of Airport Road. It used to be called Las [inaudible] trailer park and it's still there. It's called Casitas. His daughter actually is employed by Santa Fe County. Her name is Robin Gurule. She actually works in our Attorney's Office. That was her father that passed away in the line of duty. It's good to have Robin Gurule as one of our employees. She's an excellent employee.

Another thing that I wanted to bring up – I was late for today's meeting, regarding the invocation, there's two gentlemen that actually served on this dais for 16 years total: Commissioner Mike Anaya and Commissioner Robert Anaya. Their mother, their mom, passed away within the last week and our condolences go out to the entire family, very tight-knit family, who live in my district in the southern part of the county and were very instrumental in items in the last 16 years that were brought in front of this dais, very instrumental in the County Fair. Eighty percent, ninety percent of the individuals, children from the 40H clubs and other clubs actually participated in the fair and the Anaya family is very instrumental in the southern part of the state.

My condolences go out the Anaya family, to Commissioners Mike Anaya, Robert Anaya. As I mentioned earlier, their entire family, and I will bring that up in the invocation at our next meeting. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia.

COMMISSIONER HUGHES: Mr. Chair.

CHAIR ROYBAL: I'm going to go to Commissioner Hughes and then I'll go to Commissioner Hansen.

COMMISSIONER HUGHES: Thank you, Mr. Chair. I forgot to mention about Veterans Day that I too appreciate all our veterans any my parents served in World War II on the state side as civilians but they both worked for the army. My mother was a mapmaker and my father taught in the signal corps, taught the soldiers how to use their radios before they were shipped overseas. I know that made a huge impression on their lives as was true of everyone who served and was alive during that time. My brother is also a Navy veteran and we all have lots of friends and acquaintances in Santa Fe County who've been veterans and worked on veterans' issues so it's really good to acknowledge the sacrifice people have made for our country and be thankful.

I also want to add I was so glad that Commissioner Garcia was with us again today.

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

COMMISSIONER HANSEN: Thank you. I forgot to mention that it is the 200<sup>th</sup> anniversary of the opening of the Santa Fe Trail, and there are commemorative events on November 13<sup>th</sup> and 14<sup>th</sup> for the opening of the Santa Fe Trail. So it's 200 years

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old and I think that since it ended here there are events happening on the plaza on November 14<sup>th</sup> from 10:00 to noon and then there's an event happening in Glorieta, I believe, also. As one of the passes, I read this on the [nationalparkservice.gov](http://nationalparkservice.gov) website so there are a number of events in Santa Fe County celebrating and commemorating the 200<sup>th</sup> anniversary of the opening of the Santa Fe Trail. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Can you repeat the dates?

COMMISSIONER HANSEN: November 13<sup>th</sup> and 14<sup>th</sup>, and you can go to [www.nps.gov/safe.index](http://www.nps.gov/safe.index) and you can see what you can find. I found this in the *Boletin* from the Old Santa Fe Association.

CHAIR ROYBAL: Okay. Thank you, Commissioner Hansen.

**9. B. Elected Officials' 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 first to our County Clerk, Ms. Katharine Clark.

CLERK CLARK: Thank you, Mr. Chair. I wanted to thank the Commission for mentioning Veterans Day. I come from a military family. My dad had 22 years in the Air Force. I was actually born on a military base, so I do appreciate that we are supporting our veterans.

I wanted to thank everyone who came out and voted in our regular election. We had nearly 25,000 voters in this election and more than half came on election day, so it was a very busy election day for the Clerk's Office. I wanted to thank our sheriffs for helping support us by guarding our ballots, the City of Santa Fe for coordinating us and allowing us to be in the convention center to get our results, again, our election workers, our staff at the Clerk's Office, there are a lot of people who help make elections happen and I want to make sure that we thank all of them. So thank you very much, and I appreciate it.

CHAIR ROYBAL: Thank you, Madam Clerk and once again, just great job on the election. As always we appreciate the Clerk's Office for all their hard work. I know it sometimes can be pretty challenging, some of these elections. So to your staff, please extend our appreciation to all of your staff and thank you for all your hard work.

CLERK CLARK: Thank you, Mr. Chair.

CHAIR ROYBAL: Tessa Jo, do we have any other elected officials that are in the meeting virtually?

MS. MASCARENAS: Yes, Mr. Chair. We have Treasurer Manzanares. I'm not sure if she would like to speak. We also have Undersheriff Johnson that has signed on. I'm not sure if he'd like to speak either.

CHAIR ROYBAL: Okay. Treasurer Manzanares.

TREASURER MANZANARES: Thank you, Mr. Chair, members of the Commission. I just wanted to remind everyone that we are in the delayed cycle right now where our tax bills have not gone out. So we've had some increase in phone calls but for the most part we got the work out to the community and all parts of the county to let

everyone know that tax bills will be mailed out on December 1<sup>st</sup>, so tax payments will be due December 10<sup>th</sup> through January 10<sup>th</sup>. So if there's anyone in your constituents' area that have questions they're welcome to call us but the message is the same. It will be delayed this year.

Also as a follow-up, I think last month Commissioner Roybal and I had shared there was an idea to talk more about a community healing garden so I'm excited that we're going to go out into the community this week to look at a possible location and see if we can bring that to fruition in the near future under the leadership of Commissioner Roybal. So thank you, sir, for that and that's all I have.

CHAIR ROYBAL: Thank you, Madam Treasurer and I just want to thank you and your staff as well for your work and dedication. Just in our last Investment meeting it's really obvious how hard your department works and the commitment to the County, so I want to just extend the appreciation from the Commission for all your hard work and please extend our gratitude to your staff as well.

Okay, Undersheriff Johnson, do you have any announcements that you would like to share today, sir?

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: I'm going to go to Commissioner Garcia. Did you have a comment, sir?

COMMISSIONER GARCIA: Mr. Chair, just you know, the tragedy that we had at the movie set many weeks ago. I would just like to commend the Sheriff for doing an excellent job in speaking with the worldwide media and very respectable and he did in my opinion a great job. Thank you, Sheriff Mendoza.

CHAIR ROYBAL: Absolutely, Commissioner Garcia. Thank you for bringing that up and our Sheriff's Department does an outstanding job for the County so my appreciation to Sheriff Mendoza and Undersheriff Johnson and all of the Sheriff's deputies that serve. Any other questions or comments? Are there any other elected officials that would like to address their constituents or the Commission? Seeing none I'm going to go ahead and close that out.

#### 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. Real Property Interests for Solid Waste Convenience Center**
- 2. Breach of Settlement Agreement and Related Agreements Related to Annexation**
- 3. Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Concerning COVID-19 Vaccine Policy**

CHAIR ROYBAL: Mr. Shaffer, can you tell us what we're going into executive session for, just a summary?

MR. SHAFFER: Mr. Chair, executive session will be for the purpose of discussion of bargaining strategy preliminary to collective bargaining negotiations between the Board of County Commission and collective bargaining units as allowed by Section 10-15-1 (H)(5); 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, real property interests for solid waste convenience center; two, breach of settlement agreement and related agreements related to annexation, and three, discussion of bargaining strategy preliminary to collective bargaining negotiations concerning COVID-19 vaccine policy.

As this is the last item of business on the agenda it would be appropriate if the Board was so inclined to motion to adjourn the open meeting and move into executive session, and that would be the end of this evening's meeting in open session.

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: I would agree with that. Commissioner Garcia.

COMMISSIONER GARCIA: I'd like to make a motion under item 10, Matters from the County Attorney, to move into executive session as stated by the County Attorney.

CHAIR ROYBAL: Okay, and then also that would include us adjourning from executive session and not returning.

COMMISSIONER GARCIA: Yes, Mr. Chair, and also adjourning from the regular meeting.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion from Commissioner Garcia, a second from Commissioner Hamilton. Can we have a roll call please, Madam Clerk?

**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 went into executive session and adjourned at 4:45.]

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**11. CONCLUDING BUSINESS**

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

Having completed the agenda and with no further business to come before this body, Chair Roybal declared this meeting adjourned at 4:45 p.m.



Approved by:


  
Henry Roybal, Chair  
Board of County Commissioners

ATTEST TO:



KATHARINE E. CLARK  
SANTA FE COUNTY CLERK

Respectfully submitted:

  
Karen Farrell, Wordswork  
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