

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
February 23, 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

SFC CLERK RECORDED 04/15/2021

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

February 23, 2021

1. **A.** This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:05 p.m. by Chair Henry Roybal.

 In accordance with the Public Health Emergency Order issued by the State of New Mexico, this meeting was conducted on a platform for video and audio meetings.

[For clarity purposes, repetitive identification and confirmations of those on the phone have been eliminated and/or condensed in this transcript.]

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
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.

F. Approval of Agenda

 CHAIR ROYBAL: Is there any changes to the agenda or requests?
Manager Miller.

 KATHERINE MILLER (County Manager): Yes, Mr. Chair. Our agenda

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was published last Tuesday and then on Friday we amended the agenda on Friday, 2/19, we amended the agenda at 4:51 pm. And just a couple of amendments. On item 1. G, we just updated that caption. Item 3. A also had an updated caption. Item 4. D, we are going to table that item till the next BCC meeting. Item 4. D, this is a draft resolution. The caption was there but we uploaded the current draft of the resolution and cost sharing agreements to the packet materials. Item 5. A, we also updated that caption, and then item 5. B, we updated that caption.

And then, since I see Marcus Archuleta on the call already. I would suggest, Mr. Chair, that you take item 8. C and move that to right after the approval of the Consent Agenda.

CHAIR ROYBAL: Okay. Great. Thank you, Manager Miller. We will go ahead and do that. Okay. So we have the amendments that have been brought forward by Manager Miller. Are there any other requests? Commissioner Hamilton.

COMMISSIONER HAMILTON: No, requests, sir. I was just going to move to approve the agenda with those amendments.

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

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: And a second from Commissioner Hughes. I'm going to go to a roll call vote.

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

1. G. Approval of Minutes: January 26, 2021

CHAIR ROYBAL: I'll entertain a motion for approval. Commissioner Hamilton.

COMMISSIONER HAMILTON: Move to approve.

CHAIR ROYBAL: Okay. Do I hear a second?

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: And a second from Commissioner Hansen. I'm going to go to a roll call vote.

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

H. Years of Service and New Hire Recognitions

CHAIR ROYBAL: I'm going to go to our County Manager, Ms. Katherine Miller.

MANAGER MILLER: Good afternoon, Mr. Chair, County Commissioners. As you know, we like to recognize employees who have been with the County for a long time, but we take a specific time to recognize employees who hit a five-year milestone, and this past month of February, we had several people hit their five-

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year anniversary, and as you know, we typically in our Fire Department do a Fire Academy for new cadets and clearly we did one five years ago in the beginning of February because we have several individuals who work in our Fire Department who hit their five-year anniversary on either February 6th or February 8th, and that would be Aaron Western, Robert Bell, Maria Elena Cordova, Christopher Griego, Alonzo Rodriguez, Otis Tinchier and Clayton Wallis. So I'd like to congratulate them.

And then in Public Works we had Rudy Carrillo in Fleet Service and Jason Jaramillo in Road Maintenance. And the in Finance/Purchasing, Trinirae Romero also hit their five-year anniversary on February 22nd, or yesterday. So I'd just like to thank them for their service to Santa Fe County and its residents and hope that they continue to stay with us.

CHAIR ROYBAL: Great. Thank you, Manager Miller. Comments or questions from the Commission? That concluded the anniversaries. We didn't have any new hires this month.

MANAGER MILLER: Mr. Chair, that was the anniversaries, they were all five-years but we do have some new hires that I wanted to recognize. This list is from January and I think the first four people on the list you've already met but I want to recognize the other new hires from January, and that is Nalini Huerta in our RECC. Also Joshua Jordan and David Zaxus. They're all new employees in our dispatch center. Then Angel Sanchez in Corrections, Alexander Painter in Public Works/Project, Austin Plummer in Solid Waste in Public Works, and Alberta Davalos in the Sheriff's Office, a Sheriff's Deputy III. I'd just like to take an opportunity to welcome them to the Count and thank them for joining our team.

CHAIR ROYBAL: Great. Welcome to the team. We hope to be celebrating anniversaries in the future to come with all of you. I know that our employees here at Santa Fe County are the best employees in the state, I think. You guys do a great job so I appreciate everything that you guys do.

2. CONSENT AGENDA

- A. Request Approval of County Health Care Assistance Claims of \$1,672 (Community Services Department/Jennifer Romero)**
- B. Resolution No. 2021-018, a Resolution Requesting a Budget Increase to the Hold Harmless GRT Fund (205) of \$56,475 for the Tesuque Station #1 Retention Wall Project and a Budget Increase to the Capital Outlay GRT Fund (313) of \$30,000 for the Arroyo Hondo Trail Segment 2 Project (Finance Division / Yvonne S. Herrera)**
- C. Resolution No. 2021-019, a Resolution Requesting a Budget Increase to the Housing Capital Improvement Fund (301) of \$6,237.00 for the Housing Division's 2016 and 2017 Capital Fund Program Grants.(Finance Division / Yvonne S. Herrera)**
- D. Request (1) Approval of Amendment No. 3 to Agreement No. 2018-0246-AO/MM Between Santa Fe County and Bridget Jacober, Attorney; Extending the Term an Additional Year and Increasing the Compensation an Additional \$65,000 for a Total Contract Sum of \$260,000, Exclusive of NM GRT; and (2) Delegating Signature**

- Authority to the County Manager to Sign the Purchase Order. (Bill Taylor, Purchasing Division/ Gus Martinez, County Assessor)**
- E. **Resolution No. 2021-020, a Resolution Requesting a Budget Increase to the Fire Protection Fund (209) for Various Fire Districts in the Amount of \$2,998,430 (Finance Division / Yvonne S. Herrera)**

CHAIR ROYBAL: Are there items on the Consent Agenda that need additional clarification or that any Commissioners would like to pull to get additional information on. If not, what's the pleasure of the Board? Commissioner Hughes.

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

COMMISSIONER HAMILTON: I'll second.

CHAIR ROYBAL: Okay. We have a motion from Commissioner Hughes and a second from Commissioner Hamilton. I'm going to go to a roll call vote.

The motion passed by unanimous [5-0] roll call vote.

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

8. C. **Certificate of Appreciation to Marcus Archuleta for His Commitment and Act of Kindness Shown Towards his Community in Pojoaque**

CHAIR ROYBAL: This is a certificate to a young man – I actually received a phone call one of the evenings from a constituent who told me that there was a young boy pulling a wagon on a County road. At first of course my mind started thinking, okay, what's the call in reference to. What they told me next, I was really surprised. Basically they said he's pulling a wagon and he has some trashcans in the wagon and he's picking up trash from the County road. So I did go out. They told me the County road. I went out to that County road and was driving up the County road, seeing if I happened to run into him.

I did run into him and I did find him and sure enough, he was pulling a little red wagon with two trashcans in it and the trashcans were full of trash and he was on his way home. I stopped and asked him what he was doing. He said that he was picking up trash. He kind of said he didn't like going on that road and seeing trash, and other times when he was out walking. So he took the initiative to pick up this trash. Words can't express the gratitude that I feel to see some of our youth taking this initiative to better our community.

That right there is leadership that I think all of us can follow and all of us should look at trying to improve. I think that everybody, if we all work together and have this initiative to try and clean up our environment a little bit more, I think it's a great initiative. So I wanted to see if we could bring up the certificate but I also want to give Marcus – after I read the certificate I'm going to give Marcus the opportunity to talk to the Board and see if we have any other questions or comments from the Board.

So this certificate appreciation for Marcus Archuleta: On behalf of the Board of County Commissioners of Santa Fe County, we want to thank you for your service and

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commitment to create a better world, one person and one act of kindness at a time. It is individuals like you who set the example and bring changes to our country by simple acts of cleaning up our community. With that I just want to really thank you, Marcus, for taking that initiative. And when I talked to the parents they actually said we didn't even know he was doing that. So it's just awesome.

So Marcus, if you'd like to say some words to the Board?

[Marcus Archuleta experienced connection problems.]

CHAIR ROYBAL: Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair. I'd just like to congratulate Marcus. It's great to see that kind of initiative. So congratulations on this. It's really wonderful to see young people in our community stepping up to make our world a better place.

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

COMMISSIONER HAMILTON: Yes. I think we have similar feelings. [audio difficulties] in our community to take this kind of initiative, to know that we have people of all ages that we really can look up to and respect. [connection issues]

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

COMMISSIONER GARCIA: Yes, Mr. Chair. I can see Marcus on the video right there. Be careful of those bobcats out there. Certainly it's just amazing that a young individual like you can actually go out there and help out the community, because it's the younger generation that's going to take care of us as we get older. And for an individual like you to go do what you're doing, good job. I give you kudos, my young man, and do what you need to do because that's awesome that you actually have the ability in your mind and say I'm going to do something which is good today, because tomorrow we might not be here but what I did today is helpful. I appreciate you. That's awesome. Thank you, Mr. Chair.

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

COMMISSIONER HANSEN: Marcus, I just want to say thank you very much for taking care of your community and taking care of your neighborhood. It is what we wish for all of our community to do is to help one another. So I appreciate your help to our fellow citizens and I really appreciate you keeping our community clean and free of litter. That is a great thing to do. So thank you so much.

CHAIR ROYBAL: Thank you, Commissioner Hansen. It looks like Marcus might be having some issues with the internet but I think I see his dad is on the line as well. Mr. Archuleta, would you like to make any comments? I'm sure you've had discussions with Marcus and he may have told you why he did pick up the trash.

MR. ARCHULETA: I just want to say that I'm very proud of my son. I didn't even have any idea he was doing that. I got home one day and he told me had gone and picked up trash. [audio difficulties]

CHAIR ROYBAL: It looks like we're going to have some internet problems. You were going in and out but we did hear the beginning of what you did say, Mr. Archuleta. And Marcus, I don't know if you can unmute now or not but from the

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Santa Fe County Commission we all want to thank you for caring about the environment and doing your part, a huge part that a lot of people do so we thank you from the Commission. Thank you very much and you have a good day and we'll be getting you this certificate, okay. Thank you.

3. APPOINTMENTS/REAPPOINTMENTS

A. Reappointment of One Member to the County Open Lands, Trails and Parks Advisory Committee (COLTPAC)

MARIA LOHMANN (Open Space & Trails Planner): Thank you, Mr. Chair, Commissioners. Before you today we have a request for reappointment for one member to the County's Open Lands, Trails and Parks Advisory Committee. This position is in District 1. Sandra Madrid Massengill was appointed to COLTPAC in November of 2017 and she would like to be reappointed for a second term. The guiding resolution, 2011-4 for COLTPAC does state that members of COLTPAC shall be appointed by the BCC based on letters of interest, qualifications, countywide representation and advice from Open Space and Trails program staff.

The resolution identifies various types of expertise that we're looking for for committee members including land, water, wildlife, natural resource conservation, management and restoration experience, community cultural protection interests, knowledge about trails planning and construction, interest and understanding of agriculture. Also some public administration and finance understanding. Resolution 2011-4 also outlines the membership for COLTPAC. There are nine members, five of which are from Commission districts and four members are at large, which means that they can reside in any area of the county.

In your packet you'll see the list of current COLTPAC members and their current term appointment and expiration dates, as well as where they reside in the county and if they've been appointed per district. This position was advertised in the *New Mexican* and through our County email lists. We did receive two applications, one from Ms. Sandra Madrid Massengill. The other was from an interested party who lives in District 3. We reached out to that person in District 3 and said that we would love to communicate with them in the future but that this position in particular was for District 1.

Ms. Massengill has worked for New Mexico State Parks in the past. She managed the Land, Water Conservation Fund program and the development of outdoor recreation areas and facilities. She also managed the recreational trails program and improvement of trails. She is currently on the board of the Santa Fe Conservation Trust and she has lots of experience and interest in County open space programs.

In conversations with Commissioner Roybal we have reviewed Ms. Massengill's application and we would like to recommend for the Board her reappointment. And with that I can stand for questions.

CHAIR ROYBAL: Okay. Thank you, Maria. If we don't have any questions from the Board I'd like to go ahead and make a motion as this is my district. So I'd like to make a motion for the reappointment.

COMMISSIONER GARCIA: I'd second that, Mr. Chair.

CHAIR ROYBAL: And we have a second from Commissioner Garcia.

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Are there any questions from the Board?

COMMISSIONER GARCIA: Mr. Chair, I have a couple questions. Maria, can you tell us when does it open for countywide via districts that are actually – instead of having everybody from each district, when is it open for countywide individuals that are actually –

MS. LOHMANN: Mr. Chair, Commissioner Garcia, from the table that's in your packet it looks like the next opportunity for appointments to COLTPAC is in February of 2022.

COMMISSIONER GARCIA: And Mr. Chair, Maria, is that actually for the one at a time or is that all three or four appointments that are allowed?

MR. LOHMANN: Mr. Chair, Commissioner Garcia, it looks like there will be a District 5 position and a District 4 position and an at-large position as well.

COMMISSIONER GARCIA: Okay. Thank you. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Any other comments or questions from the Board? Okay, if not we have a motion and a second so I'll go to a roll call vote.

The motion passed by unanimous [5-0] roll call vote.

CHAIR ROYBAL: Congratulations and if we do have Ms. Madrid Massengill listening, at any time feel free to contact me with any updates or any issues or anything that maybe you've heard from the community that they'd like to see. I know that staff does a great job doing that but if there's any time that you would like to contact me please feel free to. And thank you, Maria. We really appreciate it and you're doing a great job, so thank you very much. Have a great evening.

MS. LOHMANN: Thank you.

4. MISCELLANEOUS ACTION ITEMS

A. Resolution No. 2021-021, a Resolution Amending the Santa Fe County Road Map and Certifying a Report of the Public Roads in Santa Fe County

RYAN WARD (Public Works): Thank you, Mr. Chair. Good afternoon, Commissioners. This is one – just to give you a little background on this particular resolution that we're bringing forward, it's the annual group of roads and the mileages for what the County maintains for funding. This is actually something that the New Mexico Department of Transportation requests yearly throughout the county. And so what we have this year – in the past we've always brought forth any kind of additions or additional mileage to any of the roads, if there's new roads that have been adopted with those miles incorporated into what we maintain.

This year it's not very many roads. In the past we've had a lot of corrections. We've had a lot of additions. This year fairly minimal. I'll go over those briefly. So some of the additions are Camino Justicia from Highway 14 to the dead-end, which is .36 miles; Camino Jacobo from Rufina to Fourth Street, which is .55 miles, for a total of .91 miles.

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Then the corrections, which is basically – these could be anything from mileage that had been off that wasn't captured in the past, if we're doing some sort of engineering study, or in this particular instance, it's Sudeste Place. There was a gap between what we maintained previously and what we maintain currently. And so doing some research we had a constituent reach out on this one in particular we did have dedicated easements, ingress and road, so we could actually maintain the road. So this one, which it does say correction, this was actually just a gap in the maintenance of the road that we maintained prior. So we're adding .23 miles, which is from Camino Sudeste to Seton Village Road, so for a total additions and corrections this year it's 1.14 miles, which for the County's total mileage that we maintain is 556.35 miles.

I would like to mention that staff has really been dedicated to looking at all of these roads. Probably as recently as this past summer we started looking at newer technology to try to determine mileage. While our predecessors at Public Works and all the folks that have worked on this in the past have done an excellent job, it's just been the case of bringing new technology to the table. We have a distance measuring instrument now that actually is a GPS unit that mounts to our vehicles, and so we've been, from this past summer, we started driving all of the roads.

We've got three of the five maintenance districts completed, and what we've seen is a significant change in mileage on some roads due to the fact that in the past we were limited on how we measured the roads. So it could have been from a speedometer, years ago, which only does a tenth of a mile, and also some of the information is taken out of GIS, actual point to point calculating distances on those roads that don't necessarily always account for the vertical change in the roadway and so we have seen some significant changes so I just want to make sure that the work is transparent, that next year's book in 2022 that we submit to the NMDOT will look significantly different from this one as far as mileage goes and some of the actual attributes that we're collecting. So I just want to make sure that's out there.

We're trying to improve this because I know funding is tied to it and how we maintain those County roads is critical. And I'll stand for questions.

CHAIR ROYBAL: Okay, do we have any questions from the Board?

COMMISSIONER GARCIA: I do, Mr. Chair.

CHAIR ROYBAL: Commissioner Garcia, go ahead.

COMMISSIONER GARCIA: So Ryan, can you actually tell me why we're going to have a different map in the next year to come? What anticipations are you actually having as why it's going to change?

MR. WARD: Mr. Chair, Commissioner Garcia, that's a great question. So in the past, the way the distances for the roads, it's going to be based on mileage, so all the roads, realistically go up and down, you have the vertically changes of the road. Those weren't necessarily always taken into account in the past just because of technology limitations. It could have been just driven tenths of a mile, like I mentioned, or our GIS folks do a great job of maintaining all of our road segments, but that's looking at it in a 2-D plane, so if you add that three dimensional curvature of the earth and all those vertical changes, when you drive down the road you're getting additional mileage than just the straight, flat line. So that's where the differences are and that's what we're trying to accommodate for.

Many of our projects in the past, when we were trying to estimate costs for materials and for the construction aspect of it, those roads, if they're shorter than what we know to be true, the cost estimates were not inclusive of all the costs and sometimes we were short budgetary wise. So we just want to make sure. That's why we began collection with the GPS units to try to get a more accurate assessment of the lengths of all these roads. So that's the big change.

COMMISSIONER GARCIA: I understand. So let me ask you a question. County Road 9A down in the Edgewood area, because I have a question on the length of that roads because myself and J.S. and when Diego was there we had a little difference of opinion on that. So what is the length of 9A? And also so we're actually adding a quarter mile to Sudeste Place? And we're actually adding another half a mile to Camino Jacobo and another third of a mile to Camino Justicia, the road where the jail is, and that stuff, right? So we're adding mileage now to –

MR. WARD: That's right. Yes, sir.

COMMISSIONER GARCIA: And so we never had this mileage in that last ten, 20 years, as in we're adding another half mile of a County road? I'm just asking because I have a couple of County roads that I have questions about this and how come we don't have the road to Cerrillos on this new added chart? Because four months ago, three months ago, we actually adopted the road into Cerrillos? How come that's not on this addition of a road?

MR. WARD: Okay. That's a great question.

COMMISSIONER GARCIA: And then also, Cerrillos, the entrance to Cerrillos with Robert Martinez was there when we actually adopted this. The road into Cerrillos. We all approved it. And then also in regard to County Road 9A. What is the length of that road and what do we – you don't have to answer right now, but I just have a little concern on that. And I understand what we're doing. We have to adopt our County roadmap every single year and get it approved. That's what I wanted to ask you. And if you don't know the answer to that right now, that's fine.

MR. WARD: Mr. Chair, Commissioner Garcia, I will look up County Road 9A. The Cerrillos entrance, that one actually was captured in our road list. While there were some discrepancies with NMDOT is exactly what – we did capture that, I guess in a prior year. I could look back in the book. So there were some discrepancies that we did work through on that one this year. But you're correct. The County does maintain that entrance into Cerrillos up until – I can't remember – the Main Street, or just past Main Street that the County maintains currently, so we have taken that over.

COMMISSIONER GARCIA: So does that not need to be added to this document? And also, one of the other questions I have, would pictometry work? Whatever the Assessor's Office utilizes? Why can we not work with the Assessor's Office that we pay for to have things totally accurate? You can count fire hydrants. You can count anything on that software that we actually had purchased for the Assessor's Office.

MR. WARD: Mr. Chair, Commissioner Garcia, on that instance, we are working with GIS. They do have the ability to do an overlay of the pictometry, and that was going to be one of the data sets that we look at versus what we actually drive with the distance meters for GPS. So we will do a comparison, because it will overlay all the

contours on the actual road lines. So we'll be able to do some sort of comparison, just to basically quality control, check ourselves. The capabilities are there for that. We probably most likely will look at that this year.

COMMISSIONER GARCIA: Thank you. And I appreciate your answer. However, the County taxpayers have spent millions of dollars to purchase that, what pays for the Assessor, and why are we not utilizing it? Why – we're going to work on that. Food for thought – we should already have been on this stuff. I know, Ryan, I know what you're saying. I get it, but let's just start working with GIS and the Assessor's Office as into let's get it done. We've got to do what we need to do. And so look up County Road 9A for me whenever you get a minute and let's talk about that. If we need to amend this proposal to add the entrance to Cerrillos as well as 9A, those are the only questions I have, Mr. Chair. Thank you.

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

COMMISSIONER HANSEN: Thank you, Mr. Chair. Thank you, Ryan, for all of this detailed information. I am wondering if it is possible on this list, the revised 2021 County Road Certificate Book.pdf, if somewhere we could put the Commission districts that these roads are in.

MR. WARD: Mr. Chair, Commissioner Hansen, that's a great notice on what we actually have currently, and that's one of the attributes why I didn't go into detail. That is one of the attributes that will be added to next year's book that hasn't been captured in the past. We'll have all the Commission districts assigned to the road. I'm not sure in the past why that wasn't captured this year. It was a time limitation and we're redoing so many different road distances that we want to try to capture everything together in next year's book. But we will have that in there for all the Commission districts so it makes it easy for folks to see what roads are in the district. Thank you.

COMMISSIONER HANSEN: Thank you, Ryan. I know you are still relatively new to the County so I appreciate all the hard work that you have been doing on our roads. I want to say I love roads and I love that you're working on these roads and so thank you very, very much for all your work.

MR. WARD: Thank you. And I would like to say our roads group has done a great job this year and they've really stepped it up during all the snowstorms we've had. We've gotten a lot of good feedback from constituents. They've been out there working hard early in the morning to get the roads cleared.

COMMISSIONER HANSEN: Thank you again, Ryan.

COMMISSIONER GARCIA: Mr. Chair, if I may.

CHAIR ROYBAL: Commissioner Garcia.

COMMISSIONER GARCIA: Just really quick. A long time ago Commissioner Marcos Trujillo and Javier Gonzales, as Commissioner Hansen just mentioned, there's five things that people care about – the roads and four other things that I won't mention. So when we're adding things to this list, we've only added three different things in red that we're adding to this list that has been there for 10, 25 years. And so the concern I have as Commissioner Hansen has raised in a nutshell as into can you give us the roads in our district. And yes, we're working on it, we're getting it done and you're relatively new to the community here. I understand that. And it's something

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that I would like to see done because you're handing three roads. All the rest of the roads have been here forever. And so if you can please give us a list, as Commissioner Hansen has asked, as into what are the district roads. And yes, we're working on it. I get it. I understand it, but right now we're adding three roads to this district. And we're going to look at the entrance to Cerrillos as well as County Road 9A. So if you can please get us that. Appreciate that. Thank you, Ryan. And thank you, staff. And one thing as I mentioned to Manager Miller as well as Gary, the Public Works Director, the crew that does maintenance on our roads – awesome job. And I hope – well, they probably can't watch us because they're working on the roads, but however, they do an excellent job and I – our constituents appreciate those individuals. Thank you, Ryan. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Any other questions from Commissioners? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. I would like to move a resolution amending the Santa Fe County Roadmap and certifying a report on the public roads in Santa Fe County.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: So we have a motion from Commissioner Hansen and an enthusiastic second from Commissioner Hamilton. Okay, so we're going to go to a roll call vote.

The motion passed by unanimous [5-0] roll call vote.

- 4 B. Request (1) Approval to Utilize the Houston Galveston Area Council Cooperative Purchase Agreement for the Purchase of a 2021 Pierce 2100 Gallon Fire Tender in the Amount of \$352,369.60, Inclusive of NM GRT; and (2) Delegating Signature Authority the County Manager to Sign the Purchase Order**

CHAIR ROYBAL: From the Fire Department we have Chief Jackie Lindsay, and also from Purchasing we have Mr. Bill Taylor.

BILL TAYLOR (Purchasing Manager): Good afternoon, Mr. Chair, Commissioners, this is to kick this off and present to you this afternoon. We have been before the Board before using the HGAC contract but a little bit of background. The department is requesting to replace a 27-year-old Chevrolet fire tender for La Puebla fire district and due to age, mileage and maintenance I think it's well deserved. The money is coming from the fire protection fund 209. As I stated, the Houston Galveston Area Council Cooperative is a cooperative unit that procures throughout the country from different vendors so we know we're getting a very deep, large pool of bidders for these types of apparatus to put them together and deliver them to Santa Fe County.

We think we have made the determination that it would be most advantageous for the County to utilize the cooperative agreement for the purchase of the fire tender for La Puebla. And that is in the amount of \$352,369.60. Ordinance 2012-5, Section 1, outside contracts, does require that using an outside contract to purchase anything more than \$250,000 requires Board approval and so with that, Mr. Chair, I'll stand for questions.

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CHAIR ROYBAL: Okay, great. Thank you, Mr. Taylor. Do we have questions from the Board? Okay, I'm not seeing any hands and I don't hear any other Commissioners saying that they would like to bring questions forward so I want to thank you for your presentation, Mr. Taylor, and what's the pleasure of the Board?

COMMISSIONER HAMILTON: Mr. Chair, move to approve.

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: I'm going to go to a roll call vote.

The motion passed by unanimous [5-0] roll call vote.

4. C. Approval of the Lease Agreement No. 2021-0160-CSD/BT Between Santa Fe County and Santa Fe Recovery Center, Inc. for Lease of Premises at 2052 Galisteo. Approval of the Lease Agreement is Contingent upon Final Approval by the State Board of Finance

CHAIR ROYBAL: From the Public Works Department we have Mr. Scott Kaseman and also from our Community Services Department we have our director, Rachel O'Connor.

SCOTT KASEMAN (Public Works): Good afternoon, Mr. Chair, Commissioners. Since May of 2017 the Santa Fe Recovery Center has been under contract with the County to provide detoxification and sobering services to the community. In July of 2020 a new contract was executed between the two entities to continue that relationship. Recently we completed renovations to the building that they're in at 2052 Galisteo and we conducted a current market rent appraisal based on a full service lease. A full service lease is where the lessor – the County – pays all of the maintenance, utilities, taxes and insurance on the building.

Santa Fe Recovery will be allowed to fulfill their monthly rental obligations through providing detox and sobering services to the community along with they'll be given credit for their monthly maintenance and janitorial expenses that they pay. So with that, Rachel and I will stand for any questions.

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

COMMISSIONER HUGHES: Thank you. I was just wondering if we track outcomes for the Santa Fe Recovery Center, and I don't expect that they would be stellar because it's really hard the work that they do, but I just wondered if we do track their outcomes.

RACHEL O'CONNOR (Community Services Director): Mr. Chair, responding to your question, we actually do track a variety of different data that come from both Santa Fe Recovery Center and will be coming from the crisis center. And as you stated rightly, detox is a difficult service to provide but we are required to provide some specific data, both for our CONNECT program and for the State of New Mexico Department of Finance and Administration who funds the program.

COMMISSIONER HUGHES: So do you know, off the top of your head, some of the data that you collect? I just wondered what type of data.

MS. O'CONNOR: Mr. Chair, Commissioners, we collect things like what

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services were provided, whether or not this person recidivates or has been to the detox center more than once. We collect a variety of data. I apologize for not having that just with me but I'd be happy to provide it to you if you'd like.

COMMISSIONER HUGHES: Yes, that would be great. And thank you. That was my main question.

COMMISSIONER GARCIA: Mr. Chair, if I may.

CHAIR ROYBAL: Go ahead, Commissioner Garcia.

COMMISSIONER GARCIA: I think, Commissioner Hughes, that's an excellent question because what our tax dollars pay for an individual to be helped in the community we need to know how it's working and if it is or if it isn't. But Rachel, if you can please get us that data at the next meeting that would be great.

And then a question I had for Bill Taylor. Mr. Taylor, we're doing some renovations there for what the taxpayers actually approved to renovate that entire facility. So does this actually include that? Does it not include that? And what are we doing with that. That's two of the questions I have.

And then thirdly, so those are what I have.

MR. TAYLOR: Mr. Chair, Commissioner Garcia, the renovations to the facility are of course a separate cost center and project. That's all going to be completed at the Galisteo location where Santa Fe Recovery will be beginning to occupy. Santa Fe Recovery have their own operation at their own site, but both the behavioral health crisis center will operate with New Mexico Solutions there, and along side of Santa Fe Recovery. So this is a building that has been renovated for the crisis center and Santa Fe Recovery that they're going to be leasing from the County. I hope that answered your question.

COMMISSIONER GARCIA: Yes. Thank you, Mr. Chair. So when we have indigent patients, which a lot of these individuals are indigent patients, are we giving the lease a little bit of a break, because they are indigent and they can't afford this. So can we kind of work out all these individuals and can't afford that – so is the Santa Fe Recovery looking into that or is the County looking into that. Because you had mentioned about a fair market value for the lease agreement, so how are we addressing that? Or are we not?

MS. O'CONNOR: Mr. Chair, Commissioner Garcia, we are providing for the allowance of in-kind services, which would mean services that aren't covered by another source, or that allowed for contribution towards the in-kind rent.

COMMISSIONER GARCIA: Thank you. Appreciate that, Rachel. Thank you, Mr. Chair.

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

COMMISSIONER HANSEN: I want to just thank Rachel and all of her staff and the Recovery Center and the Solutions and everyone for all the hard work in getting this done. Scott, everybody, and Bill, because this has been something that's been very important to myself, my predecessor, and many of the Commissioners on this Board, and to actually see it start to come to fruition and getting it done is fantastic and I am so excited that we have been able to make this happen for our residents and people who are suffering from addiction and who need these services. Because this is not only just for the

county. This building is in the city. It's going to provide services for all of Santa Fe County, city, county residents. So congratulations and thank you for all your hard work to everybody on this.

CHAIR ROYBAL: Thank you, Commissioner Hansen, and as Commissioner Hansen stated, this has been long in coming and I think we have all been very supportive. We also did work on the transitional living in Espanola. We were able to help with some of our CARES Act funding. Is that correct, Rachel?

MS. O'CONNOR: Mr. Chair, yes, it is. And we are also supporting Pathways in northern Santa Fe County, Espanola area, to provide services to our CONNECT program and ongoing services for people in that area.

CHAIR ROYBAL: Thank you, Ms. O'Connor. I just can't state enough, as Commissioner Hansen mentioned, that it's just something that have been long in coming and something that is in desperate need in our communities. So great work, you guys. Thank you for everything. I do appreciate that. Any other comments or questions? Let me go to Commissioner Hansen, then I'll go to you, Commissioner Garcia.

COMMISSIONER HANSEN: I would like to move for approval of lease agreement #21-0160-CSD-BT, subject to approval of the State Board of Finance.

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

COMMISSIONER GARCIA: I second that for discussion.

CHAIR ROYBAL: Okay, we have a second. Discussion, Commissioner Garcia.

COMMISSIONER GARCIA: As Commissioner Hansen mentioned earlier, what we do and what our staff does and what the taxpayers have actually approved for this community for an issue that is nationwide as well as this community, and I think my colleagues as well as staff all helping out to do what we need to do. Because it takes a while to work and we're doing it. We're getting it done. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Any other comments under discussion? Commissioner Hughes.

COMMISSIONER HUGHES: I just wanted to echo the sentiment of appreciation for all the work that's gone into getting the crisis center and the rehab part of this building up and running. So thank you.

CHAIR ROYBAL: Thank you, Commissioner Hughes. So I'm going to go to a roll call vote.

The motion passed by unanimous [5-0] roll call vote.

4. D. Resolution No. 2021-____, a Notice of Sale Resolution for General Obligation Improvement and Refunding Bonds, Series 2021 in a Principal Amount of Up To \$16,675,000, Including Approval of a Form of Preliminary Official Statement **TABLED**
4. E. **Resolution No. 2021-022, a resolution Pursuant to the Public Facility Energy Efficiency and Water Conservation Act; Authorizing the Execution and Delivery of a Cost Sharing Agreement for the Lease-**

Purchase of Energy Efficiency Equipment and Improvements to Reduce the Energy Use of the Buckman Direct Diversion Project, Evidencing a Special, Limited Obligation of the County Payable from Utility Cost Savings That are a Direct Result of the Energy Efficiency Equipment and Improvements; Delegating Authority to the County Manager to Execute the Cost Sharing Agreement and Associated Purchase Order(s) Within the Parameters Set Forth in this Authorizing Resolution; Ratifying Actions Heretofore Taken; Repealing All Action Inconsistent with this Authorizing Resolution; and Authorizing the Taking of Other Actions in Connection with the Execution and Delivery of the Cost Sharing Agreement

CHAIR ROYBAL: From the Utilities Division we have Mr. John Dupuis and from our County Attorney's Office, Mr. Greg Shaffer.

GREG SHAFFER (County Attorney): Thank you, Mr. Chair and Commissioners. I'll take the first effort at setting the table for this authorizing resolution and then defer to Mr. Dupuis for any additional information that he would like to add.

In your packet for this meeting is a memorandum that goes into some detail concerning the resolution. I'm not going to read from it but rather try to summarize at a high level what I think is the most significant information. At base, the resolution concerns energy conservation measures that have been proposed by the City of Santa Fe for certain facilities of the Buckman Direct Diversion project. Those energy conservation measures consist of LED lighting facility improvement measures at BDD main, BDD booster station 1-A, BDD booster station 2-A, and the BDD lift station.

In addition, there is proposed for the BDD lift station and the BDD booster station 1-A solar PV renewable energy facility improvement measures. In order to make that so, so to speak, those BDD energy conservation measures, there are a series of documents involving different parties that ultimately need to be approved by the Board of County Commissioners and/or the County Manager. This resolution is one such document. It would authorize the County Manager to ultimately execute and deliver a cost sharing agreement between the County and other BDD partners.

In addition to that cost sharing agreement, the Board of County Commissioners as well as the BDD Board and the City of Santa Fe ultimately need to approve a separate City and BDD agreement concerning the BDD energy conservation measures. I would emphasize that this resolution does not commit the County to ultimately go forward with either of those separate documents. Rather, it authorizes action to be taken, in particular the execution of the cost sharing agreement once the details are finalized.

The authorizing resolution is being brought forward today, however, so that we are able to publish notice of the adoption of the authorizing resolution in a paper of general circulation so as to start a statutory limitations period during which the authorization of what amounts to and is considered by the law as a debt begins to run, and the idea is to ensure that that period of time runs before we actually execute the cost sharing agreement on or about the time that the City of Santa Fe closes on the financing for these improvements.

So again, ultimately, from the County's perspective, there would be three

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documents that need to be approved by the Board of County Commissioners and/or the County Manager. One is this authorizing resolution. Second is a cost sharing agreement. And the third is a separate agreement between the City and the BDD Board that the Board of County Commissioners would also need to approve because the improvements that would be transferred to the BDD would be encumbered by a security interest in the financing company financing these improvements.

So stepping back a bit more, as the Board is familiar, there is a mechanism in the law for so-called investment grade audit and energy performance contracting. You're aware of that because the County has contracted with the same company that the City of Santa Fe did, a company called Yearout Energy Services Company, LLC, to perform an investment grade audit of County facilities and the City of Santa Fe, as I understand it, went through a similar process and Yearout analyzed both City facilities as well as certain Buckman Direct Diversion facilities. Yearout has, as I understand it, proposed improvements not only at the BDD facilities but also at various City facilities, and the City is in the process, as I understand it, of entering into a lease-purchase agreement with a national bank known as Sterling National Bank pursuant to which the City would finance the majority of the energy conservation measures through that lease-purchase agreement with Sterling over a term of 18 years at an interest rate of 2.145 percent.

Consideration and work on all of these items from the County's perspective is being prioritized because as I understand it, the City must close on the lease-purchase agreement financing on or about March 29, 2021 to keep the terms that are on offer.

In terms of the projected savings and at least the cost of labor, equipment and materials related to the various BDD conservation measures, it's estimated by Yearout in their investment grade audit that the LED facility improvement measures will save approximately \$24,896 in year-one utility cost savings compared to the cost of labor, equipment and materials in the amount of \$128,836, and that further, the solar energy conservation measures are estimated to yield \$189,744 in year-one utility cost savings against the cost of labor, equipment and materials of approximately \$2.4 million.

The ultimate cost of those improvements as well as the debt service we would estimate to be higher based upon the contractor's overhead and profit and similar contractual items, but for ballpark order of magnitude benefits and costs we've provided you with these figures taken from the IGA.

In terms of next steps, if the Board authorizes the resolution, County staff would cause notice of it to be published in a newspaper of general circulation. We would continue to work with staff of all parties to finalize both the cost sharing agreement as well as the separate City-BDD agreement. My understanding is that the City Council is slated to take action on the entire project tomorrow including a request to authorize the County Attorney's Office to finalize and the Mayor to execute the cost sharing agreement, as well as approval of the separate BDD-City of Santa Fe agreement.

Further, we anticipate that both of those agreements will be presented to the BDD Board at its meeting next Thursday, and finally would anticipate bringing those two separate documents back to this Board at its next meeting in March.

So that was a lot of information. I appreciate you, Mr. Chair and Commissioners, indulging me to speak that long. I'd defer to Mr. Dupuis to see if he has anything that he would like to add to the discussion of these improvements at this time. Otherwise I'd be

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pleased to stand for any questions.

JOHN DUPUIS (Utilities Director): This is John. I have no further recommendation or information to add.

CHAIR ROYBAL: Okay. Great. Do we have questions from the Board?

COMMISSIONER GARCIA: Mr. Chair, I have a question.

CHAIR ROYBAL: Go ahead, Commissioner Garcia.

COMMISSIONER GARCIA: So in regards to – so the bottom line, this is actually a City and a County water project. This is just for the record, for the taxpayer to realize what's happening here. So the debt service is approved by the City of Santa Fe? Or is it approved by the County? Or is it approved by the Buckman Direct Diversion Board? That's one of the questions I have. And another question is why are we dealing with an out of state bank? Did they go out for RFP? So those are just the questions I have as a taxpayer. And I just want to make sure, that my two colleagues that are on the Buckman Direct Diversion that the Board should actually approve what the interest rates are on the debt service, and if the Board's okay with it – two percent is good. So who – are they using the County's rating or are they using the City's rating? Because as Manager Miller knows and all the financial staff knows, our rating is probably the best in the state. So how do we get to that debt service?

MR. SHAFFER: Mr. Chair and Commissioner Garcia, I'll take a shot at the first question and I believe we're honored to have Regina Wheeler from the City present at today's meeting and so she might be able to provide an answer to the second question. But with regard to the first question, there are two different debts being created, that's if this transaction is fully consummated. The first is the debt being incurred by the City to Sterling National Bank under the lease-purchase agreement. It is a special obligation of the City, as I understand it, pursuant to the Public Facility Energy Efficiency and Water Conservation Act. As I understand it, the City has pledged utility cost savings primarily if not exclusively to repay that debt to Sterling.

The second debt if you will would be from the County and potentially other BDD partners to the City, whereby the County and potentially other BDD partners would pledge to the City our proportionate share of BDD utility cost savings that the City could then utilize both for debt service under the lease-purchase agreement as well as operation and maintenance costs of the solar facility improvement measures.

So Commissioner Garcia, I hope that answers your first question and if it's acceptable to the Board I would defer the second question to Public Works Director Wheeler from the City of Santa Fe who can probably speak better to how Sterling National Bank was selected to provide the financing.

COMMISSIONER GARCIA: Thank you, Greg. Thank you, Mr. Chair. Just really quick, Greg, in regards to so if we actually have a savings on the BDD, the Buckman Diversion project, so are the consumer or the taxpayer, are their prices going to go down? Or they're not? Because one of the questions I have is as into when the City of Santa Fe actually wants to run that pipeline from the sewer plant back to the Rio Grande because people are paying taxes on that, on their sewage bill, so now if we're actually going to reduce the prices and the cost for the water system throughout the BDD, is the consumer going to pay less? Or can they pay less? Or it's not? And if not, that's the other question I have. But thank you, Greg. Appreciate it.

MR. SHAFFER: Mr. Chair, if it's okay with the Chair and the Board, perhaps Ms. Wheeler, if she's willing to indulge us, could answer the question about how Sterling Bank was chosen and then I'd be pleased at trying to take a shot at the third question.

CHAIR ROYBAL: Okay. Thank you, Greg. I appreciate it. Was there any other questions from Commissioners?

REGINA WHEELER: Chairman, this is Regina Wheeler from the City of Santa Fe. I thought I might try to answer the rest of the questions about the process to select Sterling for the financing for the project.

CHAIR ROYBAL: Okay. That sounds good. Go ahead.

MS. WHEELER: Thank you so much, Chairman, Commissioners. Thank you for having me and County Attorney Shaffer for your introduction. Yes, we did go out to bid for proposals for this financing and I think we received four proposals. We were, like it sounds like you would, were very interested in the possibility of a local bank, but we got significantly better terms from this out of state bank and did a present value analysis, both like early payback terms, the interest rate and found that Sterling was significantly better and would be the best choice for the project and the City and the County.

COMMISSIONER GARCIA: Mr. Chair, thank you. I appreciate that. I was just thinking as into as we move forward, the taxpayer, as into I just want to make sure that we're not going to pay a huge balloon payment at the end of all this stuff that's happening. So I just wanted to make sure that the taxpayer is taken care of. And as long as we went out for an RFP, which the City did. Those were my questions, Mr. Chair. Thank you.

MR. SHAFFER: Mr. Chair and Commissioners, if I could, so the third question that Commissioner Garcia asked was whether or not this would result in a rate reduction. I think certainly at least with regard to the 18-year term of the lease-purchase agreement during which time we would be pledging BDD utility cost savings to help with debt service, we would not anticipate that resulting in any rate reduction. In essence, our costs are estimated to be largely flat. What we would have been paying in energy bills we're now paying in energy bills plus debt service, so we wouldn't anticipate a large amount of realized savings during the course of the lease-purchase agreement. There is a mechanism in the agreement whereby excess energy savings are paid back to the County at least in the current draft of the cost sharing agreement, but in any event I don't think, and I don't want to mislead anyone to think that this deal would result in rate reductions for County utility customers, at least during the term of the lease-purchase agreement. And again, I'd defer to Mr. Dupuis if he has a different view on that.

COMMISSIONER GARCIA: So Mr. Chair, really quick. So I just want to make sure, for my grandma. So my grandma – I always refer to her because she doesn't have a cell phone. She doesn't have internet. So my grandma is not going to get an increase in her water utility bill, as well it's going to be a flat cost over the long period of time, the utility company would actually be good on a flat rate. This is Rudy's grandma, we're actually going to raise your rates because we didn't pay for this solar stuff, environmental stuff that we're doing at the BDD. Correct?

MR. DUPUIS: Commissioner Garcia, I would say that that's correct.

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COMMISSIONER GARCIA: I just want to make sure that whenever we – where the cost is going to come from to pay for all these items at the BDD it's going to come from the fund that's already existing, the state fund, federal fund. We're not going to raise the utility rates, are we?

MANAGER MILLER: Mr. Chair, so Commissioner Garcia, the idea behind this is to make the BDD more energy efficient, but to pay for these solar improvements – we'll actually save energy payments at BDD, and those savings will go to pay back the solar improvements. The County, our water rates to our customer is based upon our total costs, including our cost of water from BDD. This in and of itself, this improvement and this debt will not change Santa Fe County customer rates, but other factors could potentially change County rates. But this improvement in itself will pay for itself through energy savings at the BDD. It's not going to change our rate that we pay BDD though, either up or down. It's just going to pay for itself at BDD by reduced electricity costs at BDD, and that reduction in energy costs will be what pays the debt back for the solar improvements.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you, Manager Miller. So really quick, is my grandma's rate going to go up the next three to five [inaudible]

MANAGER MILLER: Mr. Chair, Commissioner Garcia, your grandmother's rate might go up but not because of this. We have planned rate increases in our water utility for our overall increased cost but not because of this.

COMMISSIONER GARCIA: Thank you, Manager Miller. Thank you, Mr. Chair. Thank you, Katherine. Appreciate that.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Thank you, Manager Miller. Any other questions from Board members.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Go ahead, Commissioner Hansen.

COMMISSIONER HANSEN: I want to thank Greg and John and Regina for their hard work on this agreement. This is a very complicated process that we have created at BDD and this cost sharing agreement I believe will benefit the constituents and most of our constituents are very supportive of energy efficiency and so I believe that this is a really positive move. I do have one question because I have gotten a lot of letters about this and I'm hoping that Regina can answer some of these. I am completely in favor of this agreement and I will make a motion, but first I want to ask about the LED lighting. I know that my constituents in Las Campanas and throughout the city have already been complaining about lighting and the fact that these lights will be much brighter, so I want some assurance that they will be shielded and that they will be toned down as much as possible. And I would feel remiss if I didn't ask this question because of the amount of letters that I have gotten from constituents.

MS. WHEELER: Thank you, Commissioner, for the question. Actually, there's even better news about the LEDs going to BDD as a result of this project. They're all interior. The BDD actually undertook an exterior LED conversion project some years ago and so the BDD improvements are all interior. Are those the lights you're speaking about, Commissioner Hansen?

COMMISSIONER HANSEN: Well, those are the ones that affect the

BDD, so those are the ones I want to know about, but I am happy to hear that. I didn't actually see that in the documents. I did read them and I was looking for where the LED lighting was located. So I am glad to hear that they are all in the interior.

MS. WHEELER: Yes. We confirmed that at an earlier BDD meeting.

COMMISSIONER HANSEN: Okay, so then I would like to move to pass this resolution pursuant to Public Facility Energy Efficiency and Water Conservation Act authorizing the execution and delivery of a cost sharing agreement for the lease-purchase of energy efficiency equipment and improvements to reduce the energy use of the Buckman Direct Diversion project, etc.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: So we have a motion from Commissioner Hansen and a second from Commissioner Hamilton, who are our representatives on the Buckman Direct Diversion Board. So thank you, and thank you for your dedication and the time that you spend on this board and representing Santa Fe County. So with that we have a motion and a second. Under discussion, are there any Commissioners that have any questions or comments under discussion? Commissioner Hughes, go ahead sir.

COMMISSIONER HUGHES: Yes, in reading this I realized how complicated this is and how much work it must have been to put this together in short order, so I wanted to thank our staff for putting this together and to the City for its work on this. So that was all. A very important project.

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

COMMISSIONER GARCIA: I would actually just like to echo what all the Commissioners have said. As you know, the individual taxpayers that we work together with the City. Whenever you turn on the tap, that water, whenever you flush that toilet, it's very important what us as policy makers actually work out a deal with as into what's happening out there. So yes, I think this is a good move for the water system as a whole, for the community of Santa Fe and everybody else. But I just want to put it on the record, as some of my colleagues have said, people don't realize whenever you turn on that tap, that water, you flush that toilet it comes from somewhere and us policy makers, City and County, we're doing what we feel is right. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. So with that I'm going to go ahead and go to a roll call vote.

The motion passed by unanimous [5-0] roll call vote.

5. PRESENTATIONS

A. Presentation on the County's Open Land, Trails and Parks Advisory Committee (COLTPAC) and the Open Space and Trails Annual Report

CHAIR ROYBAL: We do have Ruben Cedeño present and also we have Maria Lohmann from our Growth Management. So who's going to be presenting this presentation?

MS. LOHMANN: Mr. Chair, Commissioners, Ruben will be joining me

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after I give my presentation. He's available to answer any questions you might have to talk about some of the discussions we've been having as a COLTPAC Committee over the last two years.

CHAIR ROYBAL: Okay. Please proceed.

MS. LOHMANN: So again, Mr. Chair, I'm Maria Lohmann, I'm the Open Space and Trails Planner. I'm also the staff liaison for the County's Open Land, Trails and Parks Advisory committee which is also known as COLTPAC. The purpose of the presentation today is to give an overview of COLTPAC and also to give you a sense of what our Open Space and Trails program has accomplished over the last year, and also discuss some of our goals moving forward into 2021.

In 1998 and 2000 Santa Fe County voters approved \$20 million in bonds to purchase open space for conservation and recreational purposes. Since that time Santa Fe County has acquired 6,600 acres of open space and built about 60 miles of trails. COLTPAC was formed at that time to assist staff in developing criteria for evaluating open space property for acquisition, and COLTPAC also assisted in the development of the original Open Land and Trails Plan in 2000. This plan outlined the initial vision for the Open Space program at that time.

The role of COLTPAC was clarified in 2011 with the adoption of Resolution 2011-4. This is the current guiding resolution for the committee and we discussed this a little earlier but the resolution outlines the purpose of the committee, the duties of the committee and the expertise which we would like COLTPAC members to have, which should be broad and diverse. So the purpose of the committee is really to advise you, the County Commissioners, acting through and with the assistance of Open Space staff on matters related to open space, trails and parks. The duties as outlined in this resolution include evaluating applications for property acquisition, advising on funding for the Open Space and Trails program especially as it related to property acquisitions, assisting in reviewing planning. This resolution, 2011-4, calls for updating the original plan from 2000 but I'll talk a little about the planning activities that we've done since then that have replaced the Open Land and Trails Plan.

The resolution also outlines COLTPAC's responsibility to examine and make changes to the criteria for property acquisition as it's necessary. The resolution does allow for establishing subcommittees in order to address specific concerns for open space, trails and park properties, and it also allows for the committee to work with County staff to provide public outreach. Again, the resolution outlines that our committee members should be representative of our diverse backgrounds and help us work through lots of various and broad issues.

Again, the COLTPAC Committee has five members to represent each of the districts and there are four at-large members. You just reappointed Sandra Madrid Massengill from District 1. Sue Murphy is the representative from District 2. Ruben Cedeño is the chair and from District 3. Matt Picarello represents District 4. Jan Cohen in District 5, and then we have a few at-large members including Apple Snider, Morika Hensley, Linda Siegle, and Jean Pike, and they have all been very active committee members. We're really, really lucky to have them. They have such incredible expertise and provide really meaningful input into all of the projects that we've been focused on lately.

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So this is a timeline of the evolution of the Open Space program and you probably can't read all of these details but generally the bars are color-coded, so green is property acquisition and purple is a planning project. So you can see as we move through time from 2000 which is at the left side of the timeline to 2018 when I developed this timeline, you can see that we've had a significant increase in the purple bars, and that's because as part of the clarification of the role of COLTPAC and the adoption of Resolution 2011-4 we switched the focus of COLTPAC from property acquisition to resource management and management of our open space properties.

In the last few years, since about 2013, COLTPAC has been an integral part in helping us develop management plans for specific properties including Los Potreros open space, La Cieneguilla open space, Madrid open space, San Pedro open space, Lamy open space and park, Thornton Ranch open space, the Ortiz Mountains open space – I'm sure I'm forgetting some but we've been adopting a lot of plans and we couldn't have done it without the input from COLTPAC. They've been really, really helpful in helping us work through some of these resource management challenges that we have. And so as the program has evolved since the early days of the program COLTPAC and their participation and their guidance has been really critical to a lot of the really important projects that the Open Space program has been able to complete.

So now I'm going to shift a little bit to talk about what the Open Space program and COLTPAC has been focused on over the last year. So I'm going to present our annual report and our 2021 work plan. In 2019, with the support of COLTPAC, the Commissioners adopted the Santa Fe County Open Space, Trails and Parks strategic management plan and this plan was intended to be a guide for staff and visitors and trail stewards and community members, but also Commissioners and leadership and interested parties to understand what the Open Space program was about, where the program had started, what were really important guiding factors for the Open Space program. COLTPAC was again, really a critical piece to helping us put together a lot of the guidance in this plan for moving the Open Space program forward, the vision and the mission, our core principles – these really important strategic pieces for this Open Space program.

One of the really important things about the strategic management plan is that it called for an annual update of one of the best sections of the plan in particular, the work plan, which helps identify projects and priorities for the upcoming year.

So that's what this document is. We presented our first 2020 annual report last year in February and our first annual report had some pretty significant and ambitious goals. 2020 kind of changes a lot but the one thing that didn't change for us is that we have all realized how important our open spaces are and how important resource management of our open space is.

So that's really what we are focusing on in this 2021 annual report. We have a lot of projects we have already started working on as part of our 2021 work plan. In order to be consistent with our 2019 plan we have four sections of our Open Space program: resource management, educational programming and stewardship, project development and implementation, and planning and program development. And in each of these sections we have a very large number of projects because we love to do these things, but we also have priorities and you can see those; those are highlighted. And then in some

places we have completed some projects and in others we've already initiated projects, so that is also included.

So you can see here some of our priorities for 2021, including continuing a lot of our baseline documentation. We need to collect information on our properties for the presence or absence of bats in particular. They're an important species. We also need to know about rare plants on many of our properties, so those are some of our priorities this year. We've also really tried to get a handle on monitoring our properties and starting to conduct research. So again, that's another priority. We're working with trained crews and interns this year and so we're really excited to do some of these projects.

We also have some continuing goals including additional environmental surveys on our properties, implementing existing management plans. We also have some goals to develop some new management plans, especially for Little Tesuque Creek and Talaya Hill open space. We're working with some partners to finalize and implement a piñon jay management plan which is really important as our county and our state and our world moves into climate change. We also want to do some staff training, particularly on sustainable trail design and construction, and we need to just do some other things to help us identify efficient ways to move forward with resource management.

In the educational programming and stewardship world, we've been working with the Northern New Mexico Master Naturalists program and that's been such an incredible project and partnership, and one of our goals is to start to develop a formal curriculum booklet so that we can have a hard copy of the stuff that we've been teaching folks for the last couple of years. We also really want to enhance our communications with the public, especially in our virtual world and not being able to meet folks in person. Being able to enhance our communication about open space and resource management goals and educational goals is really important.

In project development and implementation, we're really focused on moving the project out at Thornton Ranch forward. We have some really exciting and concrete ways to make that move forward. Again, we're in the virtual world so we'll be working on that in the next year. We also have some really exciting trail projects. The Arroyo Hondo Segment 2, which connects the existing new trail to the Turquoise Trail Subdivision. We have the next segment of the Santa Fe River Trail. We have Romero Park Phase 2, which everybody loves, and then we're also working in partnership with some state agencies out at Madrid Open Space to do some exciting work.

And then finally, in planning and program development, we have a lot of background stuff that we need to do, including building a data base and giving all of our data and our information together, developing policies, and working through different decisions and growth plans for our program. That's a big focus in 2021.

So those are our big plans for 2021, but we had some really exciting things happen in 2020. I mentioned piñon jays and the importance of them on our open space properties. One really exciting project that we've been working on over the last year is planting piñon seeds and piñon jays are really important in helping create piñon-juniper habitat. Because what they do is they eat piñon nuts and they store a cache of piñon nuts and sometimes they remember where they stored them and sometimes they don't. And the ones that they lose turn into our piñon trees. And so we, in the Open Space program, are conducting an experiment to kind of create those same kind of conditions.

We've been working with master naturalist volunteers in various safe, social distance appropriate ways, to plant more than 1,000 piñon trees this year at Thornton Ranch. We're hoping to expand this program in the future to more of our open space properties, but basically the idea is that we will plant piñon seeds in areas that will help us and our piñon-juniper forests and grasslands thrive into the future as the climate changes. So we've chosen places that are more hospitable for tree growth, including drainages and areas with shade so that the soil is more hospitable to growing seeds.

So you can see, we have a couple of pictures here. We kept our volunteer groups limited to households, so we had folks go out in very small groups and we had them plant one seed at a time in their little pole, and their tube, and I think they all had a lot of fun doing it. I went out a couple of days and it was great.

The next project that we've been working on that's really exciting is at Ortiz Mountains Open Space. We have been so lucky to coordinate with our County wildland crew to do some really unique forest treatment work out there. We've been working for the last few years to really understand what's going on at the Ortiz Mountains Open Space, because it's such a really unique landscape. It hasn't been disturbed in quite a while so there's a lot of old growth trees and a lot of density, and so we do know that for tree health and for environmental and wildlife health we do need to do some work there. But what's the best way for us to do this kind of treatment in a way that enhances our wildlife habitat rather than detracts from the really unique habitat that's out there already.

So through the winter – this winter and into the summer we'll be working with our wildland crew to do some really cool stuff. We've been highlighted nationally for some of the work that we've been doing because it's such a unique approach to fire hazard mitigation. So we'll be excited to tell you more as we move forward in the year.

So we have a couple of really exciting partnerships that we've been able to foster over the last year. I mentioned earlier the Master Naturalists program. This is a partnership between Santa Fe Botanical Gardens, Santa Fe Audubon and Santa Fe County, and we have been able to do a high level, really intense and important training program for folks who are interested in resource management. This year, obviously, things looked a little different. We shifted to an online platform and that allowed us to work with almost 40 master naturalist students which was double how many people we had been able to work with in the past, and the graduates of this program have been helping us with our resource management goals, the folks that you saw in the picture in the previous slide, they are master naturalist graduates. So we're really excited to be able to continue that partnership, especially in this world where managing our open spaces is more and more important.

And then a new partnership that we've been working through this year has been with the Xerces Society for Invertebrate Conservation. They've been really helpful working through many different initiatives that we have going on this year, including developing a Bee City, USA certification, in and around Santa Fe and Santa Fe County, and helping us work through ways to enhance our pollinator habitat on multiple open spaces throughout the county.

And that's it. I have one more slide but it's really just to thank everybody, our COLTPAC Committee members, our Open Space and Trails staff. Our maintenance crew is incredible. They've been out doing all these things so we just really appreciate all of

them. So with that, that's the end of my presentation. I'm going to invite Ruben to join us just to add any thoughts and then we'll both be available for questions.

RUBEN CEDEÑO: Thank you, Maria. Buenas tardes, everybody. My name is Ruben Cedeño. I was fortunate enough to be re-elected as the COLTPAC chair. But thank you, Chairman Roybal and the Commissioners. What I want to do is give you a short observation under the hood of our advisory committee to look at the operations and management. I do want to say that Maria kept us pretty busy in facilitating various field visits, we did some field trips like to Thornton Ranch, to the Ortiz Open Space, to Madrid Open Space so we could look at it. Also, we had an opportunity to provide input and our observations based on a field visit from a land acquisition over there by Pecos on the way to Café Fina and we provided that. We kept pretty busy in 2020.

And a part of that was part of the operations, we were fortunate enough to get new members, a critical mass of new members. What we did was we revisited our charter of 2011, 2014, and we made sure that all the members were on the same page. We did a common focus of our goals, our common roles, our responsibilities to the charter as well to each of the Commissioners, and plus we began to revisit the redefinition of what an advisory council is so that everybody was on the same page.

And based on that, what we did was we moved to go on a quarterly meeting basis, as opposed to meeting every month. But what we did was we also secured the option that we could meet on special meetings on special projects such as the management plan, the action plan, the various projects and documents that Maria would present to us for our feedback, so we do have that option to meet on a special meeting basis, but right now we're meeting quarterly, and I think that was god-sent because right after that the corona virus came out and we had to go with Zoom. We're getting used to Zooming at our meeting and we've become very management efficient in time with that.

But finally, what I want to say is that we are looking forward to working with the management plan and anticipating any other projects that may facilitate us meeting on a special meeting basis, so with that, those have been our operational and work plans within the operation of the advisory council. So I'll stand down right now and answer any questions that anybody has along with Maria.

CHAIR ROYBAL: Okay, great. And first let me start off by saying thank you to staff and to all our COLTPAC board members. Thank you, Ms. Lohmann and also Sr. Cedeño. We appreciate all the hard work and the passion that this board and our staff shows for the community. I did have a couple of questions and I did also just want to say, first and foremost, awesome job. It sounds like we are doing some really great work and it's just amazing to see. So I'm really excited to see the work that happens now in 2021.

I did want to ask how – and I'm not sure if we've determined that yet, but as far as the monitoring of the properties, first, do we know how we're going to get that accomplished and if we already have a plan. The other thing is, for staff training, do we already know or have we identified where we'll be getting the staff training. And also any ideas or thoughts at this point at how we're going to enhance communication with the communities to get input from our constituents? Those are just a couple of quick questions. I was just curious on those but it really sounds like we're doing some really amazing work, so thank you for all your dedication and time. You guys are doing an awesome job.

MS. LOHMANN: Mr. Chair, Commissioners, just to quickly answer your questions. Right now we're focused on managing the property we have. There are always opportunities for more projects and more acquisition, but I think that really what we've heard from not just you as Commissioners but also from our constituents in Santa Fe County that taking care of our properties and our resources and our trails is a really, really important thing. And so that's why we've identified sustainable trail maintenance and building training as really important for our staff. We are able to do some work but we need to enhance our ability to do some of that work in house. So we do have some ideas of what we'd like to do and that has been reflected in our budget, in our budget request. And so we are working through what that could look like.

And in terms of your other question about outreach and communications, I have so many ideas. I just want to move forward with them. I would really like to get more involved in that, so that's really what I'd like to do in 2021, is just spend a lot of time and focus on that. So I'm excited to do that. Thank you.

CHAIR ROYBAL: That's great to hear. I know we're probably getting native piñon seeds. I have a few piñon trees planted in my property too and they've actually grown quite a bit over the years. I have one close to 18 feet tall and I planted it when it was five or four feet tall. But I was curious too, where do we get the piñon seeds that we actually plant.

MS. LOHMANN: Mr. Chair, all of the piñon seeds came from our properties. Some of them came from Thornton Ranch. Quite a few of them came from the Ortiz Mountains. Those are the two properties off the top of my head but I know Peggy spend many, many hours out picking piñon seeds from our properties. I can get more information if you'd like.

CHAIR ROYBAL: No, that's awesome. I was just curious if we purchased them or if we actually picked them. So that's wonderful. Thank you. And I saw Commissioner Hansen. You had your hand up. I'll go to you next and then I'll go to Commissioner Hughes.

COMMISSIONER HANSEN: Thank you, Mr. Chair. Thank you, Maria. It's so nice to see you and Ruben also. Thank you for being the chair of COLTPAC. I want to just give a shout out to the plan, to the Xerces Society and working with our pollinators. You know how happy that makes me. I'm also bringing a resolution forward at the National Association of Counties on the protection of pollinators also. Hopefully, we did some editing on it and it will pass the committee. That is something I care very, very much about so that makes me very excited.

I'm a little frustrated with Romero Park and hoping that we can start getting that going on the second phase but I know under this pandemic everything is so much more challenging. And I know we are moving forward with that and I know this is a very, like you said, well loved and used park. And since it is really our only park and it is in such a great location for so many constituents to use. It's near and dear to my heart, so I was happy to hear you say well loved because I believe that is the case also.

Everything sounds great. I think it's really important that we protect our bats and that we protect our piñon jays. I am always extraordinarily happy, even living in town when I see a piñon jay. I used to have them living in my yard. I haven't seen them for a couple years but they seem to like the pyracanthas as a place to live for some reason. I've

had piñon jay nests there. But anyhow, I think that everything you're doing is great and thank you so much for the hard work. I know it's been challenging under this pandemic to get out and do things. So thank you for hanging in there and making Santa Fe County a better place for all our constituents. Thank you.

MS. LOHMANN: Thank you.

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

COMMISSIONER HUGHES: Yes, thank you, Mr. Chair and thank you for this great presentation. I have two questions. The first one is when will you take me out to see all this great stuff? Can we do that after the pandemic or when things calm down a little bit?

MS. LOHMANN: Yes. Absolutely. I would love to go out to all of our properties.

COMMISSIONER HUGHES: Okay. Some of them I have not seen. Some of them I have enjoyed many times over the years but the Thornton Ranch and the Ortiz Mountain Preserve I have not seen yet. I would love to see those. My other question is, you mentioned at the beginning that we had this pattern where we spent five years buying stuff and then another five years basically fixing it up and planning how to use it and developing other things. Do you see that cycle repeating at some point in the future, where maybe we would have another round of acquisitions and then work on those pieces? Let me know about that.

MS. LOHMANN: Mr. Chair, Commissioner Hughes, I think that that could be a conversation for a future date, a near future date. I know that the demand for open spaces and trails in particular has been – anecdotally we've seen more folks out at our trails this past year than we have in quite a while, and our trails have always been well loved. We always need to balance our desire for more properties and more projects in this way with our ability to manage our properties. And I think that that's where we've really been focused over the last few years. Our County Open Space program is incredible. The COLTPAC members and the staff who started this program in the 2000s had such incredible vision. The properties that they have helped us acquire and the ideas and the vision and just the exciting new opportunities for all of these properties are so incredible and we have such – these properties are going to be so cool. We've started to get there, but we haven't quite gotten there. A lot of that has to do with the fact that there are lots of other needs in our county, not just open space. So we always need to balance that. I would love to have those conversations and I'm sure constituents would love to see more open space and more trail acquisitions but we need to be able to take care of them. That's really what we've learned over the last 20 years is there's a lot to do for open space and trail properties.

COMMISSIONER HUGHES: That makes sense and I just look forward to that conversation but also to the tour sometime this summer, hopefully. Thank you. That's all I have, Mr. Chair.

MANAGER MILLER: Mr. Chair.

CHAIR ROYBAL: Manager Miller, go ahead.

MANAGER MILLER: Maria was very diplomatic in her answer to Commissioner Hughes' question. I think that we are grossly behind on staffing up to

actually manage and maintain 6,600 acres and 60 miles of trails. We've had the good – and I agree with Maria that our program is phenomenal, but along with it we never simultaneously built the staff to maintain it. It's just not been where the County Commission of 20 years the priority to staff up. We've tended to need Public Safety staff, other maintenance staff. We have created a maintenance program but it's not nearly adequate to really address opening these properties and managing them for the public.

So over the past several years, as Maria said, we've really focused on doing plans so that we could then say, okay, well, if we want to get these properties open to the public, used by the public, what assets do we need to invest in? What do we need to build? And then what kind of maintenance staff do we need? And I think before we venture out on acquiring any more property we need to take a real hard look at what do we need as a County to really develop, maintain and manage what we currently have, because the pressure that we've got, and Thornton Ranch is a real good example is, when are you going to open it? Well, opening it requires millions of dollars in investment in a trail system for the public and also staff to manage it. And that's just one of the many properties that we need to really look at how do we staff it appropriately.

In addition, I think that continuing to build out the infrastructure that we already have started on the river trail and the rail trail were things that the Commission had really wanted to see to fruition from the center of town out into the county, so that's where we've been focusing the bonds of the last ten years, not so much in acquisition but in building out trails that everybody could use. And you can really see the evolution of the program in that way.

And I just want to also really commend the members of COLTPAC. That's always been a phenomenal committee with really active members who give us so much of their time and energy and input for free. And it's great. And we've also previously had a really good volunteer program building out and maintaining our trails and that's another area where we need to refocus some County resources to get that back up and as active as it was in the past, because that use of volunteers pays back ten-fold the amount of County tax dollars we have to put into something that everybody can enjoy.

So I just wanted to add to what Maria said because she was being really diplomatic in not saying how big the need is for maintenance funding in the way of staff and dollars invested into those management plans.

COMMISSIONER HUGHES: Okay. Well, thank you. This all contributes to my understanding of what I know is a great program. So I appreciate the responses. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hughes, and thank you, Manager Miller, for putting that extra information to the Commission. And I agree. Enough can't be said for the COLTPAC board that isn't paid to be on this board and then just does a great job. So once again, please express the gratitude of the Commission to this board. We do appreciate it. So are there any other questions from any other Board members. Commissioner Hansen.

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: I'm going to go to Commissioner Hansen because I just called on her and then I'll go to year after, Commissioner Garcia.

COMMISSIONER HANSEN: Thank you, Manager Miller and Maria, and

I think that Commissioner Hughes was probably referring to the resolution that we did pass on the 30 by 30 to protect our open space. I totally support that and recognize that we want to move in that direction and support our elected officials. But at the same time they need to give us money to do that. Money is always seemingly in short supply, so now that possibly Senator Udall is back home, I don't know; I haven't run into him yet, but maybe he will be one of our champions to help us with our open space and finding us money from our congressional delegation as a way to help improve our open space possibilities. But hiring more staff and being able to do the maintenance and everything is so important to providing services to the public. So thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. I'm going to go to Commissioner Garcia and then to Commissioner Hamilton. Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you, staff for the presentation. A great presentation. And as Manager Miller knows, back in 1995 whenever we actually based the general obligation bond to move forward with this proposal. And it got approved. Now we have open space and I think it's great. One of the things is thanks to the individuals that actually volunteer that work and as Manager Miller said we have properties all over the county. And Commissioner Hughes, as you said, I went for a tour about two years ago with Maria out to some property in the Cerrillos area and she said, do you have a walking stick? Did you bring some water? It took me like about almost a whole entire day, eight hours to go up that mountain and come back down and she actually fed me lunch and she shared lunch with me.

So I think it's great for us to go and look at our open space. We can't all be like Commissioner Hansen and get in a helicopter and fly around the county and look at stuff. However, I wanted to ask something. And once again to the individuals that help out, volunteers, thank you for what you do for your job. Thank you. Thank you. One of my questions, when we talk about 2011-4, the resolution, to purchase property. [audio difficulties] So I would like to amend that Resolution 2011-4 to take that out because we don't need that anymore because we have no more money.

And one of the other things I would like to know as into education – educating people, educating in schools. I know this COVID has [inaudible] How are we going to talk to the kids or anybody out there. When I went to the shooting range the other day in Camel Tracks, they talked about some individual out there that didn't speak any English but I told him who I was and I said, we actually want to clean up, and they said we're willing to help. So how do you get individuals out there, school kids or individuals out there to participate and clean-up.

CHAIR ROYBAL: Was that a question, Commissioner Garcia?

MS. LOHMANN: Mr. Chair, I might be able to give just a general comment to the education piece and the outreach piece. Things are a little bit more challenging in our current situation. We've always struggled a little bit with getting out and interacting with trail users and part of that is because of our capacity and all of the projects that we do have moving forward. So it just means that as we move forward in this new virtual world we have to be a little bit more creative about how we interact with our constituents. One of the really exciting things is we're exploring new technologies. Daniel Fresquez helped the Planning Division make a video to advertise a planning meeting we have scheduled in the next day or so. And so we'll just need to start to rely on

those technologies a little bit more in this new world.

But there are also other venues for us to start using that maybe we haven't used so much in the past and that's one of the really exciting opportunities of this next year is that we will be able to start to explore those new options.

COMMISSIONER GARCIA: Thank you, Maria. Thank you, Mr. Chair. Also, one of the things I remember when Marcos Trujillo was a County Commissioner the property behind the Rancho de Chimayo. I forget his name. The older man there that the road's named after. He actually wanted to put his sheep on that property and Colleen Baker tried to work with him and work with whoever wanted to get that property done and it still has not happened. So one of my things that I'm asking Maria or the Planning Division is what's the timeframe for all this stuff? We can plan, plan, plan, plan, but what is the timeframe to get that place open, that place open. What is the timeframe and what does it take to get it done? So we can leave it at that but I appreciate your presentation as well as all the volunteers that actually help out with COLTPAC because to get volunteers involved in the communities these days, it's hard. It's rough. But thank you, Maria. Thank you, Planning staff. [audio difficulties]

CHAIR ROYBAL: Thank you, Commissioner Garcia. Appreciate it. Is there any other questions or comments? I'm going to go to Commissioner Hamilton.

COMMISSIONER HAMILTON: No, I very much appreciate the presentation and the discussion but I have no further questions. Thank you.

CHAIR ROYBAL: Okay, Commissioner Hamilton. Thank you very much for that. So I just want to reiterate once again, thank you for this presentation. Great job. We really appreciate it and you guys have a great day. Mr. Cedeño, thank you for being the chair of our COLTPAC board and thank you for all the hard work.

MS. LOHMANN: Mr. Chair, thank you so much. I really appreciate the opportunity to give these kinds of presentations and to recognize the support of our COLTPAC members, but we also need to recognize the support of the Commissioners. This Commission but also Commissioners in the past have been incredibly supportive of our Open Space program and that is really why this program is as successful as it is and has been able to have to these big ideas. So I just wanted to say thank you for all of that.

CHAIR ROYBAL: Absolutely, Maria. We appreciate all your hard work. As always, it's just the passion that you bring to this effort and Mr. Olafson as well always does such a great job so please express our gratitude to staff. Thank you very much.

5. B. Santa Fe County Administrative Complex – Grand Prize of Show

CHAIR ROYBAL: I'm going to go to the County Manager.

MANAGER MILLER: Thank you, Mr. Chair. As you know, we built our County Administrative Complex over the last several years and that includes 102 Grant and 100 Catron, and we finished 100 Catron last year and since then we have received, along with Jaynes and the design-build team, Jayne's Construction. We've received several awards on some of our County buildings. This project, as you know, is in the heart of downtown Santa Fe and we took a lot of care to avoid disrupting the surrounding residential area, and tried to fit that 100 Catron building into the surrounding area.

The building is on the historic site of the old courthouse and that building was taken down. I just wanted you to see that we have won another award. It was the best building, grand prize of show for the General Contractors Association Awards, and they put together a video as the best building and grand prize of show that I'm hoping that Daniel will be able to play the video, because I think that you will find it really fascinating and it speaks to how incredible this project was for the general contractor and the team to include all of our staff, led by former Deputy County Manager Tony Flores, Paul Olafson, Daniel Sanchez, P.J. Montanon Daniel Fresquez, Tessa Jo Mascarenas and several others that worked on this project, and I just thought you might enjoy the video and the recognition that this project received.

[The Commissioners viewed the video.]

MANAGER MILLER: Did you get to see it, Commissioner Garcia?

COMMISSIONER GARCIA: No, but I would just like to give a little comment on it whenever I have a chance.

MANAGER MILLER: Just so you know, you can go to BoardDocs as well. If you go into BoardDocs, the video is loaded in BoardDocs. It just doesn't play well over Webex, but you can see the video if you couldn't see it on YouTube right now you can click on the video by going into the meeting in BoardDocs, it will stay there.

COMMISSIONER GARCIA: Thank you, Mr. Chair. If I may speak?

CHAIR ROYBAL: Go ahead, Commissioner Garcia.

COMMISSIONER GARCIA: I would just appreciate Manager Miller and the entire community as well as our staff, even previous staff as into the timeframe that they did and what you all did to get that thing demolished and on time within budget, the entire staff that took over it and worked on it. It's awesome. Because as an individual that did projects for Santa Fe County, to actually get them to work like this, it's awesome. So thank you, Manager Miller, and your team, and some other individuals that used to work there as into great job, Santa Fe County. You guys all did a great job. And just go see how the construction went down, got built, concrete, 4:00 in the morning, 3:00 in the morning and everything else, awesome job to build that project. And it's great to be a part of the Santa Fe County team and say, look what we did. We all did that. All the entire team out there that did that. And Katherine, you know.

And one of the things I always had the question about is when do we get our plaque on our wall that as into – for that property, that building. And you can cross my name out but I just want to know when we can get the plaque on the property. But once again, thank you, all the team who worked on that. Awesome job. And every single individual from contractors to architects to whoever, try to buy that building and they say, you know what? What a beautiful property. What a beautiful building. You all did a great job, the entire staff. The entire community. And your vision, Katherine, everybody did a great job, and I just want to just say that as into what a beautiful piece of property and what a beautiful building. And just can we get our plaque on the wall? Where we can, but thank you for the presentation and what a great job for Santa Fe County and the entire team to receive that award. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Manager Miller, did you have anything to add?

MANAGER MILLER: Mr. Chair, no. I just wanted you to see the award

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and the video that was made for the award program and to recognize the staff that worked on it. And I want to give a shout-out to Barbara Herrera, even though she was on the other side. We were fortunate to discover her talents and bring her on at the County, which gives me a segue into the next item.

CHAIR ROYBAL: Okay, great.

5, C. Santa Fe County Sobering Services/Crisis Center

CHAIR ROYBAL: We have from our Community Services Department, our director, Ms. Rachel O'Connor.

MANAGER MILLER: Mr. Chair, real quick, before Rachel comments. I wanted to make sure that the Board – you earlier approved a lease for the Santa Fe Recovery Center for the sobering services at our Galisteo property, but I knew none of you have had the opportunity to see the progress on that facility. So I asked Daniel if he would run over and do a little video since we are getting close to completing that. But I'm going to let Rachel give you kind of the overview of where we are with that and what I wanted to say was this is another design-build project, so coming out of doing the 100 Catron, then 102 Grant, we also did a design-build on the Galisteo property and we were fortunate to bring Barbara Herrera on board to help lead this project. So I just wanted – that's why I said it was a good segue because we're very fortunate to have her talents added to our team here at Santa Fe with all the people who worked on 100 Catron and 102 Grant on the County side, we were also able to bring Barbara on board. So with that I would just turn it over to Rachel to talk about the overall project for the crisis triage/sobering center and where we stand on this design-build project and the services that will be provided out of that facility. And then we'll have to do another one of those YouTube clicks. Sorry. Just want to make sure you all get to see it. So thank you.

COMMISSIONER GARCIA: Mr. Chair, if I may real quick. As Manager Miller said, Barbara was a lady that was on that site, 100 Catron, the new building. And I said, this lady, she's the project manager on this project? Yes, she is. Great. So I decided to give her a kudos, her and the entire team, give her kudos. Yes, now she works for the County and I'm happy to have her there and we're happy to have her there. So I just wanted to give her a shout-out because she was there. I said, this lady, she's not going to run this project, is she? And she did. She was there for Jaynes. But thank you, Manager Miller. Appreciate that. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia, and thank you for that recognition. Is there any other comments or questions from the Commission? Okay.

MANAGER MILLER: We have Rachel on the facility and then we have a real quick video that Daniel did.

MS. O'CONNOR: Thank you, Mr. Chair. I'm disappointed that I didn't get to be the first person to say thank you to Barbara Herrera, who's done an incredible job on this project as well and to P.J. and all the Public Works Department who have really worked with us and worked hard, not just to make this building at 100 Catron beautiful and a pleasant place to work but also to do the same for the project I'm going to talk about today.

So as many of you know, about four years ago the Commission made a decision

to build a crisis center. Myself and my behavioral health program manager, Alex Dominguez, looked around New Mexico and the Southwest and worked cooperatively with Pam Hyde and a number of people to determine a model that would best suit this area. And that model is coming to fruition. As many of you know, the building is located at 2052 Galisteo. It's a County-owned building. We used to have the Community Services Department housed there on one side. The other side housed what we call sobering services. And I've left the name on because it's familiar to you but I'm going to talk about how those services are going to evolve.

Essentially the building, if you can recall or had been there in the past, has been redone substantively. On the one side of the building we will house a detoxification center that will be run by Santa Fe Recovery Center. They have historically provided detoxification services in Santa Fe County. I'm very pleased that Santa Fe County has built this program to essentially double the capacity of detoxification in Santa Fe County from about 15 individuals to 30. The building is beautiful. In addition to doubling the capacity it is the expectation of many partners including Christus, Santa Fe Recovery Center and the County that we will be able to provide medical detox services for the first time in our county and offer an expanded array of services.

We believe that the Recovery Center will be able to move into the building upon completion. Our expectation is anywhere in the last two weeks of March and we are excited to be working with them towards that goal.

Mr. Chair, the other side of the building will house what we call a living room model behavioral health crisis center. We are very impressed with the building that has come out. It houses a large area for clients to relax and where de-escalation services will be provided. There are therapy rooms and meditation rooms. This building will also house the mobile crisis team and will provide crisis services, ranging everywhere from navigation to therapy services to de-escalation services. There is an independent entrance for law enforcement to bring people to the crisis center who have a primary diagnosis of mental illness and who meet the criteria.

Mr. Chair, this is a beautiful building and I think that it's a testament to Santa Fe County that we have prioritized these kinds of services and made a beautiful location. So often I see that many people with substance abuse or mental health diagnoses often are placed in areas that are inconvenient and uncomfortable. And I think that the County should be proud of the services that we will be able to provide there.

I do want to add that the detoxification center will be opening first and then we hope to have a phased move in of Santa Fe Recovery Center, first with the mobile crisis team and then through April and May with the crisis services staff that includes an executive director and many other folks. I believe that the – and Barbara, correct me if I'm wrong – the Fire Marshal inspection was to be held today so we are moving quickly towards fruition. I think the community is ready for this project and I am so grateful to the Board and everyone who has worked on it for making it so beautiful, including my staff, both my behavioral health program manager and CSD's other staff that have been part of this project.

CHAIR ROYBAL: Great. Thank you, Director O'Connor. We really appreciate the hard work and effort. This is going to be just an amazing service that Santa Fe County can provide and I'd really like to see the facility and actually tour it if that's a

possibility. I'm sure it's something that the County can be really proud of to finally be able to provide this service at this caliber. So I think it's just going to be a great, great opportunity. And so I really want to thank you for that. And I'm excited to see it if we can. Other Commissioners' comments? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you so much, Rachel. I think this is such an important project for our community and so many people who need this kind of help. I want to especially thank Barbara for all her hard work and dedication. I think it's so nice to see you, Barbara, even if it's virtually. I thought maybe you might like to say a few words, since you are here with us. So if you don't mind, Mr. Chair, I want to recognize Barbara and let her say a few words if she wouldn't mind.

CHAIR ROYBAL: Absolutely. Barbara, would you like to address the Board?

BARBARA HERRERA (Projects): Of course. Mr. Chair, Commissioners, Rachel, I'm very grateful to be part of this Santa Fe County team. I am truly honored for all the recognition. I think you all have made my day in the recognition that you've offered me all around the Board. This project, I started on January 6th last year and my first day running I was calling Rachel saying let's start talking about this project. It's a project that needs to be done, and she and I and Alex met immediately. We all hit it off great. We had a great team effort. I keep telling everybody: I didn't do this on my own. I couldn't have done this on my own. There was a lot of people involved, Rachel and Alex in particular who started this process and I kind of took the handoff from them and we all worked together very hard to make it a great project.

Like County Manager Miller said, this was a small design-build project. It took a lot of effort. We had five contracts. There was a lot of coordination, a lot of meeting and it was quite an intense session, if you will. We are very close to finishing up. I'm excited that we're going to see the final product and again, I can't thank you enough for allowing me the opportunity to be a part of this project for the community and for Santa Fe County. Thank you.

CHAIR ROYBAL: Thank you and great job. Commissioner Garcia, I'll come to you as soon as the video is over, sir.

[The Commissioners viewed the video on their computers.]

COMMISSIONER GARCIA: Thank you. Thank you, Mr. Chair. Just – interesting project. And once again, thank you, staff for what you do and very interesting project. One of the things that we all need to realize is that it's not just about constructing the facility and buying a piece of property and building this and that, but the partnership takes a lot of work from every individual in the County, whether it's financial, procurement, Katherine Miller and everybody else is to help out the community. Rachel O'Connor, all that other stuff that it takes part as into all this stuff is going to work together. It's very interesting to me.

But Barbara, great job and staff, great job in getting it completed. One last thing is the partnership stuff, how it all works. Santa Fe County is probably number one in the entire state to work out partnerships with every provider out there. But great job, staff. Thank you, guys. Thank you for everything. Appreciate that.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Are there any other Commissioners that have comments? I just want to say that was a great video. What a

beautiful building. You're absolutely right. Great job. Any other comments from the Commission? Commissioner Hughes.

COMMISSIONER HUGHES: Yes, thank you, Mr. Chair. I enjoyed the video. I'm really looking forward to this opening and I just want to say this is such a needed service in our community. I'm really glad that the County has stepped up to up our game in this area. I'm looking forward to it. Thanks to everybody who worked on it.

CHAIR ROYBAL: Thank you, Commissioner Hughes. Anything else?

MS. HERRERA: Mr. Chair, I want to give a huge shout-out to Daniel. It's amazing what he can do with his video cameras. He's always instrumental in helping us illustrate what we do. You're right, it's not about the building, Commissioner Garcia. It's about the whole aspect. But in the end, that's what we're focusing towards so that you all can see it. So thank you, Daniel for your hard work and we're going to get you more involved moving forward.

CHAIR ROYBAL: Sounds good. Absolutely. Great job, Daniel, as usual.

6. MATTERS OF PUBLIC CONCERN

CHAIR ROYBAL: Tessa, have we had anybody from the public that is signed up to address the Board?

TESSA JO MASCARENAS (Operations Manager): No, Mr. Chair.

CHAIR ROYBAL: Okay. So I'm going to reach out to the public. Is there anybody from the public that would like to address the Commission? You can unmute yourself. I do see Roger Taylor. Anyone else who would like to address the Board, if you would like to unmute and state your name for the record and we'll go ahead and take your name. Once again, I'll ask, is there anybody from the public that would like to address the Board today. Okay, I'm going to go ahead and close public comment and we do have one person from the public that would like to address the Board. Mr. Roger Taylor, would you like to go ahead and go, sir?

ROGER TAYLOR: Thank you. My apologies. I didn't know there was prior sign-up. But thank you for allowing me to speak. My name is Roger Taylor and I live in Galisteo, New Mexico. I have two things that I'd like to speak to. One is just to thank all of the Commissioners for your resolution on the LANL environmental impact study request, on behalf of the 285 Alliance, of which I am the co-chair. We very much appreciate that. It's a matter of great concern for a lot of the communities along the 285 Corridor, and I'm sure the 599 Corridor where a lot of this nuclear waste is transported and is planned to be transported. And there's a large group of us that will be getting on a call a little bit later tonight with our new congresswoman, Theresa Leger Fernandez, to talk about this issue. So we are following up on your resolution action, so you're not just left on your own. So we're still out there.

The second thing I wanted to bring up is just something that I've been thinking about for a while in talking to a lot of my neighbors along the 285 Corridor out here on 41, etc. And that is wondering if we need to start looking at maybe doing a water evaluation planning study for this particular area. We're looking at a lot of things changing in the last year or two, significantly. Some of it due to the pandemic, some of it due to climate. But we're looking at the existing Eldorado population and of course there

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is an Eldorado water system. There's about 20 HOAs, plus a few along the corridor between Eldorado and Lamy which are hooked up to that water supply. There is Galisteo out on 41 here, which has two water mutuals, one of which I am the vice president of and one is for the traditional village.

We have some coming developments with Tierra Bello up on Lamy hill, with Spirit Wind West outside of Lamy which will add several hundred homes. We have the Cimarron Village, which is going to be commercial and residential mixed, which also has a lot. And I know that as these developments have come along over the last couple of decades there water rights and -- there's been a lot of change in the climate and possibly the real reality of whether the water is actually there as much as people thought it was not there ten years ago. And then we have this newest thing that is going on with Saddleback Ranch here on 41 where a retreat center is being planned and up to 30 homes quite possibly. And so we're seeing this encroaching development going on out here in the wide open spaces which were ranches. And of course there are still some existing large ranches. In our code we have density bonuses as reward for conservation easements and things like that but I wonder if we're really looking at some of what the pressures are that are bringing people here. I know in Galisteo, switching hats again as president of the Galisteo Community Association, we typically have had half a dozen or more homes on the market for six or seven years. In the last six months all of them have been purchased, including a half a dozen lots that have been on the market for over a dozen years. They're all gone and being developed and to all people from out of state. California, Texas, and Colorado primarily.

And when I talk to these people as they're coming in or going through the purchase process, they're doing it for two reasons: economics of where they are -- too high a cost of living, so Santa Fe looks like a wonderful opportunity, and Albuquerque is too large and sprawling; and number two, the climate issues that they're running into there with water and fire and drought. And it just seems there might need to be a larger study. I know the Water Policy Board looks at some of this planning, etc. but I wonder if we should be looking at that in some of these areas in the county where there's some movement going on and development happening.

These big pocket groups that are coming in and buying up ranches and setting up retreat centers, and oh, by the way, to recoup some of their financial investment they also want to put in a small community to sell to people, etc. So it's just something to think about. I wanted to raise the concern. A lot of people out in this direction are beginning to talk about that. So I raise it to you. I'm not sure where you go with that but it's something to consider.

CHAIR ROYBAL: Okay. Thank you, Mr. Taylor and thank you for all your information that you provided to the Commission. You have a great evening, sir. Thank you very much again for being here.

MR. TAYLOR: And thank you for listening.

7. MATTERS FROM THE COUNTY MANAGER
A. COVID-19 Updates

MANAGER MILLER: Thank you, Mr. Chair, Commissioners. So just our

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kind of brief overview on COVID-19 issues relative to Santa Fe County. We are seeing a significant decline in COVID-19 cases, as are the majority of counties in New Mexico. The overall numbers for the state are down. Currently, Santa Fe County has a rate of 20.7 positive cases per 100,000. That should be updated tomorrow and I would estimate that it will come down from that as well. And also a positivity rate of 4.22 percent. In order for the county to go green though the county must reach no more than eight cases per 100,000, or 12 cases per day for Santa Fe County. To date, 135 people have lost their lives due to COVID-19 in Santa Fe County.

Also, as you probably heard on national news, there have been over 500,000 deaths to COVID-19 across the country. We're the highest in the world, sadly, but that said, vaccinations are getting out there and currently there have been 501,000 COVID vaccinations given in New Mexico and in Santa Fe County, 16.8 percent of the population has received at least one dose of the vaccine. That's 21,322 people, and 9.4 percent have been fully vaccinated. Over 20 percent of those vaccinated in Santa Fe County have been over the age of 75.

Our emergency manager Martin Vigil and Rachel O'Connor are working with a team that includes the New Mexico Department of Health, Christus St. Vincent's, Presbyterian Hospital, PMS, La Familia and the City of Santa Fe as well as others to plan vaccination events. They are tentatively planning two large-scale vaccination events that would be held when there is sufficient vaccine supply, and that would be one in the high incidence area of Santa Fe and the other in Edgewood.

We went to print our first general public awareness rack card campaign that provides information on registration for vaccines, and also we'll begin distributing tomorrow these materials to all the seniors that are getting home delivered meals and others who get bulk delivery of groceries. In addition, these materials will be handed out to the general public at testing sites, restaurants, grocery stores and other places with high volume traffic.

And then we'll be working cooperatively with the State Agency on Aging to do vaccinations for seniors who are served by our seniors program. We are working with the City and others on holding registration events for vaccines. So that is what I have on COVID updates.

CHAIR ROYBAL: Okay, great. Do we have any questions from the Board relative to the update that we just got for COVID-19?

7. B. Miscellaneous Updates

MANAGER MILLER: Mr. Chair, I really don't have much other updates except I did want to let the Board know that the departments and elected offices are turning in their budget requests for next fiscal year this week and then we're going to start compiling that information. As you know, we lost our budget director, Joey Rowe, to a position down in Albuquerque, but we've assembled a team of existing staff to work through the budget process. We'll be setting up a schedule requesting budget study sessions with the Board, giving you information as we start to go through department hearings and revenue projections. We'll not see in this Board packet a Finance report and that's because Yvonne and I are working on putting together a more comprehensive

Finance report that will be kind of a precursor to the budget process relative to how we see projecting revenues for the rest of this fiscal year and trying to make some very well informed projections for next year.

As you know that's been challenging to actually know what's going to happen with our economy – when it will fully reopen, when it will fully recover. We don't anticipate it being back to being back to where we were pre-COVID next year but we certainly do anticipate an increase in revenues over this year. But we'll be starting to roll out that information to the Board as we compile it and also looking for dates for budget study sessions.

I also wanted to let you know we do have a citizens survey out to New Mexico residents. This is a survey that we contract with the National Citizen Review Organization and we sent this survey out. We're getting those responses back. We'll also have a report, not before we kick off the budget process with the Board but certainly before we develop an interim budget or a final budget, we'll have the results of that survey so you can have some informed decisions relative to where the general Santa Fe County constituency sees our need for improved services, or where we do a good job with services. So that's to try to help inform the Board in budget making decisions.

Also, we'd like to have a strategic planning update session of at least four hours with the Board, maybe two days of four hours. It really – Elias doesn't know this yet but I will be kind of tapping him to help with that since that was also something that Joey was responsible for, but I think we can still put together a good study session with the Board to get some feedback from you and update the strategic plan before we finalize the budget so that we make sure that we are looking at areas as our revenues start to return of where we focus the growth in County budget.

I will say this: I know we're going to have more requests than we have money. I can already tell. I've had requests from different department directors and elected officials about supporting funding for new positions. I think that's going to be challenging for us because we also have all of our six unions that we need to look at making sure we address any kind of economic re-openers with those union agreements. And I'm not sure how we'll balance all the demands on the budget as it returns. Our budget is not as healthy as the state's. They got a lot more money in oil and gas then we obviously get. We rely greatly on tourism and as you know we took a significant hit in 2020 and continue to do so in the tourism industry and that's a major source of our gross receipts tax revenue.

So I just wanted to give you kind of a heads-up. Nothing to make any decisions at the moment but certainly things to look for. We'll work with the liaisons in trying to find the best times for your schedules to schedule those meetings and we'll try to do them well in advance of when we need to have them. So with that, Chair Roybal, I stand for any questions.

CHAIR ROYBAL: Okay. Thank you, Manager Miller and thank you for that update. Do we have any questions relative to that update. I'm going to go to Commissioner Hansen first and then I'll go to Commissioner Hughes. Commissioner Hansen, go ahead.

COMMISSIONER HANSEN: Thank you, Mr. Chair. So just one thing that I have heard at the NACo meetings that I have been attending is that in the \$1.9

trillion package they are really pushing to make sure that counties and cities can directly apply for funds from this stimulus package, that it will not go through the state, that we will be able to apply directly. So I just wanted to share that with you. I'm sure you've probably heard that yourself, Manager Miller, but I think that is something that we need to keep an eye on.

MANAGER MILLER: Mr. Chair, Commissioner Hansen, thank you for mentioning that. As a matter of fact I had meeting – kind of a townhall or a small meeting just with the City and County Managers in a small portion of Representative Leger Fernandez' district and she mentioned that they are working – because one of our big concerns was that it not go through the state and take so long to get to us, plus have a bunch of restrictions that we hoped in this next CARES bill or rescue bill or recovery bill, that we'd be able to receive funding for our operations and community directly.

The City of Santa Fe and County of Santa Fe, from what her response was was that those local government populations of 50,000 or greater would likely get a direct allocation, so that is something that the City of Santa Fe and County of Santa Fe would receive, but unfortunately our neighbors to the north – Española, Rio Arriba County, Taos County – would still be too small to receive that directly and would have to apply through the state. However, she did indicate that it would be by a formula, instead of having to do an application like we did the last time. What I don't know is what that formula will be, how much that could potentially be for us but hopefully we'll know something sooner rather than later, and hopefully it will be flexible to used to shore up our loss of revenues and we'll be able to direct it to those areas that are really critical services that Santa Fe County provides. But thank you for mentioning that, Commissioner Hansen, because I did want to comment that and we are watching for it.

And then there are other things that would be application based and I think Joseph Montoya indicated this morning in Housing that we'll be watching those to see where we can apply to any of the programs that might assist in Housing, broadband expansion. We've actually been commenting on some of the language on that as well. So thank you for reminding me of that.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Was that it? I'll go to Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair. I just have a quick question, and Katherine, I'm sorry if you said this, but what's the timeframe for the Board's strategic planning sessions you were talking about?

MANAGER MILLER: I didn't give you an exact time because I lost Joey as our budget director, and that was one of her areas of responsibility, so I need to reassign that and see how we can quickly get something in front of you, hopefully by the end of March, early April. But I think – so I have a meeting with Finance this week to try to set that course of budget study sessions to include some strategic planning focus so that we can make sure that we address some of those things as well as kind of build the budget around the Commission priorities as well as the citizen survey responses.

COMMISSIONER HUGHES: Great. Thank you very much. That was my only question.

CHAIR ROYBAL: Thank you, Commissioner Hughes. Any other questions from the Commission? Commissioner Garcia.

COMMISSIONER GARCIA: I have a question.

CHAIR ROYBAL: Go ahead, Commissioner Garcia.

COMMISSIONER GARCIA: Thank you. Thank you, Manager Miller, for doing the update on what's happening with the budget, and I appreciate your question, Commissioner Hughes, as into what is our timeframe for that. And one of the things is, Katherine, you know this better than us, we just need to get Yvonne or whoever the Director of Finance is to give us a timeframe of what we're going to do and how we're going to do it. You know this, Katherine, Manager Miller. One of the other things I would like to know is the loss of revenue that we're actually dealing with in Santa Fe County. Can we actually talk, or have the Assessor as well involved as into what his job, his responsibilities are as in bring in the revenue for the next three, five, seven years, and where we're at, because that's kind of where it's at. We approved the opposition today for the three percent tax high. So I would just like to hear from the Tax Assessor who actually does collect our taxes and does provide our revenue for Santa Fe County. So if you could somehow coordinate with him as into what he feels where we're going to be at and what we're going to be able to do, so I appreciate at.

And then I have another question in regards to another bill that getting moved in the Senate Mr. Chair, I don't know if you want me to bring that up now, or when do you want me to bring that up? But thank you, Katherine. I appreciate it.

MANAGER MILLER: Mr. Chair, Commissioner Garcia, we actually, if there aren't any questions on miscellaneous updates we were going to go to the next agenda item which is legislative update and Hvtce and Tessa Jo have an update on bills, and then we also had an opportunity to discuss any – we put a few bills on the agenda but there's also others that you as Commissioners may want to ask us about and give us some direction on. So that's the item after the next item.

COMMISSIONER GARCIA: So really quick, Mr. Chair, if I may, Manager Miller, just really quick. This is a bill introduced by the Senate. It's actually related to criminal justice reform providing statewide procedures for approving [inaudible] on technical violations for parole violations. I think it's gone to New Mexico Counties and they're against it, but I'm sure you know about that bill but I have a question about that bill.

MANAGER MILLER: Mr. Chair, Commissioner Garcia, do you have the bill number by any chance? It might be one of the ones that we have on for discussion.

COMMISSIONER GARCIA: No, I don't but I'll listen and wait.

MANAGER MILLER: Okay, because we also requested that the Sheriff be involved in the discussion today. I see that he's on, and we have a couple of bills that we also know that he has concerns with that we want to bring forward.

COMMISSIONER GARCIA: Great. Thank you, Mr. Chair. Thank you, Manager Miller.

CHAIR ROYBAL: Thank you, Commissioner Garcia. So is there any other questions from Commissioners before we move on to our next item? Seeing none.

7. C. First Session of the 55th Legislature: Potential Action to Express Support for or Opposition to Legislation that Has Been or May be Introduced

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CHAIR ROYBAL: We're going to have Hvtce Miller and Tessa Jo Mascarenas for this one.

HVTCE MILLER (County Manager's Office): Thank you, Mr. Chair. I'll be providing this part of the update. What Daniel has up on the screen is the first part of the report that I sent you earlier today and I will go through this and go over some of the major legislative items which have been acted on since your last Commission meeting, and I can go over those pieces of legislation and leave a little time for any questions that you might have.

So here on this first page, it's the calendar, and we have passed the midway point and so the deadline for bill introduction has taken place, so that's a good thing. It limits the time that we have to look at bills and what we're looking out for now is any dummy bills that get changed to new forms of legislation, but it does decrease the amount of analysis behind it. We're looking at new bills now, so that's a good thing.

Further down the page are the bill statistics for the amount of bills that have been introduced. Earlier on, during the legislative reports of this year I was talking about how the House was limiting the pieces of legislation per representative to five pieces and it looks like they stuck to that number and they have 387 and five bills for 70 Reps. Would have 350, so close to their goal there. Looks like the Senate – they didn't have a limit in place but they still have considerably less amounts of legislation introduced than what would have been in a non-pandemic 60-day session.

So on this next page, page 2 is the New Mexico Counties action taken regarding legislation and if you can scroll down a little bit further there's the underlying items, and these underlying items are the new items which were brought forth just this past Saturday's board meeting. And so in support, the new one added – I needed to point this out that that's incorrectly marked. It should be House Bill 267. So that should be House Bill 267 not a Senate bill. So that one was voted on in support of tourism, marketing, and career advancement program, and at the bottom of the oppose list are two new items which were opposed, and that's Senate Bill 376, prohibit qualified immunity for law enforcement. And the second one is House Bill 268, corona virus and workers' compensation.

I just wanted to note also from that top list of support, Senate Bill 39 has been tabled. House Bill 49 has been tabled, and Senate Bill 134, it's do-pass motion failed, so those ones are currently going to be stuck in committee.

We can go on to page 3, which was the state budget. This was just heard in House Appropriations and Finance Committee yesterday and it got through unanimously, which is not always the case. There's usually some dissenters not going along with the full package, so this is a rarity that all members of the committee did pass this. It looks like the state is going to have \$332 million more than what we had in the current fiscal year, and this is due largely in part because of the increased prices and supply of oil in the state. So since we get a lot of our tax revenues from oil and these sectors are doing well in the whole nation the state is benefiting from this.

I'll point out a few of the major notable items. There's the 1 ½ percent pay raise for state employees, teachers, and higher education workers, and 3 ½ percent pay raise for state judges. Also, we had \$325 million to replenish the unemployment trust fund.

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This was a big issue because it was thought that unemployment contribution rates might be brought up higher by employers, but with this infusion of cash it clicks back to that there won't be an increase to the unemployment tax rate.

Further down, if you could just scroll down, Daniel, under the one-time general fund appropriations there's an item here which was a priority within one of the New Mexico Counties' bill and that's money for tourism and marketing, and within the state budget they have allocated \$5 million for that. And I also wanted to note that the Senate is looking at putting \$30 million in for broadband and also this budget doesn't include any expected federal stimulus dollars that could come in and right now, the state economists are predicting that state could receive within the next few months could be between \$2 billion and \$3 billion. That would loosen up a lot of cash that the state is allocating right now and would go a long ways: businesses, working families, education – a lot of different sectors within the state.

So that's an overview of the budget right now. I just wanted to say too that this will change. This is the first committee which this has gone through, so they still have to take it to the House floor and it's expected to be on the House floor by tomorrow. And there might be changes there for legislators who still have projects or services that they want to include that aren't included in the budget right now, and it's also for sure going to change once it gets to the Senate side and the Senate side will have projects and services that they want to include. So it will most likely increase and a lot of the legislation that's still in the mix right now, which has an appropriation tied to it, they're still going to be flat out to be included within the budget as a whole.

So this is kind of just the first look at what the State's proposing as far as a budget but this will change by the time it goes up to the governor.

So here is the list of legislation which is related to the resolutions that the Commission has passed so far. I'll quickly go over some of the top items. Here on page 4 is HB 12, the Cannabis Regulation Act and Cannabis Tax Act. This item was passed on the 15th, on Presidents Day and had a very long amount of testimony starting on the 13th, that Saturday. It was maybe three or four hours of debate, and then it's carried over to the Monday which they finally voted on it and House Bill 12 was the piece of legislation that was ultimately passed through the committee. Two bills are being heard simultaneously – House Bill 12 and House Bill 17. House Bill 17 was tabled within the committee and these items are very similar and the most different part of House Bill 17 was the amount of at-home plants that could be grown and that was the decider for those who voted to pass one or the other bill. And so that's how this particular bill, House Bill 12, made it through.

And the latest cannabis bill that has been introduced in Senate Bill 363, which is –
COMMISSIONER HANSEN: How many plants will House Bill 12 allow?

MR. MILLER: It is varying but what I recall is up to 12 plants.

COMMISSIONER HANSEN: Okay.

MR. MILLER: Okay. As I was saying, the latest recreational cannabis bill is Senate Bill 363 introduced by Senator Candelaria and the other Senate Bill is Senate Bill 288, introduced by Senator Pirtle. Neither of these bills have been heard on the Senate side yet. And just a quick overview of Senate Bill 363, it's very closely mirroring

House Bill 12, so I think the approach is this is trying to have two of the same bills coming from both sides so that both houses can hear the information once each bill crosses over so that it has an opportunity to sink in with the legislators and they won't be hearing new information just from a cold start.

So once again, House Bill 12 is the one that is apparently moving, passed through one committee and it's not – you don't see it here as scheduled for the next committee.

The next item that I want to speak about is House Bill 236 on page 8. That is the public banking bill. Actually, there's a mirror bill of House Bill 236 and that is Senate Bill 313. Senate Bill 313 is actually the one that has apparently moved through committee and it was along party lines and a lot of the questions regarding this public banking issue is how is this public bank that's going to be established different from the New Mexico Finance Authority, apparently. So I think there needs to be some education with the legislators on how exactly a public bank would differ from NMFA and there's still a lot of questions about that. One of the major issues with public banking also is it comes with a big price tag. It's looking like the way the bill is written is \$50 million would come from general fund and another \$50 million from severance taxes. So that's another big issue with public banking. But like I say, it does look like it has promise and the Democrat members of the Senate right now are pushing it forward.

The next item is Senate Bill 8 on page 10. This is one of the farthest moving environmental bills currently, and that eliminates "it's no stricter than federal" or hazardous waste. And that has made it through its committees and it is going to the Senate floor and that is moving quite along and is doing good.

Those were the major items I wanted to talk about within the resolution tracking list. The recreational cannabis bills, the public banking bills and the environmental bills that are moving forward.

If you could pull up the second part, Daniel, which is just a list of the Santa Fe County-related items and there's 227 different items here. Included within this are many of the items that are going to be spoken of in Part B of the legislative description and the New Mexico Counties items which have been opposed currently. And I just wanted to point out one item, which I had questions about, and that's on page 25. And that's Senate Joint Resolution 15. It's kind of an odd piece of legislation and the title is Processes which Counties made Secede from New Mexico. I haven't seen any press about why this piece of legislation has been introduced or in particular the counties which were trying to secede from New Mexico, but basically it just talks about a process which three or more counties, if they decide to, what they have to do to get their process together to begin trying to either form another state entirely or to become part of an adjacent state.

Because this is a Senate Joint Resolution the process for this is it would need to pass through the legislature and then be put on a ballot for consideration by New Mexico voters. So a majority if New Mexico voters would have to approve this as well if this did make it out of the legislature. So an interesting piece and not always the easiest thing to do for constitutional amendments to make it both through the legislature and also get approved by voter.

And with that, that is an overview of things that are going on right now and if you have any questions I will gladly take them right now.

CHAIR ROYBAL: Okay, I'm going to go to the Commission.

Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you. Hvtce, thank you for that. Do you have any further information on that Joint Resolution 15? It's so odd to me – about how far people expect it to make it through the legislature? Is it going to die? Is it going to die in committee? Is it being reported?

MR. MILLER: Mr. Chair, Commissioner, I don't believe that there is quite a lot of time left for it to make it all the way through the process. I'm sure that it's been introduced just to get the idea out there.

MANAGER MILLER: Mr. Chair.

CHAIR ROYBAL: Yes, Manager Miller.

MANAGER MILLER: Mr. Chair, I don't think it's been assigned to a committee, so I don't think it's even had a committee hearing. So it's not likely that it would make it through the process. Plus I think it's more of a political statement than it is a reality of a bill. I think it's trying to indicate the differences in the way the pandemic has been handled. But I don't think it's realistic that it would pass through both chambers and go to the voters.

COMMISSIONER HAMILTON: I was just interested [inaudible] but I also – it's one of those things that I wanted to be sure that somebody was paying attention to it, like the Association of Counties. It is probably just a political statement. Nevertheless, it gave me some concern. So I appreciate the effort of looking it up and all that.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. I'm going to go to Commissioner Hansen. I saw her hand up as well.

COMMISSIONER HANSEN: Thank you, Mr. Chair. So Hvtce, I have testified on a number of solar bills, but are they all moving forward? Community solar, House Bill 9, the climate solution bill, and a number of other ones.

MR. MILLER: Mr. Chair, Commissioner Hansen, yes, for the most part I haven't seen any of the supported sustainability bills not being heard or just assigned and never brought up in committees. So within the first part of the report there's the listing of the ones which are related to our Santa Fe County Sustainability Resolution. And what I can see is that they've all have at least passed through at least their first committee, and I believe what the holdup is actually is that there is in fact a price tag associated with these different sustainability bills, and so they have to be heard through their respective committees either on the House side or the Senate side, and those are all being accounted for within the budget as a whole. So I think with the budget on the table right now it can be seen what money is had or what money isn't available. So some of these sustainability bills will actually start moving now within the committee process again, because the budget that's proposed. So I will look forward to seeing them move forward now and in the coming week.

COMMISSIONER HANSEN: Thank you, Hvtce. Also, I'm very gratified to see the \$300 million for the road fund in the budget and hopefully that we'll be able to get some of that.

CHAIR ROYBAL: Okay, great. Thank you, Commissioner Hansen. I'm going to go to Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. I appreciate the work

that you all do there at the Roundhouse. As you know we worked together and it's probably quite challenging these days to figure out how to get down what needs to be done. It's just a different way of life these days. And so thank you for what you guys do.

Hvtce, I have a question for you. The bill that I brought up earlier – I don't know what number it is. It's actually related to criminal justice reform, providing statewide procedures for imposing sanctions for technical violation of probation violations. So I understand what that bill is about is Corrections has some money for people that are on parole and so on and forth. So will this give the Correction Department money to put them in our jail? Do you know anything about that?

MR. MILLER: I do not know specifically about that one but it does sound related to the particular bills related to law enforcement which is discussed in the next part of the legislative discussion.

COMMISSIONER GARCIA: Thank you. Appreciate that, Mr. Chair. Somebody brought it to my attention. I don't know if the Sheriff knows about that or I think New Mexico Counties is kind of not in favor of that, so what that does is it actually allows parole violations to go to the County jail and they will reimburse us to a certain degree. This is probably one of those bills that actually gets introduced and stays in committee and gets table. It does what it needs to do. But I was just wondering if you knew about that. But I will talk to Manager Miller about that at a later date. But I was just wondering if you knew about that bill.

And also, once again, thank you for what you do over there, yourself, Tessa and all the staff that's working over there because it's challenging being there when you're live and now these days it's just totally different. But thank you for what you do and I will talk to Manager Miller about that bill that's been introduced. Thank you, Hvtce and Tessa and all the rest. Appreciate you guys.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Are there any other questions? I'm going to go to – Commissioner Hughes, did you have any questions or comments?

COMMISSIONER HUGHES: No, not at this time. Thank you.

CHAIR ROYBAL: Okay. Thank you. All right, Hvtce. Thank you very much. Tessa, did you have anything to add either?

MS. MASCARENAS: No. I think I'll just jump in to briefly summarize the bills that you all will be discussing in the next section.

7. D. Potential Action Regarding Legislation on SB 227 Inspection of Police Misconduct Investigation, SB 274 Use of Deadly Force, SB 372 Regional Transit District Gross Receipts and SB 376 Prohibit Defense of Qualified Immunity

MS. MASCARENAS: Thank you, Mr. Chair. The first bill that we will be discussing that was listed is Senate Bill 227. It's entitled the Inspection of Police Misconduct Investigation and it is sponsored by Senator Linda Lopez. According to most analysis this bill is making a sweeping police reform proposal. It's meant to curtail police use of force, required de-escalation training, ban police chokeholds, tear gas, rubber bullets and no-knock search warrants as well as other measures. That's what's listed as

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the intent.

The bill does amend existing provisions related to law enforcement and establishes a system for reporting and investigating officer-involved injuries and deaths. It amends the Inspection of Public Records Act to clarify that law enforcement misconduct investigation records will no longer be exempt from the provisions. It's very in detail but in a nutshell, those are the initiatives that it is targeted at and I'm not sure if Sheriff Mendoza would like to add anything else. That's a brief summary.

CHAIR ROYBAL: Okay. Sheriff Mendoza. Thank you, Tessa.

ADAN MENDOZA (County Sheriff): Thank you, Mr. Chair and Commission for having me speak on a couple of these bills. I don't have anything more specific than Tessa gave in reference to the body of the bill, but I would like to make some comments in reference to my feelings in regards to Senate Bill 227, if that's okay.

CHAIR ROYBAL: Absolutely, sir. Please proceed.

SHERIFF MENDOZA: Okay. In regards to Senate Bill 227, I think that there are some provisions in the overall bill that wouldn't be an issue in regards to things like banning chokeholds in non-deadly force situations, talking a little bit about reporting excessive force or officer-involved shootings, and I'm not against some of the reasonable recommendations and legislation to curtail the excessive use of force. Things like de-escalation and some of the things that I talked about with the chokeholds and such.

The problem that I have with the bill, it attempts to change the use of force standard of objectively reasonable to add the totality of circumstances, and these standards as set by the United States Supreme Court. I think the state legislature is overstepping its bounds to make it more restrictive for law enforcement. The standards that have already been set forth by the United States Supreme Court in regards to excessive force and use of deadly force. I think it really fails to recognize the split second decisions in life threatening situations that law enforcement are facing on a daily basis and it goes too far to redefine justifiable homicide by police officers in my opinion.

I'm not against the provisions of placing de-escalation efforts on the forefront before resulting in use of force or deadly use of force, but in the same bill it limits the use of force, use of non-deadly force by taking away some tools that law enforcement use before it results in deadly force and some of that is tear gas, chemical weapons, which would be considered Mace or OC spray that sometimes officers use to bring a suspect into compliance before it gets to a major use of force or deadly force situations. The use of rubber bullets and some of these less lethal means to bring suspects or criminal into compliance before it results in major injuries or death.

And so I think it's addressing too many issues in one bill and also an issue that's in the bill, it requires law enforcement to call medical or mental health professionals to the scene prior to dealing with an issue if there's an indication that there is a mental health or behavioral health issue and that's great but I don't think the resources are out there for law enforcement to reach out to. Who do we call? Who do we call to come to the scene? I just don't think that those resources are there and the time limit that the legislature is requiring this bill going into effect is requiring all these recommendations and taking into effect within 90 days, I think that's just unrealistic.

I really think that this bill, the totality, addresses too many issues and by doing that I think it benefits the criminals more than it does the safety of the public or law

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enforcement and I think it's going to end up affecting the way police do their jobs, if there's going to be less police officers that want to be pro-active out there stopping crimes before they occur and I think we're going to have more officer just kind of waiting to receive a call after a situation has already occurred and responding more and being reactive more than they would be pro-active. Those are my comments on Senate Bill 227.

CHAIR ROYBAL: Thank you, Sheriff Mendoza. Do we have any questions from the Board? Looking for a show of hands.

COMMISSIONER GARCIA: Mr. Chair, I have some comments. Sheriff, thank you for waiting and speaking up on this bill. Also, in regards to Tessa or Hvtce, is this bill moving forward or it's not moving forward? Because it seems like the sponsor of the bill is a very powerful individual, obviously, Senator Lopez. And so is it moving forward, not moving forward? Do we know about that? Or Katherine, Manager Miller?

MS. MASCARENAS: Mr. Chair, Commissioner Garcia, it is currently in the Senate Health and Public Affairs Committee. It's assigned to Senate Health and Public Affairs and also referred to Senate Judiciary. So it's in its first committee.

COMMISSIONER GARCIA: And so is there a House Bill that is actually the same type of bill on the House side or is this only a Senate Bill?

MS. MASCARENAS: I have yet to see a House Bill that matches this.

COMMISSIONER GARCIA: And Mr. Chair and Tessa or Hvtce, how many more days are left in the session? Twenty? Ten?

MR. MILLER: Mr. Chair, Commissioner Garcia, we have 25 days left.

COMMISSIONER GARCIA: Mr. Chair, Sheriff, have you actually heard of any other sheriffs that are against this bill or spoken to Senator Lopez on this?

SHERIFF MENDOZA: Mr. Chair, Commission, I can't speak for other sheriffs. I know that there has been some issues that have been brought up by New Mexico Counties in regards to some of the overreach in this bill and some of the regulations and requirements that will be put on law enforcement in counties and cities throughout the state. But like I said, I think there are some good issues in here, some de-escalation issues and such, but I think this bill just incorporates too many aspects of law enforcement and use of force to really make a change.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you, Sheriff. And also, I would just like to defer to County Manager Miller because she has a lot of stuff on her plate, and what is New Mexico Counties talking about this bill? Do we know about it, Manager Miller?

MANAGER MILLER: Mr. Chair, Commissioner Garcia, it came up, and the reason that I put it on here for discussion with the Board is that it started to go around the New Mexico Counties as to how did we feel about the bill. I sent it to, or asked Hvtce to do a little analysis, send it to the Sheriff. It's one of these things where we really don't go chasing every bill from the standpoint of speaking up against them unless they look like they're moving and there's something that would be really detrimental to us.

That said, this environment of the way that the session is operating is incredibly hard for us to get a hold of a legislator and have a discussion. It's not like you're over in the Roundhouse and you can catch somebody in the hallway, stop in their office. It takes multiple days to actually get time, and you don't have the little five-minute conversation; you have to set up a meeting.

So what we're trying to do by bringing some of these to you at every BCC meeting is just to make sure that we don't speak out on behalf of the County if a bill like this does start moving, that we don't speak out on behalf of the County without having the support of the Board to speak either for or against a bill. So I have no idea whether this bill will get traction or not, but it was one that the New Mexico Counties, what came to the managers and said, hey, what do you guys feel about this? So we ran it by the Sheriff to see how he felt about it. If you don't want to take a position on it at this time it's not necessary, but we just thought it was something that does affect the Sheriff's Office and he had concerns with it.

COMMISSIONER GARCIA: Mr. Chair, if I may. The Sheriff and Katherine, if you want to go against the bill, we could do something against it. I'm okay moving forward against the bill, as long as my other colleagues are as well. Thank you, Mr. Chair.

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

COMMISSIONER HUGHES: Yes, thank you, Mr. Chair. I think I have a lot of respect for Senator Lopez and I don't think there was any ill intention on her part. I think she's trying to do something good here and the Sheriff mentioned there are some parts of this bill that are good. I looked on the schedule for tomorrow and this bill is the first bill on Senate Public Affairs for tomorrow, so it will probably pass that committee because most bills pass that committee and go on to Senate Judiciary where they could change it. I would suggest if we want to take a position it be more like we like these parts and we don't like these parts, and that could be exactly what Sheriff Mendoza just outlined. But I'd hate to see us just oppose it because I think it is trying to get at a problem that exists and I think Senator Lopez has very good intentions with this bill.

So I would rather have us take the more nuanced stance.

CHAIR ROYBAL: Thank you, Commissioner. Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you, Mr. Chair. I would support Commissioner Hughes' recommendation.

CHAIR ROYBAL: Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. I support Commissioner Hughes' and Commissioner Hamilton's approach on this. I think that some of these things in this bill actually might track with our racial and social justice bill that brought forward in August, but then there are many things that do not. And so I think that finding the places that support where we stand and finding the places we don't, I think is important. And I agree with also Sheriff Mendoza that there might be some good things in this bill and there are some bad things in this bill, so it might need to be edited in that regard. So thank you.

COMMISSIONER GARCIA: So, Mr. Chair, if may real quick, please.

CHAIR ROYBAL: Go ahead, Commissioner Garcia.

COMMISSIONER GARCIA: As Manager Miller said, it's hard these days to actually follow a bill, because you can't go have lunch. You can't go meet with the legislator in their office. It's just a whole different ball game these days. And for Hvtce and Tessa or for Manager Miller, any of us to go talk to anybody out there, sit there on line all day long to meet with somebody, it's just challenging these days. And so it's

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almost like when a bill gets introduced, as you all know, when a bill gets introduced it can change from committee to committee to committee before it gets on the other side of the Roundhouse. So I guess we just need to look out and trust our staff, Manager Miller and our staff and New Mexico Counties to say – and the Sheriff, with all due respect and trust the Sheriff to say this is not a good bill.

I can't even imagine going to the Roundhouse these days because it's – nobody's allowed in there. Katherine, you know this better than any of us. And it's just – so how do we do that? How do we work it? I don't know, but I guess that's just – see where it goes. As Commissioner Hughes says, Senator Lopez is an individual that has a lot of influence there. She does good from her heart and she thinks right. But like the Sheriff said, there's a lot of things here we have questions about because there's a liability to all of the counties. So I guess, Manager Miller, I guess I will take your lead as into what do you think we should do? So that's where I'm at. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Manager Miller.

MANAGER MILLER: I think that I can get a sense from the comments that the Board wouldn't want us to outright oppose the bill but actually look at those things that the Sheriff indicated would be problematic and those things that are not consistent with our social just that we would, if necessary, speak in favor of amendments to the bill that better reflect the County's position.

CHAIR ROYBAL: I think that's what I was hearing as well but I do think we need to work with Sheriff Mendoza and make sure that we look at his concerns and we would bring forward those concerns with his input of course.

MANAGER MILLER: Mr. Chair, it looked like the Sheriff wanted to say something else.

CHAIR ROYBAL: Go ahead, Sheriff Mendoza.

SHERIFF MENDOZA: Mr. Chair, Commission, thank you. I really appreciate just getting a few minutes to five my input. This bill, it's a longer bill than some of the others and there's a lot in there so I really respect the Commission's decision to really look into this. We talked about a lot just now and there is a lot of information in there, a lot of information for a few minutes to decide whether to support it or not support it. So I really appreciate the fact that the Commission wants to take a closer look at it. I would suggest that they read the bill and get more familiar with what's in the bill.

I do have an analysis that was forwarded to me by New Mexico Counties, by their legal staff and I'd be more than willing to forward that to everybody so you can get a better look at exactly what they think is some good points and bad points in that legislation. But please take your time. Listen in on committee if you have the time. But I really think that when you read the bill and you get a little bit more clear understanding of what it's entailing, there are some things that are not good for law enforcement.

CHAIR ROYBAL: Okay. Perfect. Commissioner Hamilton, you had an additional comment?

COMMISSIONER HAMILTON: I was just going to say that getting that analysis from the Sheriff would be very helpful. Thank you for suggesting it, Sheriff.

CHAIR ROYBAL: Okay. Any other comments from the Commission? So Manager Miller and Tessa, you guys have direction on where the Commission wants to go, correct?

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MANAGER MILLER: Mr. Chair, yes. I think we can definitely if necessary have constructive comments relative to that bill that would reflect our concerns collectively.

CHAIR ROYBAL: Okay. Thank you, Manager Miller.

8. MATTERS FROM COUNTY COMMISSIONERS AND OTHER ELECTED OFFICIALS

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

CHAIR ROYBAL: I'm going to go through each Commissioner. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. I would like to just bring up the idea of processes for amendments. I felt very uncomfortable about the way that the bill that Commissioner Hamilton and I were introducing was amended. I have spent a lot of time in the legislature and there is a process doing amendments and usually the sponsors of the resolution get to introduce the resolutions first, and then at that point there is an amendment, and I felt like it was – I was a little taken aback by the fact that we didn't even get to introduce the bill.

So I was thinking that we need to have a process for adding amendments to resolutions and part of it is possible we have a 24-hour rule so that if there are amendments to a resolution that it's presented or at least maybe by the Friday before so that the public has the opportunity to comment on an amendment that we've already offered, and also giving us as Commissioners time to look at the resolution and look at the amendments, because I did feel, after I had some time to look at those amendments that they were not really germane to the resolution that we brought forward.

And even though it's done and I'm not going to try and undo anything, it made me think that we need to look at a way of amending bills and how it is fair so that everyone has the opportunity, including the public to be more transparent. So maybe that's a 24-hour rule. Maybe if people have amendments, if some Commissioner has an amendment, we automatically then table the bill. There's ways to deal with this and I would just like the Commission to think about this because doing it before we even got to introduce the bill was uncomfortable to me and I just would like to have us have a process that's fair for everyone.

So somehow the County Manager and the County Attorney had copies of this bill before hand and I remember in the past when Tony was here that if there was any changes to bills when we were on the dais, and I know we're in a completely different situation now, but he would always distribute things before the meeting so we'd at least have things at the beginning of the meeting that were changes. I know we're not going to go back to meeting in person any time soon, so maybe we need to have a way for an email of the amendments happen that's 24 hours before the meeting, so that Commissioners have at least time to read it over.

So that is the main thing. Also, I found it very interesting. I have been talking with the County Manager about art in our new buildings – I'm changing the subject,

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obviously – and that we don't have anything about art in our strategic plan. I was informed by my digging, talking to the NACo Arts and Culture Committee, they put me in touch with the New Mexico Arts Committee, and then it appears that we had a resolution in 2014 where we created an Arts, Culture and Cultural Tourism Committee, and they presented a report in 2017 that maybe Commissioner Hamilton and maybe Commissioner Roybal remember. I vaguely remember Ramona Sakiestewa being at the Commission meeting, but they had made a number of suggestions about how we could support artists at Santa Fe County.

So I just started reading it. I asked Chris Hyer about it and he said that it was something he inherited. I think this was done under David Griscom when he was in economic development. So I'm starting to just read through this report so that we don't have to start at ground zero, that there's already been all this work done. It's a 160-page report, or 114-page report about possibly having art trails in the community. We have a tremendous amount of artists who are struggling right now under this COVID situation and so I think this might be a good time for us to start thinking about how do we incorporate supporting artists in our community? How do we help support the cottage industry? Is that by art trails? How do we partner with some of our stages like this Save Our States money that might be coming through from the federal government? Where is there art money that might be coming through? And then how could we possibly even get art into our new buildings? Would that be through a lease program or a – there's a lot of complications and ideas but one thing that was very interesting was the Director of New Mexico Arts, Michelle Laflamme-Childs, was the vice chair of this committee and she is still very interested in working with us.

So I'm bringing this up as something for us to talk about and think about as we're doing the next strategic plan and where we could possibly put art and thinking about supporting our community. Santa Fe is one of the major art centers in the United States and many of those artists live in the county; they don't just all live in the city. So I'm just trying to think of our constituents and how we can help them and think outside the box in different ways. I think those are the two items that I have at this particular point to bring forward to talk about. Thank you, Mr. Chair.

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

COMMISSIONER GARCIA: Mr. Chair, at this time I don't have anything to bring forward. Just thank you, staff and everybody for what you do. I'm still looking for that bobcat, just to let Commissioner Hughes know. I'm looking for that bobcat still. He's in the Eldorado area, but just looking for that bobcat. But, no, I appreciate everybody and my colleagues because as us as elected officials and what we do, it's just challenging out there and all the volunteers that are out there, our County Manager and the entire staff. Thank you, Mr. Chair. Appreciate you all.

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

COMMISSIONER HAMILTON: I don't too much but I wanted to take the opportunity to comment on what Commissioner Hansen suggested. First of all, having a process on doing amendments to a resolution sounds like a good, reasonable idea. We just have to figure out a process to figure that process. Just a joke. But doing something

to address that makes sense to me.

If you actually have that art report maybe you could share that around and it could be discussed at strategic planning. My first thought is it's a very difficult situation to be thinking about things like that but talking about it in strategic planning might be a good place to do it. It's the right place to do it. Thanks for bringing that up and sharing that report and the very vague recollection of it from a couple of years ago, so I'd love to look at it again. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hamilton.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Something else, Commissioner Hansen?

COMMISSIONER HANSEN: I will have Sara send that out to everybody as a link and then we can all take a look because there are things that are relevant still and there are things that are not relevant. It was introduced – it was brought forward to us I think in 2017, like in March or April. It was right at the beginning of our tenure and so I didn't even remember it until it was pointed out to me. So I will be happy to share it.

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

COMMISSIONER HUGHES: Thank you, Mr. Chair, and I'm in support of Commissioner Hamilton's idea of a process to find the process for amending and looking at resolutions more carefully. We don't have a committee structure like the City does or the state to look at legislation and work on it so maybe we do need – I'm not suggesting we have a committee structure but I think maybe a process would lead to better ordinances and resolutions.

I did want to report that I went to the San Marcos Community Association meeting last Thursday. They include part of my district and part of Commissioner Garcia's district. Commissioner Garcia had a school board meeting that night so I had to represent the County along with Olivia, the constituent liaison who fortunately covers both districts, and I just wanted to mention some of the things that they brought up. They did bring up the dark skies thing. that's obviously a concern. I've heard that from people all over my district. People are really concerned about keeping the skies dark so we can see the Milky Way clearly at night.

They also had a lot of questions about the Cerrillos Senior Center/fire station and are wanting to follow that closely and see that open. I think they're seeing a lot of need out there. They were also asking about Meals on Wheels and they were glad that the senior center wasn't going to affect the Meals on Wheels program for people who can't make it out of their houses. They've also had a lot of small blackouts and one fairly long blackout of their electrical service out there so Olivia and I have sent several missives to PNM to try and find out what's going on. I think it's just that that system, that community has grown. Some solar panels have been added out there and none of it has been really incorporated into a robust circuit for that area. So hopefully PNM has promised to work on that. I just wanted to mention that.

I also wanted to say I'm not sure we finished item 7. D because I saw other bills listed there so I was just wondering – Manager Miller is usually pretty good at jumping in if we miss something but I thought we should give her the opportunity to say whether she wants to finish 7. D or whether that was all.

MANAGER MILLER: Mr. Chair, none of them are at this point that critical and I think we'll end up in a really long conversation about, like specifically what to say on any of those bills. I don't know that any of them are moving yet and so perhaps the next meeting is a better time to discuss those. I think the only one you asked about, Commissioner Hughes, was the regional transit one and best I can tell there's no reason that we wouldn't be fine with that bill.

COMMISSIONER HUGHES: Yes, I don't think there's a need to discuss that and we can do that next time if people are interested.

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

COMMISSIONER HUGHES: That's it for me. Thank you, Mr. Chair.

CHAIR ROYBAL: Okay, and I think as far as doing a process for amendments, we've always just done friendly amendments during the meeting in a lot of different ways, even in ordinances or when we do approvals of subdivisions or anything like that, as far as amendments, recommendations that the Board has made. So I think the biggest thing with that as far as amendments, and I just want to make sure that the Commissioners, even if during the meeting, if something comes up and they feel like it would be a good change, that they would have the opportunity to bring that forward and if the tabling motion until a different meeting so that those can be considered. But I think that whatever the amendment is, I think that even if it's tabled at that point then the amendment should be brought forward in a public setting so that the public will know what the amendments are that are being considered and then we can at that time table for consideration or accept them at that point but I think there could be other options. Manager Miller, did you have anything relative to that thought?

MANAGER MILLER: Well, Mr. Chair, Commissioner Hansen and I discussed this a little bit and I think that a lot of times the friendly amendments are usually just a sentence or two. I think the last amendment was a little more extensive and as I had indicated during that meeting, I had just gotten that and wanted at least it to be typed so you could see it when you discussed it. It wasn't done until we were already in our meeting. I don't know if you want to – we've done things as Commissioner Hansen suggested, that before, when we've had – we had a policy before that resolutions – I want to clarify: these aren't bills; they're resolutions. They're policy statements and not the same as ordinances and our regulations that do require public hearings and if they change substantially in title we have to readvertise them anyway.

So there's a distinction between amendments to our ordinances and friendly amendments to resolutions. But we do have a circumstance where we used to actually have resolutions on two meetings and we had passed policy to do that, but then the Board actually took that away and said that was too cumbersome and made it difficult just to do some of our what I'll call maybe our feel-good resolutions or to do resolutions in a timely fashion to something that's occurring quickly.

So I don't know if you want us to look at some suggestions, that if an amendment to a resolution is more than a sentence or two that it needs to be presented sooner and distributed and put on our website, versus if it's just a little language tweak during the meeting. This is really up to you guys. We try to accommodate getting your items on the agendas and having a dialogue about whatever those items are and to be able to make changes on the fly we have them up in our – usually on our computers, the Word

document, so we can make those changes.

But it's completely up to the Board if you want us to propose some potential policies for it.

CHAIR ROYBAL: I think that that would be something we can possibly look at. The only thing is I think that if there is an amendment that is denied and I guess would it be the individual that brings the resolution forward that would say, no, we're not going to add that? And I think that if that Commissioner feels like it's important to try to add that that, those amendments then I think that they should – the public should know what was not allowed for whatever reason. So that's why I think that even during a meeting, if these are my friendly amendments, it's tabled and then come back and make a decision whether those will stay. But I think it's important, especially if a Commissioner is passionate about. Commissioner Hansen.

COMMISSIONER HANSEN: So one of the things that I would like us to pay attention to in the future is that there is a process for making amendments already, and one of the things that set me back or troubled me was that you, Mr. Chair, introduced your amendments before we even got to introduce the resolution. And according to Roberts' Rules of Order, which is what I believe we follow, the resolution should have at least been able to be introduced by myself and Commissioner Hamilton, and then, at the point when Commissioners have a change, that is when you offer amendments. So I would like that kind of process to be followed in the future. That's one simple little statement that is basically Roberts' Rules of Order.

And then, if there is changes to a resolution that it is sent to each of us via email so that we can actually read it. Because I was actually struggling during that meeting to see where these amendments were, where they were put into the resolution. So those are some of the issues that I had and clearly the public did not have any time to make any statement. Some of the comments that were made after we passed that resolution accused me of supporting pit production, which to be completely honest, I do not support pit production. That resolution didn't say anything pro or opposed to pit production. So by adding those amendments I was accused of doing something that I completely do not support.

And so it didn't give the public the opportunity to actually see what we were doing and so that is also important to me. So I think we need to follow the Roberts' Rules of Order in the way of making amendments to resolution, and then also, if the amendments are more extensive than a word or two or a sentence that that resolution then be tabled so that the Commissioners and the public have the opportunity to actually make comments about it.

CHAIR ROYBAL: Okay. I'm fine with that. I think the other thing would be – I think whenever a resolution comes forward that we should probably go through all of the Commissioners before we make a motion or a second, just so that we can have input from all the Commissioners, and then this way it would give everybody the opportunity to speak on the resolution. If that's all right we can do something like that as well.

COMMISSIONER HANSEN: Of course. That is completely the correct process and the way to do it. Just this resolution was not done in the correct process.

CHAIR ROYBAL: Okay. Any other comments or questions? I think I

went through everybody already on the Commission.

COMMISSIONER GARCIA: Mr. Chair, I have a couple of questions. I understand what we're trying to do and I guess in five, ten, twenty years, when you look at the Commission, if there's three or four votes as where we need to go, I think it's up to the public have that 72 hours notice of what we're going to do and what we're going to talk about.

COMMISSIONER HAMILTON: Mr. Chair, this was not meant to be a full discussion of the actual topic. Commissioner Hansen brought this up as Matters from the Commission as something she wanted to consider in the future but this is not a posted agenda item that we can have a discussion about. We can do this in the future. That was what was suggested. So just a point of order.

CHAIR ROYBAL: I think all the Commission commented on this already except for Commissioner Garcia.

COMMISSIONER HAMILTON: As long as everyone's okay with it.

COMMISSIONER GARCIA: That's fine. I'm fine with it but I think it's something that needs to be brought forward to any county commission statewide. So I'm fine. Let's bring it forward. Let's discuss it. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia.

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

CHAIR ROYBAL: Do we have Sheriff Mendoza present still at this meeting?

MANAGER MILLER: Mr. Chair, he told me he had to leave.

CHAIR ROYBAL: Okay. No worries. Katharine Clark, did you have anything that you'd like to announce today to our constituents?

KATHARINE CLARK (County Clerk): Thank you, Mr. Chair. No, not at this time. We are doing the Board of Registration this week and a secondary meeting in order to meet the March 15th deadline but in terms of long-term things we have some things coming up but not ready to announce. But thank you.

CHAIR ROYBAL: Thank you.

10. INFORMATION ITEMS/MONTHLY REPORTS

- A. Community Services Department Monthly Report**
- B. Growth Management Department Monthly Report**
- C. Human Resources Monthly Report**
- D. Public Works Monthly Report**
- E. Public Safety Monthly Report**

CHAIR ROYBAL: Do any Commissioners have any requests on the reports we've been given by staff? If not we can let staff go and we'll go into executive session. Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I just want to thank staff for all the reports.

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I especially enjoyed reading the Public Works and Growth Management. I love knowing how many houses have been built, etc. So thank you. I just want to say thank you to everybody and I like reading the Public Works comments. Thank you, Gary for an extensive report this time. I appreciated it. Thank you very much.

CHAIR ROYBAL: Okay. Thank you, Commissioner Hansen, and I would express those same sentiments. The reports that we get for every meeting are top notch, so thank you all for doing that.

9. MATTERS FROM THE COUNTY ATTORNEY

- A. Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Public Hearing(s) on the Agenda, 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 1978and, 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. Breach of Settlement Agreement and Related Agreements Related to Annexation**
- 2. *City of Albuquerque et al. v. New Mexico Taxation and Revenue Department, et al.*, Cause No. D-202-CV-2018-08036**
- 3. Disposition of Open Space Property within the City Limits of the City of Santa Fe**

CHAIR ROYBAL: I'd entertain a motion to go into executive session if we could get a summary of what we're going into executive session for from our County Attorney, Mr. Shaffer.

MR. SHAFFER: Thank you, Mr. Chair. First of all, there was a separate link that was sent around for this evening's executive session so we will need to exit this meeting and joint that Webex meeting. Secondly, I don't believe that there are any other matters on the agenda that will require the Board to reconvene in open session. So I believe you can adjourn the open session as part of your motion to go into executive session, and again, that will end the open portion of this evening's meeting.

In terms of the matters to be discussed in executive session there is only one and that is 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 that is the second item that's included on the agenda, *City of Albuquerque et al. v. New Mexico Taxation and Revenue Department, et al.*, Cause No. D-202-CV-2018-08036. So again, that will be the only matter to be discussed in executive session, and I think the motion should

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include direction or statement that the open session of tonight's meeting is adjourned.

CHAIR ROYBAL: Thank you, Attorney Shaffer. Can I get a motion in that regard? Commissioner Hamilton.

COMMISSIONER HAMILTON: Yes, I would move that we adjourn this meeting, go into executive session to discuss the matter as just described by County Attorney Shaffer.

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: A motion from Commissioner Hamilton and a second from Commissioner Hughes. I'm going to go to a roll call vote. Madam Clerk.

The motion to adjourn and go into executive session pursuant to NMSA Section 10-15-1-H (7) to discuss the matters delineated above passed by unanimous roll call vote as follows:

Commissioner Garcia	Aye
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Moreno	Aye
Commissioner Roybal	Aye


11. CONCLUDING BUSINESS

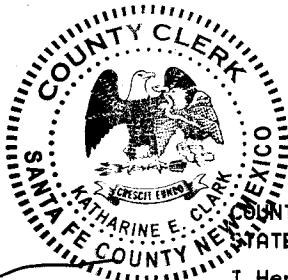
A. Announcements

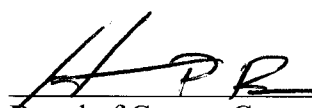
B. Adjournment

Chair Roybal declared this meeting adjourned at 6:40 p.m.

Approved by:

ATTACHED TO:

KATHARINE E. CLARK
SANTA FE COUNTY CLERK





Board of County Commissioners
Henry Roybal, Chair

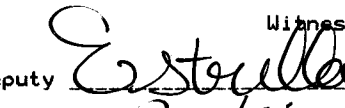
COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 58

I Hereby Certify That This Instrument Was Filed for
Record On The 15TH Day Of April, 2021 at 01:01:55 PM
And Was Duly Recorded as Instrument # **1950073**
Of The Records Of Santa Fe County

Respectfully submitted:


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

Witness My Hand And Seal Of Office
Deputy  Katharine E. Clark
County Clerk, Santa Fe, NM

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