

SFC CLERK RECORDED 05/11/2022

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

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

**April 12, 2022**

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:50 p.m. by Chair Anna Hamilton in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

This meeting was conducted in a hybrid format with both in-person and virtual participation.

**B. Roll Call**

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

**Members Present:**

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

**Members Excused:**

None

- C. Pledge of Allegiance**
- D. State Pledge**
- E. Moment of Reflection**

The Pledge of Allegiance and the State Pledge were led by Chair Hamilton and the Moment of Reflection by Camille Garay Chavez of the Public Works Department.

Commissioner Hansen requested a moment of silence for the people of Ukraine and Europe, as well as those injured in the New York Subway attack. Commissioner Garcia recognized the anniversary of his mother's passing, and for Lawrence Trujillo, a long-time public servant.

1. **F. Approval of Agenda**

CHAIR HAMILTON: Manager Miller, are there changes we need to note?

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KATHERINE MILLER (County Manager): Madam Chair, the amended agenda was posted on April 8<sup>th</sup> at 4:55 pm. We had, under opening business, item E, the caption was updated. Under item 2. B, packet material was updated. Under item 3, no changes. Under item 4. G under Consent, that item was added. Under 5, no changes. Under 6, we had item 6. H, the shared pool agreement was added; that packet material was uploaded and added. And under 6. I, that packet material was also updated.

Under item 7, there were no changes. Under item 9, Legislative Updates, that caption was updated and packet material added. Under section 10, nothing was changed. Under section 11, item A was added. Items B. 1 and 2 was added and item C was added. And those are the changes to the agenda.

CHAIR HAMILTON: Thank you very much, Manager Miller. So I'd entertain a motion to approve the agenda with those changes.

COMMISSIONER GARCIA: Madam Chair, move for approval of the agenda.

CHAIR HAMILTON: Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. We have a motion and a second.

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

**2. APPROVAL OF MEETING MINUTES**

**A. Request Approval of the March 8, 2022, Board of County Commissioners Meeting Minutes**

CHAIR HAMILTON: We have two sets of minutes to approve. Does anybody have changes or what's the pleasure of the Board?

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I move to approve the March 8<sup>th</sup> meeting minutes.

COMMISSIONER GARCIA: Second.

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

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

**2. B. Request Approval of the March 16 and 17, 2022, Board of County Commissioners Special Meeting Minutes**

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I move to approve the March 16 and 17, 2022 Board of County Commissioners meeting.

COMMISSIONER GARCIA: Second.

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

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

**3. CONSIDERATION PROCLAMATIONS, RESOLUTIONS, AND/OR RECOGNITIONS**

**A. Request Approval of a Proclamation Proclaiming April 22, 2022 as "Earth Day"**

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. As you know, I'm a big fan of Earth Day, as I think many of the people on this Commission are, so with that I have a proclamation that I would like to read into the record. Then I would also like to ask if Madam Chair would allow Jacqueline Beam, our Sustainability Manager to please say a few words also.

CHAIR HAMILTON: Yes.

COMMISSIONER HANSEN: Thank you, Madam Chair. Proclaiming April 22, 2022 as Earth Day.

Whereas, the first Earth Day was celebrated on April 22, 1970, in the United States and is commemorated annually to celebrate the beauty of our planet, recommit to actions that promote a healthy environment, and to maintain a peaceful, just and sustainable world; and

Whereas, all people of this earth regardless of race, gender, age, income, sexual orientation, or national origin, have a right to a healthy environment; and

Whereas, humankind is facing tremendous global challenges affecting every community, including degradation of ecosystems, mass extinction of species and climate change; and

Whereas, Santa Fe County and our citizens, organizations, and businesses have shown dedicated leadership on environmental concerns by addressing issues such as energy production and use, greenhouse gas emissions reduction, low emission transportation, water conservation, farmland conservation, urban forest and habitat protection, waste prevention and environmental equity; and

Whereas, the Santa Fe County Board of County Commissioners approved Resolution No. 2020-22 on February 25, 2020, which acknowledged April 22, 2020, as the 50<sup>th</sup> anniversary of Earth Day and requested that County staff carry out and cultivate climate actions in celebration of this anniversary to include planting events in each County district; and

Whereas, after the 2020 Earth Day planting events were cancelled due to the COVID-19 virus pandemic, staff reconvened, under an updated Governor's Order that allowed socially distanced gatherings outdoors, and organized Earth Day 2021 Restore our Earth planting events with great success. 150 community volunteers and 25 staffers planted approximately 350 plants appropriate for Santa Fe County's climate zones, to restore natural areas, provide pollinator habitat, and increase access to shade and fresh fruit in each county district between April 17 and May 15, 2021; and

Whereas, the County's Earth Day Team, led by Sustainability Manager Jacqueline Beam, is organizing Earth Day 2022 events globally themed "Invest in our Planet", with an emphasis on investing in our public housing, local food security,

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and community gathering spaces to increase habitat resilience, access to healthy green space, and expand access to fresh fruit and shade. Plantings and green stormwater infrastructure will be installed at the Santa Cruz Public Housing Development, Arroyo Hondo Trailhead, Boys and Girls Club in Valle Vista, Edgewood Senior Center, and Camino de Jacobo Public Housing Development over five Saturdays starting April 23, 2022; and

Whereas, we acknowledge that, to meet the goals of Earth Day to raise awareness, trigger positive action to protect our environment, and help guide local decision making, the Board will provide leadership, employ the expertise and talent of our community, and engage the hearts and minds of our citizens.

Now, therefore, be it resolved that we, the Board of County Commissioners of Santa Fe County, do hereby proclaim the 22<sup>nd</sup> of April 2022, as "Earth Day."

And with that I would like to make a motion to approve this proclamation.

COMMISSIONER HUGHES: And I'll second it.

CHAIR HAMILTON: Excellent. Thank you very much. I have a motion and a second. Is there anything under discussion?

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Jacqueline Beam, who works for us in the Sustainable Division, thank you for what you all do. Public Works, thank you for what you do. I can remember when we started this, probably five, seven years ago and we actually had a tree planting event at the Eldorado Senior Center. And Roman was our ex-County Manager, we actually with our Public Works Department and everybody else, we actually put a tree in the ground and we planted it.

One of the things that's interesting is we cleaned the El Guicu Ditch and they actually – we went and we cleaned the ditch, and we actually put water in the ditch so that way people can actually utilize the water, the water rights to that that the ditch association owns. And one of the things regarding Earth Day, as the Commissioner mentioned, is this year it's going to be drought. You're already seeing the fires in Belen. You see the fire up there at Hermit's Peak and it's not going to get any better out there. And the resolution for Earth Day, we just have to be aware of the circumstances happening with the warming of what's happening throughout our nation and especially here in the Southwest and please just be conscious of what's going on in the Southwest. And it is Earth Day and just watch that water stuff because that's what it's about. Thank you for bringing this forward, Commissioner. Appreciate that. Thank you, Madam Chair.

CHAIR HAMILTON: Excellent. Thank you. Any others? Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair, and just I'm glad Commissioner Hansen brought this proclamation forward and I think Earth Day is just a good time for us all to recommit to our efforts to save our environment, save our planet. Thank you.

CHAIR HAMILTON: Excellent. I totally agree with that comment and just thank Commissioner Hansen for bringing this forward. Is there any other discussion? We have Jacqueline, right?

COMMISSIONER HANSEN: Yes.

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CHAIR HAMILTON: Jacqueline, are you outside or online?

COMMISSIONER HANSEN: I believe she's online.

CHAIR HAMILTON: Welcome, Jacqueline. Can you unmute yourself?

JACQUELINE BEAM (Sustainability Manager - via Webex): Thank you, Madam Chair, Commissioners. It is absolutely noted that we are facing drought, so this year the events are really focused on densely concentrated plantings and we will be putting in green stormwater infrastructure in many of the sites, which is an exciting area that I would like to see our County move more towards in preserving water and moving water and using nature to water our plants. Of course we'll still have establishment that we have to make sure that's happening over the first couple of years but the main focus in the Invest in our Planet for us was also to create habitats that everyone can enjoy in areas that aren't often given as much love as we would like to see.

So we have some public housing areas – Valle de Esperanza, we have the Boys & Girls Club at Valle Vista, and then we also have the Camino de Jacobo public housing site as well. All of the plants and trees which will be over 300 will be appropriate to the site and location and we are also doing a conservation site at the Arroyo Hondo trailhead, which I'm very excited about working with Open Space and Trails again this year.

I want to say also a huge thank you to Caitlin Weber, who is our new Sustainability Specialist. She has a background in natural resources and she's been a huge help this year in doing a lot of the big lifting and we have a new volunteer coordinator, Nav Khalsa, who will also be a part of really make sure that this happens in a way we need it to happen with all of our participants and all of the prep work. So thank you so much and anyone can go to the landing page of the County's website to sign up.

COMMISSIONER HANSEN: Thank you, Jacqueline. Thank you, Madam Chair. So I just want to give a little over view of the schedule. On April 23<sup>rd</sup> we'll be in Commissioner Roybal's district at the Santa Cruz public housing site on 153 Camino de Quintana Road in Española. On April 30<sup>th</sup>, Arroyo Hondo, southern trailhead parking lot. May 7<sup>th</sup>, Boys & Girls Club in Valle Vista, 8 Las Lomas Drive, Santa Fe, District 5. And May 14<sup>th</sup>, Edgewood Senior Center, 114 Quell Trail, Edgewood. And May 21<sup>st</sup>, Camino de Jacobo public housing at 57 Camino de Jacobo, Santa Fe, in District 2.

I want to really also thank staff, Sara, my liaison and all of Sustainability, Jacqueline and Caitlin and Adeline, for all their work on this and also the Public Works staff. I am grateful for all of your work. I'm so happy to hear we have a new volunteer coordinator. That is wonderful. It makes me happy and I think that Earth Day is one special day but really Earth Day is every day. So if we can all please remember that and think about that as we pass the year with the drought and with the fires that are raging and maybe we need to be reaching out to the Forest Service and reminding them of their responsibilities. It is definitely sad to me what is happening with the prescribed burn and we're in such a drought that we need to have really responsible citizens and public servants taking care of our forests, our land, our water and our entire acequia system.

So just remember that Earth Day is every day. And with that, thank you, Madam Chair.

COMMISSIONER GARCIA: Madam Chair, just really quick, for discussion. As the Commissioner mentioned, it's all about volunteer individuals out there and we just all need to take care of this community together.

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

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

**3. B. Request Approval of a Proclamation Proclaiming the Month of April 2022 as "National County Government Month"**

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Yes, so I know it's kind of a lot. I wanted to bring this proclamation forward at the end of last month, but what I really was encouraged by staff was that we didn't have a lot of time to really develop this proclamation and if we took the time we could really do the right job. To me, this proclamation is really about the County employees and all the work that you do for our County, which is so important. I am so honored to be a Commissioner here and to have the incredible kind of staff that Santa Fe County has. So after we did the strategic planning I thought it was really important that we include those things in this proclamation.

So with that I am going to read the proclamation into the record, and I apologize that it's a little long, and I also ask for people's forgiveness because I had to go to the eye doctor this morning and my eyes are not quite as good as they normally might be so please be patient with me. So proclaiming April 2022 as National County Government Month.

Whereas, the nation's 3,069 counties, parishes, and boroughs serving more than 315 million Americans, provide essential services to create and maintain healthy, safe, and vibrant communities; and

Whereas, counties provide public health services, administer justice, keep communities and constituents safe, foster economic opportunities, and so much more; and

Whereas, Santa Fe County takes pride in its responsibility to protect and enhance the health, wellbeing, and safety of its residents and visitors in efficient and cost-effective ways; and

Whereas, under the leadership of National Association of Counties, NACo President Larry Johnson, NACo is demonstrating how counties thrive, especially in supporting residents and businesses during the COVID-19 pandemic; and

Whereas, each year since 1991 NACo has encouraged counties across the country to elevate awareness of county responsibilities, programs, and services; and

Whereas, Santa Fe County has approximately 154,823 residents, and is the fifth fastest-growing county in the state, with an estimated population growth of 7.4 percent since 2010; and

Whereas, Santa Fe County's four-pronged mission to provide a safe community, promote a sustainable community, support a healthy community, and be a proficient, transparent, and accessible government is at the heart of its budget and project prioritization, services, and programs; and

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Whereas, County leadership came together last month to review and amend the County's Strategic Plan, acknowledge its many achievements during the COVID-19 pandemic, and collaborate to bring innovative technologies, programs, and services to our constituents; and

Whereas, among the noteworthy accomplishments related to the COVID-19 pandemic, Santa Fe County:

- Developed, implemented, and managed a COVID Action Plan;
- Effectively managed \$14,000,000 of CARES Act funding;
- Distributed \$4,000,000 in small business grants and \$2,000,000 in housing assistance (rental and mortgage assistance);
- Developed a public awareness campaign to promote COVID safety practices;
- Developed, implemented, and supported management practices to allow essential workers to continue to serve and for County buildings to remain open during the pandemic;
- Purchased a hotel and developed housing resources for unhoused and unsheltered constituents in Española;
- Created internet hotspots to support students during remote schooling; and

Whereas, among the noteworthy achievements in recent years related to our goal of providing a safe community, Santa Fe County

- Adopted the International Fire Code and established a six-person, year-round wildland fire team;
- Implemented revised operating procedures at the Regional Emergency Communications Center;
- Completed the SFC Fire Department Five-Year Plan;
- Proposed and supported New Mexico Counties' legislative efforts to preserve, increase, and recover E-911 funding;
- Adopted an ordinance to govern legalized recreational marijuana; and

Whereas, among the noteworthy achievements in recent years related to our goal of promoting a sustainable community, Santa Fe County:

- Established a greenhouse gas emissions reduction plan that will reduce the County's annual utility costs, conserve water, and reduce carbon emissions;
- Joined the Race to Zero, pledging to reduce 60% of greenhouse gas emissions from County facilities by 2025 through renewable energy and energy efficiency upgrades, and to achieve that same goal in all buildings across the community by 2030;
- Made progress toward our goal to achieve 75% of energy efficiency upgrades and water conservation for 13 County facilities;
- Updated the Sustainable Land Development Code to include the 2018 International Energy Conservation Code standards, which increases energy efficiency guidelines for all new County buildings and major remodels, and aligns construction requirements with the state, so that, as a result, local buildings will be more efficient and resilient in the face of climate change;
- Developed a Residential Composting Program offering residents a free composting system, tools, and training;

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- Adopted a fleet management policy that is in alignment with the greenhouse gas reduction policy to increase fuel efficiency and reduce redundancy to include electric vehicles and charging station infrastructure;
  - Is working to support the 30x30 initiative and has conserved 12 acres of land and planted nearly 1,500 trees and shrubs;
  - Compiled official documents and located resources needed to develop backup water supply;
  - Conducted an analysis of solarizing County facilities;
  - Installed 350 kilowatts of solar on County facilities in the last five years; and
- Whereas, among the noteworthy achievements in recent years related to our goal of being a proficient, transparent, and accessible government, Santa Fe County:
- Reorganized and launched the Community Development Department to include Housing,
  - Sustainability, Economic Development, and the County/City Film Office;
  - Commenced a compensation study and analyzed positions that are difficult to fill, have high vacancy rates, or high turnover rates to more effectively recruit and retain highly qualified employees;
  - Implemented Docu-sign technology and digitized County Clerk records;
  - Implemented software systems across multiple departments to ensure efficient use of resources and management of projects; and
- Whereas, among the noteworthy achievements in recent years related to our goal of supporting a healthy community, Santa Fe County:
- Developed CONNECT, a network of over 200 navigators that integrates an online platform linking our residents to services needed for their health and wellbeing and which has provided services to 6,340 residents;
  - Increased funding for drug and alcohol abuse treatment services, for both residential and outpatient treatment;
  - Opened La Sala Crisis Center, which uses a living room model and offers an array of mental health and crisis intervention services;
  - Created a Youth Services Division to better serve the youth of Santa Fe County; and
- Whereas, Santa Fe County's dedicated workforce showed remarkable ability to pivot and come together during the uncertain and unprecedented struggles imposed upon us all during the COVID-19 pandemic, and they did it with resilience; and
- Whereas, we have the utmost respect and appreciation for Katherine Miller, who has served as our County Manager with dedication and exemplary leadership for the last 12 years. Katherine is the 2022 recipient of the Association of Government Accountants' Distinguished Local Government Leadership Award for her outstanding leadership of individuals in local government; and
- Whereas, we, the Board of County Commissioners of Santa Fe County, are so blessed to work alongside such competent and adaptable public servants.

Now, therefore, be it resolved that we, the Board of County Commissioners of Santa Fe County, do hereby proclaim April 2022, as National County Government Month.

I know it's a very long proclamation and I think proclamations are probably supposed to be short, but I couldn't cover everything and all the important things that this County does and how much we all give every single day and it warms my heart. There are not enough words or things that I can say of how proud I am to be part of this County. So thank you, Madam Chair, for giving me the opportunity to read this long proclamation into the record.

CHAIR HAMILTON: Absolutely.

COMMISSIONER HANSEN: I would like to make a motion to please proclaim April as National County Government Month. And I plan to send this to NACo because I want them to know what a great county we have.

COMMISSIONER HUGHES: And I'll second.

CHAIR HAMILTON: Excellent. So I have a motion and a second. Under discussion, do Commissioners have questions or comments?

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Local government, all these individuals sitting out there – I worked for local government for many, many years. Local government is where you actually go to Mr. So-and-so or Ms. What's-her-name's house and you actually – the guardrail, or you actually, it could be the acequia that something happened. Local government is where it's at. Especially Santa Fe County local government.

There's actually a plaque in our facility there at the fairgrounds, and guess who's name's on there? Ben Lujan and Bruce King. We all know where they are and those gentlemen, they were local government back in the day and they worked for Rudy Fernandez, Marcos Trujillo, Linda Grill, Commissioner, all those Commissioners. Linda Grill. You want to talk about NACo? The National Association of Counties, as the Commissioner mentioned. 3,069 counties throughout this nation. Javier Gonzales. Commissioner, Mayor Javier Gonzales was actually the National Association of Counties president, which is great, because he was local here from Santa Fe. He was a local government official and a leader here as well as some of the other individuals that I mentioned.

But as the Commissioner mentioned, to be the National Association of Counties president nationwide, it's good to see how local government policy makers or leaders – it's challenging these days. It's challenging to be a policymaker and an elected official. Sure. Everybody wants to do it but as she mentioned also in her proclamation as into every individual that's working out there, every employee out there that works for local government, it's like working on a ship, and whenever you work on a ship from the bottom all the way to the bridge, it's all good no matter what you do on the ship but local government is where it's at.

So thank you, Commissioner, for bringing this forward and thank you everybody for working for local government. This is the people's – thank you, Madam Chair.

CHAIR HAMILTON: Thank you. Commissioner Roybal.

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COMMISSIONER ROYBAL: Thank you, Madam Chair, and I couldn't agree more. I think this is a great resolution we're bringing forward. Like Commissioner Garcia said, local government is where we serve. We're the closest elected officials to our constituents and we see what the needs are and we bring those needs forward and advocate at the higher levels for funding for these different initiatives and just the staff at Santa Fe County does a great job and I'm just really proud to be a part of the organization and really, it's where the rubber meets the road as we've said before. So I've got just a huge amount of gratitude and I'm glad that we have this resolution coming forward. Thank you.

CHAIR HAMILTON: Thank you, Commissioner. Commissioner Hughes.

COMMISSIONER HUGHES: I was going to add something but I think Commissioner Hansen really said it all, as well as my fellow Commissioners, Garcia and Roybal. But yes, it's great to honor County government and all the work that's done here at the County. Thank you.

CHAIR HAMILTON: I would agree with that. Commissioner Hansen.

COMMISSIONER HANSEN: Yes, I want to recognize staff who helped me write this resolution and Cindy for working so hard as our strategic planner and helping us compile this for the resolution and to Sara Smith, my constituent liaison who has been an incredible help to me. So thank you for that and thank you again.

CHAIR HAMILTON: Yes, Manager Miller.

MANAGER MILLER: Are you finished?

CHAIR HAMILTON: Well, we have to take a vote.

MANAGER MILLER: Okay. When you're done with the vote we have something special for you.

CHAIR HAMILTON: Okay. So we have a motion and a second for this well deserved proclamation.

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

CHAIR HAMILTON: Thanks to everybody at the County who contributes to this. Manager Miller.

MANAGER MILLER: Madam Chair, Commissioners, so the staff at the County are very proud to be part of the County and local government and in particular a County. And they put together a little video for our social media, for our website and I think that Daniel is going to play that.

[A video was shown.]

CHAIR HAMILTON: That was just wonderful.

COMMISSIONER HANSEN: Thank you, Daniel, so much.

CHAIR HAMILTON: Manager Miller, do you have any words on how they did that? Who thought of it? That was just a great thing to do.

MANAGER MILLER: Madam Chair, Commissioners, we have a very clever social media individual in our office. Daniel and staff put it together and he just does an excellent job with these type of things. So I thought it was fitting to do that for National County Month. I want to thank the staff that was actually willing to be videoed because some of them weren't. And I'm sure Elias had something to do with it as well.

CHAIR HAMILTON: So this is like the search for the guilty party. But part of what was so wonderful was that it highlights the people and the County staff that really do all the work and all the service, and that's what's so wonderful. Commissioner Hansen.

COMMISSIONER HANSEN: So one of my strong complaints is that the paper doesn't cover us enough, the local paper. So I figured okay, if they don't want to cover us, we'll just promote ourselves. And I really believe that we need to let the County and the City know how much we do and all the great services that Santa Fe County provides to everybody. That goes to our staff. So thank you, staff, for all your great work in the County and I will continue to try to get the newspapers to cover us more but that's a heavy lift. But thank you, Daniel, and thank you, Elias and Sara and all of the County Manager's Office for making this video. It's very nice and I think we need to send that to NACo also. And I'll do my best to get it promoted in July at the annual conference.

CHAIR HAMILTON: So thank you very much.

**4. CONSENT AGENDA**

- A. Resolution No. 2022-019, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget a New Mexico Fire Protection Grant Council Stipend Award in the Amount of \$25,000 (Finance Division/Yvonne S. Herrera and Fire Department/Jackie Lindsey)**
- B. Resolution No. 2022-020, a Resolution Requesting an Increase to the Road Projects Fund (311) to Budget a Federal Highway Administration Grant for the Arroyo Hondo Trail Project in the Amount of \$37,899.61 (Finance Division/Yvonne S. Herrera and Public Works Department/Phillip Montano)**
- C. Resolution No. 2022-021, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget the Carry Forward of \$7,362 from the FY21 Fire Protection Grant Council Award for the Stanley Fire District (Finance Division/Yvonne S. Herrera and Fire Department/Jackie Lindsey)**
- D. Final Order in The Matter of Case # 21-5100 Mesa Vista Development LLC. Mesa Vista Development LLC, Charles Goodman, Applicant, and James Siebert and Associates, Agent, Requested Approval to Vacate a 20' Wide Public Utility Easement on the Northern Property Boundary, a 25' and 20' Wide Public Utility Easement via Fire Place Road, a 47' Private Access, Public Utility and Drainage Easement, a 25' Private Access and Public Utility Easement Along the Northern Boundary and Adjacent Tract B-2A, and a Ponding Easement on the Southern Boundary Bordering the Arroyo Hondo. The Property is Zoned as Planned Development District (PDD) Within the Mesa Vista Subdivision. The Property is Located at 53, 55, and 58 Fire Place Road, Within the Vicinity of Turquoise Trail Subdivision, Within Section 26, Township 16 North, Range 8 East (Commission District 5). (Approved 5-0) (Growth Management Department/John Lovato, Case**

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- Manager)
- E. **Request Approval of County Utility Line Extension and Delivery Agreement Between Santa Fe County and Vedula Residential Operating, LLC (Utilities Division/John Dupuis)**
  - F. **Request Approval of Release of Claims for North Central Regional Transit District ("NCRTD") Regarding Cause No. No. D-202-CV-2018-08036, *City of Albuquerque, et al v. Stephanie Schardin Clarke and New Mexico Taxation and Revenue Department* (County Attorney's Office/Gregory S. Shaffer and Finance Division/Yvonne S. Herrera)**
  - G. **Request approval of Resolution 2022- 022, a Resolution Increasing Employer Pick-Up of PERA Member Contributions Previously Established By Resolutions 2006-2 And 2008-20, by Authorizing 75% Pick-Up of Non-Bargaining Unit PERA Member Contributions Under Municipal Fire Member Coverage Plan 5 Based On Contribution Rates in Effect on the Date of Adoption of this Resolution (County Attorney's Office/Rachel A. Brown and Human Resources Division/Sonya Quintana) (Item Added)**

CHAIR HAMILTON: Are there items that people need to have taken out?

COMMISSIONER GARCIA: Madam Chair, if there's no questions, I'd move for approval. But I just have a quick question on item #G in regards to the – I just want to bring the resolution increasing employer pick-up from PERA, which is the employer of Santa Fe County and I just want every employee to realize what we do as policymakers and the budget, actually, we're actually increasing the pay a little bit more, compensation for the PERA that the employee does not have to pay for. But thank you, Madam Chair. Move for approval.

COMMISSIONER HUGHES: Second.

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

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

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

- 5. **APPOINTMENTS/REAPPOINTMENTS** - None were presented.
- 6. **MISCELLANEOUS ACTION ITEMS**
  - A. **Request (1) Approval to Utilize a New Mexico State Price Agreement (NMSPA) for the Purchase of a Modular Office Building in the Amount of \$390,238.54, Inclusive of NMGRT, and (2) Ratification of the County Manager's Signature on the Purchase Order)**

CHAIR HAMILTON: Welcome. If you'd introduce yourself I'd give it over to you.

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BARBARA HERRERA (Public Works): Good afternoon, Madam Chair and Commissioners. I appreciate the opportunity. My name is Barbara Herrera. I'm the Projects Section Manager for Public Works, managing open space and vertical projects. On behalf of Bill Taylor and P.J. Phillip Montano, I stand before you to request approval to utilize a New Mexico State price agreement for the purchase of a modular office building in the amount of \$390,238.54, inclusive of New Mexico gross receipts tax. And I also request ratification of the County Manager's signature to the purchase order.

This is a request for a modular building that will be for the adult detention facility where they will be able to take a break if they are working more than one shift in a row. There will be a lounge and a workout room for them to relax and take a break before going back to work. With that I stand for any questions.

CHAIR HAMILTON: Excellent. Thank you very much, Barbara. Are there questions? Let's go down the row. Commissioner Hansen.

COMMISSIONER HANSEN: Madam Chair, Barbara, P.J., Katherine, I think this is a wonderful idea. I think it's a way to show our appreciation of County staff and especially after our tour of the corrections facility last week. Or maybe it was a week and a half ago. It's really important to show our appreciation and I think this is an excellent idea. And with that I would like to move to approve.

CHAIR HAMILTON: Okay, I have a motion. Can I have a second so we can move on to discussion?

COMMISSIONER GARCIA: Second.

CHAIR HAMILTON: Thank you. I have a motion and a second. Under further discussion, Commissioner Hughes.

COMMISSIONER HUGHES: I was either going to move or second. That was all. I think it's a very good idea.

CHAIR HAMILTON: Excellent. Thank you.

COMMISSIONER GARCIA: Madam Chair, just really quick. The purchase agreement for the almost \$400,000, what size is the modular unit and where will it be located at?

MS. HERRERA: The modular building will be 1,440 square feet and it will be located centrally to the facility. I believe it's on the south side where there's already a pad and there's already electrical and utility opportunities that will help expedite this process.

COMMISSIONER GARCIA: Thank you, Madam Chair. So Barbara, so the \$390,000, that includes utility and water, sewage, everything else?

MS. HERRERA: I believe so. Yes.

COMMISSIONER GARCIA: Thank you. And I just want to give Barbara some credit. She's actually the individual that was in charge of building our new facilities at 100 Catron. That work, she did an excellent job as project manager. But, P.J., can you answer the question? Does that include utilities and everything else?

P.J. MONTANO (Public Works): Madam Chair, Commissioner Garcia, yes. That does include utilities to the facility. The only thing that's not on here is the FF&E, but this would be a turn-key facility with this amount funded.

COMMISSIONER GARCIA: Thank you, Madam Chair. And so these individuals, they don't have no facility now that they're working out of? They have no

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break room? Where are they at these days?

MR. MONTANO: Currently at this time they do not have a facility for them to wait between shifts, freshen up, even have lunch. Just some down time between shifts.

COMMISSIONER GARCIA: Thank you, Madam Chair. This facility, it will include some parking facilities for them as well? And it's 24 hours a day?

MR. MONTANO: Madam Chair, Commissioner Garcia, yes, this would be 24 hours a day. They would still utilize the staff parking that they use currently.

COMMISSIONER GARCIA: Thank you, Madam Chair. And also so these individuals are not allowed to go work out at the Public Safety Complex where the Sheriff's Department and those guys – those individuals work out?

MR. MONTANO: Currently they aren't allowed to work out at the Public Safety Facility, but this will have half of a lounge for them to relax in and the other half will have some workout equipment in there.

COMMISSIONER GARCIA: Thank you, Madam Chair. And just once again, this is 24/7 for our correctional facility individuals.

MR. MONTANO: As far as I'm aware, yes, Corrections is requesting this to be 24 hours.

COMMISSIONER GARCIA: Thank you, Madam Chair. So can we can some solar panels out there? Nor right now necessarily but in the future so that we can run those facilities with the sun that we have in this beautiful Southwest?

MR. MONTANO: Madam Chair, Commissioner Garcia, I believe that is something that Sustainability is looking into currently.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you.

CHAIR HAMILTON: Thank you, Commissioner Garcia. Is there any other discussion? If not, I have a motion and a second.

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

**6. B. Request Approval of Sewer Easement Agreement No. 2022-0188-HA for the County's Nueva Acequia Multi-Family Development**

CHAIR HAMILTON: Paul.

PAUL OLAFSON (Community Development Department): Madam Chair, Commissioners, I'm here for Joseph Montoya today. Also with me is Scott Kaseman and Jordan Barela if we have any questions. This item is a grant of sewer easement across the Nueva Acequia affordable housing project site. It will grant the easement to two adjacent property owners so that they will be able to cross that property to connect with the City sewer line which is in Camino de Jacobo. In exchange for providing this easement the developers will provide pedestrian access and landscaping across the easement area.

That's kind of the real short of it. Also, the easement will benefit the development, the County's affordable housing development by providing ingress and egress off of Camino Ignacio and Camino Alberto. With that I'll stand for any questions.

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CHAIR HAMILTON: Excellent. Thanks very much, Paul. Are there any questions? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair, Paul, Scott, and Jordan. This is in my district and as somebody who you know completely supports the installation of sewers everywhere. I think this is a great idea and especially being able to work with the adjoining property owners. As I well know, it's always a challenge to get easements and to make sure that everybody is on the same page and working together. And so I'm really happy to see this project moving forward, especially for this affordable housing, multi-family housing development. It's really important and I will make a motion to approve, but I know – I would like other people to also make comments. So thank you.

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

COMMISSIONER HUGHES: I'll second.

CHAIR HAMILTON: Thank you. So I have a motion and a second. Under further discussion, are there questions? Mr. Olafson.

MR. OLAFSON: I just want to make one additional statement that we have still pending one signature line from an out-of-state property owner. As soon as we get that then we'll process the agreement and have it recorded. I just want to make that for the record.

CHAIR HAMILTON: Okay. Great. Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair, Mr. Olafson. This is off of Camino Jacobo. Is this the housing project off of Airport Road or off of Valle Vista?

MR. OLAFSON: Madam Chair, Commissioner Garcia, this is directly south of the existing Camino Jacobo site, and it's accessed off of both Jacobo and this new road that will come from kind of where the Lowe's improvement area is and the theaters, and it will come across east to west there.

COMMISSIONER GARCIA: Thank you, Madam Chair. And Mr. Olafson, you talked about somebody improving the easement for a walking – or who's going to do that?

MR. OLAFSON: That would be the easement grantees. The people who we're granting the easement to will do those improvements for the County property.

COMMISSIONER GARCIA: Thank you. It's kind of a – there are some tent sites that are back in there behind the storage unit areas and I drive by there pretty regularly and so once again, we're going to get an easement from some individuals that are from out of state and they're actually going to build the easement to actually have a walking trail? Because that's where our housing development is going to be that we actually approved?

MR. OLAFSON: That is correct.

COMMISSIONER GARCIA: So once again, thank you, Madam Chair. So Mr. Olafson, explain to me where this easement is. It's actually north of the storage unit area?

MR. OLAFSON: Madam Chair, Commissioner Garcia, yes. The site is the property we purchased for the Nueva Acequia is directly south of the existing Camino Jacobo site. The 50-foot easement will be on the south border of the existing Camino

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Jacobo and on the north end of the new development. And then the storage units are on the south end of the new site. And it would be the access for both Camino Jacobo residents and the new Nueva Acequia residents, as well as other residents in the area.

COMMISSIONER GARCIA: Thank you, Madam Chair. And so have we actually talked with Capital Development. Capital Development actually owns where the Lowe's center is as well as the movie theater and that whole development there, and they're actually wanting to do some changes to that whole development which is – I forget what they're called – Capital –

MR. OLAFSON: I know who you're talking about and yes, we have talked with them. And this is another – one is called VSP Hospitality, LLC, and the other is Plaza Camino Real.

COMMISSIONER GARCIA: Thank you, Madam Chair. Because Mr. Branch is actually is the one that's in charge of that development. But we have made contact with all the adjoining property owners?

MR. OLAFSON: Yes. We have been in communication with all the adjacent property owners and we are aware of what they're planning and they're aware of what we're planning and we're trying to integrate them. And that pedestrian access then will be extended into those new developments as well.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you.

CHAIR HAMILTON: Thank you very much. Are there any further questions? If not I have a motion and a second.

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

6. C. **Request (1) Approval of Amendment No. 5 to Agreement No. 2019-0110-CSD/CW Between Santa Fe County and Santa Fe Recovery Center, Extending the Term for an Additional Year and Increasing Compensation an Additional \$225,000 for a Total Contract Sum of \$1,033,490, Inclusive of NMGRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order**

CHAIR HAMILTON: And who is taking this one? Okay, welcome.

ALEX DOMINGUEZ (Behavioral Health Program Manager): Madam Chair, Commissioners, I am before you today requesting approval of amendment #5 to agreement #2019-0110-CSD between Santa Fe County and Santa Fe Recovery Center, increasing compensation an additional \$225,000 to provide residential and outpatient services to the residents of Santa Fe County for a total contract sum of \$1,033,490 inclusive of New Mexico gross receipts tax, and granting signature authority to the County Manager to sign the purchase order.

With that, Madam Chair, Commissioners, what I'd like to do is give you a brief background on what the services have been provided there for the past three years, as we are looking for this amendment. This is for the fourth and final year of the existing agreement.

In 2019, Santa Fe County through the Community Services Department released a

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competitive request for proposals for residential and outpatient services related to substance use disorders for adults. Funding for services is a combination of County funds and DWI state grant funds. Santa Fe Recovery was awarded the contract. Santa Fe Recovery Center is a non-profit organization whose mission is to work with individuals to sustain lifelong recovery from alcoholism, addiction, and related mental health issues. County funding supports residential services for adults challenged with substance use disorders. Although some of the services are reimbursed by Medicaid, it does not always fund the full term of a client's treatment. As a payer of last resort, our funding supports those services that are no longer reimbursed by Medicaid or support a client's longer stay while navigators are working to place individuals in the next step of the continuum of care.

For example, short-term residential treatment or residential living. Outpatient services funding supports those clients who have completed their detox, residential treatment, or short-term residential services. The outpatient model is designed to support clients while transitioning back into society through individual and/or group therapy specific to their needs.

In fiscal year 2021 Santa Fe Recovery served approximately 7,542 clients in residential treatment, and 595 in outpatient services. As of the end of the third quarter of fiscal year 2022 they have served 10,034 clients in residential services, and another 785 in outpatient treatment. Approximately a 25 to 30 percent increase in both.

Also although not funded by this agreement, Santa Fe Recovery also provides detox services for adults at the La Sala Center. With that, Madam Chair, Commissioners, I stand before you for questions.

CHAIR HAMILTON: Thank you very much, Alex. Commissioner Garcia.

COMMISSIONER GARCIA: I don't have any questions but a great presentation and the Santa Fe Recovery Center, everybody in this community has some challenges. I myself have had some challenges and for the Santa Fe Recovery Center, what they do here, you can talk to Senator Rodriguez, a lot of senators that actually have participating in funding that organization and so I just think it's a great organization that helps out in this community. As we know, some of us go up and down Cerrillos Road, Airport Road, and actually this is challenging in our local communities throughout the nation as into what we're doing nationwide. And with that, Madam Chair, motion for approval.

COMMISSIONER HUGHES: I'll second.

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

COMMISSIONER HUGHES: Thank you. So we anticipate going out to bid again next year when this contract is up? Is that correct?

MR. DOMINGUEZ: Madam Chair, Commissioner Hughes, that is a great question. That is a conversation as yet to be taking place between directors O'Connor and Boies. We will be discussing some of the gap needs and funding needs that we have before making that determination, but it's always a program that we can always resort to and properly fund. At this time that decision has not been made but it will be something discussed during the next fiscal year.

COMMISSIONER HUGHES: Okay. Thank you, Alex and Madam Chair.

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I have lots of questions but I'm going to meet with you some time and talk more in depth. We won't take up time here. Thank you.

CHAIR HAMILTON: Thank you. Are there more questions on this? So I have a motion and a second.

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

**6. D. Resolution No. 2022-023, a Resolution Requesting a Budget Increase to the Community Development Block Grant Fund (250) to Budget a CDBG Grant Amendment for the Glorieta Well Project in the Amount of \$381,968**

CHAIR HAMILTON: It looks like Yvonne is actually presenting this.

YVONNE HERRERA (Finance Director): Madam Chair, if you would like me to talk to Bill and discipline him in any way, I can. [laughter]

CHAIR HAMILTON: You would be happy to. Thank you.

MS. HERRERA: Absolutely.

COMMISSIONER HANSEN: Where is he?

MS. HERRERA: On a long overdue vacation with his family.

COMMISSIONER HANSEN: We're happy for him.

MS. HERRERA: Madam Chair, Commissioners, the BAR before you is to budget more money to the CDBG grant. Through Resolution 2019-27 the Board selected the Greater Glorieta Mutual Domestic Water Consumers Association infrastructure project and authorized the submission of an application to DFA in the amount of \$750,000. In addition to the original grant amount, on September 24, 2021, the Community Development Council voted to allocate an additional \$381,968 for CDBG CV funds to the project due to COVID related issues and expenses for materials, supplies, labor costs and supply chain breakdowns.

The County has currently contracted with HDR engineering to deliver final engineering design documents, and the staff anticipates that construction will begin this spring and summer. And with that, Madam Chair, I stand for any questions.

CHAIR HAMILTON: Thank you. Before I go to the Board for questions I also just wanted to thank the County staff, led especially by Paul Olafson for helping the community bring in this additional funding. It was very much needed and it was a great effort on the staff's part.

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. Once again, thank you to staff because the CDBG is the Community Development Block Grant, which is actually a grant that is applied from the federal government. And whenever the staff, whether it's Public Works or whether it's Ivan, whoever is sitting out there, CDBG – Paul, you know this. We dealt with this. We started this Glorieta project, I met Commissioner Hamilton 15 years ago.

CHAIR HAMILTON: I know it was a long time ago.

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COMMISSIONER GARCIA: And Glorieta water system has done an excellent job because it's something that's needed in the community. And CDBG is the Community Development Block Grant which is something that is applied from the federal government. And the hard part about it is is whenever you're audited by the federal government. Because they come in and they look at Joe's books and they look at those – and so whatever – Ivan's smiling. So staff is working on this Community Development Block Grant. It's a federal grant and whenever the feds come in here they come in and they look at all your records. But I think this is actually a great project that is being done for the Glorieta water system as when we all worked on – Paul, you know this. We worked and Tony and I and you, we worked on this. We actually combined the two different water system in one water system that actually used to have – they had an old boxcar, train, that used to store their water.

And so we actually all worked on it and we actually moved forward, but thank you, Madam Chair. If there's no other questions, move for approval.

CHAIR HAMILTON: Thank you.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. So I have a motion and a second. Under further discussion? Seeing none.

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

**6. E. Resolution No. 2022-024, a Resolution Requesting a Budget Increase to the State Special Appropriation Fund (318) to Budget a Grant from the New Mexico Department of Finance and Administration, Local Government Division in the Amount of \$452,668**

CHAIR HAMILTON: And we have Director Herrera again.

MS. HERRERA: Madam Chair, Commissioners, the BAR before you is to budget a legislative appropriation in the amount of \$452,668 for the plan, design, construct and equip for a public housing site improvement. The Housing Division intends to utilize the funding allocated to replace all current chain-link fencing within the development with six-foot vinyl fencing as well as improving the basketball court goals, installing court benches, and installing a table and gazebo at the Santa Cruz Community Park.

The grant was executed on February 4<sup>th</sup>, and with that, Director Barela and I stand for any questions.

CHAIR HAMILTON: Excellent. Are there any questions?

COMMISSIONER GARCIA: Madam Chair, I have a question.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: So what site is this at again?

JORDAN BARELA (Housing Director): Madam Chair, Commissioner, this will be at the Santa Cruz public housing development.

COMMISSIONER GARCIA: And so in regards to the six-foot chain-link fence, does it have to be all six-foot? Or is required for six-foot? Can we do four-foot?

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Can we do three-foot? Because what I don't want to actually visualize is to institutionalize Santa Cruz housing area.

MR. BARELA: Madam Chair, Commissioner Garcia, the current fencing is 5 ½ feet, I believe. Chain-link fencing in the development at that moment, so we wanted to keep somewhat of the same standard. Right now the estimates that we received that there wasn't much of a cost difference between going with four-foot fence or six-foot fence. There was but it wasn't significant, so we decided to stick with the standard. Speaking of just the volume, there's about 13,500 lineal feet of chain-link fence currently in the development that's been there since the development was created. So we do get Chinese elms growing through it. There's been damage in areas and due to site erosion there are some areas within the development where the chain-link fence is actually falling over.

So that was one of the site-wide projects that with the total grant allocation we'll be able to complete start to finish.

COMMISSIONER GARCIA: Thank you, Madam Chair. So I guess my direct request is I don't want to see a six-foot fence all the way around the whole Santa Cruz property. P.J. and the Santa Cruz Boys & Girls Club, can we actually stagger and make it look like – that way it doesn't look all chain-link fence around the whole entire site. That's what I'm asking if we can actually look at that, because I don't want it to look institutionalized. I want it to look – with all due respect to the Commissioner here.

MR. BARELA: Madam Chair, Commissioner Garcia, we're still looking at options for fencing in general. Vinyl fencing seems to be the best approach because it has reduced maintenance costs over time. So it's much easier to deal with. But in terms of the exact paneling that we put up on the fencing those options are still available and we'll take that into consideration.

COMMISSIONER GARCIA: Thank you, Madam Chair. So this is actually going around the entire site at Santa Cruz development? Or is this just going around the Boys & Girls Club area?

MR. BARELA: Madam Chair, Commissioner Garcia, the entire development. So that 13,000 lineal feet, each individual lot within Santa Cruz is currently separated by chain-link fencing, so it will be a replacement of all of the fencing within the development.

COMMISSIONER GARCIA: So I'm just going to criticize – I want to put this on the record, Madam Chair. I would like to see, just with all due respect, Commissioner. I don't want to see a six-foot chain-link fence around the whole development. I'd like to see it staggered or – you follow me.

MR. BARELA: Madam Chair, Commissioner Garcia, what we can do when we're getting closer to determining the exact type of fencing that's available, we can present that specifically to the Housing Board as part of the capital fund report so the Board has the ability to review and provide some direction in regards to the fencing.

COMMISSIONER GARCIA: Thank you. Thank you, Madam Chair. Because I just – I wanted to, with all due respect, Commissioner Roybal, I just wanted to – we've been working on that site for many years. We just wanted to fix it up.

MR. BARELA: Madam Chair, Commissioner Garcia, and one of the reasons we decided to move forward with this project in particular is because Santa Cruz,

one of the things in terms of the Earth Day event, in terms of part of this project contributing to the park and with the fencing is to build the curb appeal of the development overall. So we wouldn't want to implement any type of project that sort of strays away from increasing the curb appeal in that area.

COMMISSIONER GARCIA: Thank you, Madam Chair. Please look into that. Thank you.

CHAIR HAMILTON: Thank you. Are there further questions?

COMMISSIONER HUGHES: I'll make a motion to approve the change.

COMMISSIONER ROYBAL: I'll second.

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

COMMISSIONER ROYBAL: Under comment, I would agree. I know that we're going to – since it is a housing facility of course we want to make sure that we have a nice fence in that area. So I agree and I know that staff will look at making sure that it is an inviting fence and a nice fence. Thank you, sir.

CHAIR HAMILTON: Thank you. So if there's no further discussion, I have a motion and a second.

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

6. F. **Request (1) Approval of Multiple-Award and Multiple Year County Price Agreements 2021-0051-PW/APS-A, B & C for Road Maintenance and Construction Materials and (2) Delegation of Signature Authority to the County Manager to Negotiate, Execute, and Sign the Agreements and Purchase Order(s) in Amounts Not To Exceed \$250,000 per County Road Project**

CHAIR HAMILTON: We have Ivan Trujillo. If you want to take it away that would be great.

IVAN TRUJILLO (Public Works): Absolutely. Madam Chair, Commissioners, good afternoon. The Public Works team is requesting approval of a multiple award and multi-year County price agreement. A, B, and C, for three vendors for road maintenance and construction materials. And two, to request delegation and signature authority to the County Manager to negotiate, execute, and sign agreements and purchase orders in amounts not to exceed \$250,000 per County project. And with that I'll stand for questions.

CHAIR HAMILTON: Great. That was short and sweet. Are there any questions?

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Garcia.

COMMISSIONER GARCIA: The \$250,000 contract is actually to go buy aggregate. This is for construction aggregate for asphalt paving, whatever we need to do for roads, right?

MR. TRUJILLO: Correct.

COMMISSIONER GARCIA: So is \$250,000 going to ask us to the end of the fiscal year? Or is it going to last us to next year?

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MR. TRUJILLO: Madam Chair, Commissioner Garcia, this is the four-year price agreement. So these prices, we're hoping that we can keep intact for a four-year term. And these are the vendors we'll be buying all our materials for those four years on any potential County road maintenance project that we need.

COMMISSIONER GARCIA: Thank you, Madam Chair. And is this actually to go out and – and this is to get a price agreement for three or four different vendors?

MR. TRUJILLO: Madam Chair, Commissioner Garcia, that's correct. We've already bid the project and we have three submittals or bidders and so we have prices that have already been presented that we're agreeing to, and we're asking the Board to approve for those to be executed.

COMMISSIONER GARCIA: Thank you, Madam Chair, Manager Miller.

MANAGER MILLER: Madam Chair, Commissioner Garcia, the \$250,000 limit is my limit as County Manager to place an order. So once those price agreements are in place, as County Manager I can sign orders off of those price agreements up to \$250,000 but then anything above that comes back to the Board for award. So there are existing agreements that we can place orders against but those orders can't exceed \$250,000 each.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you, Mr. Trujillo. Thank you, Manager Miller. So the concern I have is \$250,000, is that enough?

MANAGER MILLER: Madam Chair, Commissioner Garcia, that's the limit for the County Manager's signature authority as per resolution already passed by the Board. So you'll see that contracts that exceed that limit come to the Board of County Commissioners for approval.

COMMISSIONER GARCIA: Thank you, Madam Chair. I move for approval.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: Thank you. So I have a motion and a second. Is there further discussion? Seeing none.

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

6.     **G.     Request (1) Approval to Utilize the Cooperative Educational Services Cooperative Agreement to Repair, Improve, and/or Replace the Roof at the County Youth Development Program Facility and (2) Delegation of Signature Authority to the County Manager to Negotiate, Execute, and Sign Any Necessary Agreement and Purchase Order(s)**

CHAIR HAMILTON: P.J.

P.J. MONTANO (Public Works): Good afternoon, Madam Chair, Commissioners. On behalf of Bill Taylor, the Public Works Department is requesting approval to utilize the cooperative education services agreement to repair, improve and replace the roof of the County Youth Development Program facility and to delegate signature authority to the County Manager to negotiate, execute and sign purchase orders

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in the amount not to exceed \$1,070,564, inclusive of New Mexico GRT. With that I'll stand for any questions.

CHAIR HAMILTON: Thank you so much. Are there any questions?  
Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I was just wondering, is this like the other one where as long as it's under \$250,000, which is the fixed amount for the Manager to sign the contract and if not, it comes back to us? Or how does this work?

MR. MONTANO: No, currently we've already received a price from the contractor to repair and replace a portion of the roof, and then the entire roof will hold a ten-year warranty. So this is the total cost of the contract.

COMMISSIONER HUGHES: So what is the cost of the roof repair?

MR. MONTANO: \$1,070, 564.

COMMISSIONER HUGHES: Oh, I'm sorry. Okay. Very good. That was my question. Thank you.

CHAIR HAMILTON: Thank you. Other questions? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, P.J., for presenting this. I think that repairing the roof on old Youth Development program facility is really important because we can then transform that building into a much more function usage. One for the Clerk, one for possibly record storage, but without a good roof, no building is worth its price.

MR. MONTANO: Right. We've got to fix the envelope first.

COMMISSIONER HANSEN: So with that I would move to approve this to utilize the cooperative educational service agreement to repair and replace the roof at the County Youth Development program facility and delegate signature authority to the County Manager to negotiate, execute and sign the purchase order.

COMMISSIONER ROYBAL: Second.

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

COMMISSIONER HUGHES: Yes.

CHAIR HAMILTON: Commissioner Hughes.

COMMISSIONER HUGHES: Sorry, I had one more question, which is where is the money coming from to pay for it?

MANAGER MILLER: Madam Chair, Commissioner Hughes, when we sold the bonds for renovation of this building as well as the 100 Catron, we had an estimated cost and the team did such a good job negotiating a design-build that we had additional bond proceeds that can be used for administrative facilities. So some of that remaining money.

COMMISSIONER HUGHES: Thank you. That was all.

CHAIR HAMILTON: Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. This is in regards to the money that the Clerk was actually very [inaudible] state legislature. So, Mr. Montano, is our plan actually to put the Clerk's facility or her storage in that facility?

[Audio difficulties]

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CHAIR HAMILTON: Did you have something, Commissioner Roybal?

COMMISSIONER ROYBAL: No, I'm good. Did we have a motion and a second? I don't know if Commissioner Hansen has something.

CHAIR HAMILTON: So I have a motion and as second.

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

**6. H. Request Approval of Interim Wheeling Rate Agreement Between the City of Santa Fe and Santa Fe County**

CHAIR HAMILTON: Utilities Director John Dupuis.

JOHN DUPUIS (Utilities Director): Good afternoon, Madam Chair and Commissioners. This is an issue that the City and County have worked on extensively and we have an interconnected system that we conjunctively manage through our collective water supplies. Two agreements between the City and the County, the amended, restated water resources agreement and the Buckman Direct Diversion shared pool agreement authorize the City to charge a wheeling charge on certain County water delivered through the City system.

The City informed the County of its intent to begin doing so on July 1, 2021 and the City and the County staff are working in good faith on an agreed upon methodology for developing the wheeling rates and initial wheeling rates were developed using that methodology. The interim wheeling rate agreement would allow the County to pay interim wheeling rates on wheeled water delivered since July 1, 2021 which both benefits both us and the City, avoiding accrual of a not insignificant receivable and payable on their respective books.

Regarding the term "wheeled water" as it's used in the agreement, it means County BDD project water delivered to the County through the City's independent water system and additionally BDD shared pool water delivered to the County through the City independent system during non-discretionary shutdowns of BDD. The City informed the County of its intent as of July 1, 2021 and out of an abundance of caution, while recognizing that the City's Water Division Director and the County's Utility Division Director were attempting to develop mutually agreeable wheeling rates.

On April 12, 2021 the County Manager served on the City a demand for arbitration under Article 15 of our water resource agreement. This was concerning the proposed wheeling rate and since the demand for arbitration we have been working in good faith for developing the initial wheeling rate and using the methodology we've developed. The County Utility Division included \$384,093 in its fiscal year 2022 budget for wheeling charges, so in other words, these are not unanticipated charges. The interim wheeling rate agreement recognizes the City and the County intent to memorialize an agreed upon methodology and develop that pursuant to its future agreement.

Such agreed upon methodology is important because it should help us avoid future disputes concerning wheeling rates and can readily be updated. Some of the significant terms in the interim wheeling rate agreement are the points of delivery, the interim rates. Regarding the points of delivery, there's an Exhibit A to the interim wheeling rate agreement that sets for the location of master meters and it has the current

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points of delivery and other points of interconnection.

Of importance is the interim rates relative to the different points of delivery, because they can be different, and the same is true for subsequent agreements that would be non-interim or – I don't know if we've come up with a term for the follow-up agreement, but the agreement is forthcoming relative to future rates.

So a specific example is the booster station 4 delivery point in Exhibit A. It's identified for a wheeling rate of 70 cents per thousand gallons, which is half of the wheeling rate for all other points of delivery. And some explanation on that difference is that there is a significant amount of electricity and other infrastructure that are used to pump water through booster station 4 in the City's two million gallon tank and by delivering it at that location it avoids having to do that. It involves some interaction with the Las Campanas Co-op which we are scheduled to work through with the City and the Co-op but enabling that would help reduce the expenses to everyone and accordingly our wheeling rate should be reduced as well.

There will also be a true-up based upon the initial rates established through the agreement or arbitration. Paragraph 3 of the interim wheeling rate agreement provides for updated billing retroactive to July 1, 2021 based upon the initial interim rate established through the agreement or arbitration. If the initial wheeling rate results in the County having underpaid an amount based upon the interim rates the County will owe the City the difference, and if the initial wheeling rate results in the City being overpaid based upon the initial or the interim rate, the difference shall be credited to the County's accounts and the credit shall be applied toward amounts due on the County's next and successive monthly billings pursuant to Section 12.

The last section to bring to your attention is the water quality at booster station 4 – booster station 4 is not a water quality compliance point for the City, hence the explanation I provided earlier that we're working with the Las Campanas Co-op, because it is a delivery point directly to their facilities, and the City further treats water downstream of that booster station at its two million gallon tank to meet water quality regulations through chlorination. Consequently, the County will take delivery of water at booster station 4; it would not necessarily meet applicable water quality regulations and therefore the County and Las Campanas Water and Sewer Co-op may need to further treat the water using existing chlorination capabilities at the Co-op's facilities before delivery to the customers and in that reality, Paragraph 4 of the interim wheeling rate provides as follows: The County acknowledges and agrees that the water that takes delivery at the booster station point of delivery may not meet applicable water quality regulations for residential and commercial use, etc. and with regard to the water deliveries taken at booster station 4 point of delivery the County therefore waives the requirement under Section 13 of the water resource agreement. The City independent water system furnished water to the County of such quality as is required for residential and a commercial customer under applicable water quality regulations.

So that's an important note to bring up to you but it is able or intended to be able to be achieved through the chlorination provided through Las Campanas Co-op's system and there have been other concerns like disinfection byproduct formation that have occurred in the past and short-circuiting that connection instead of going through the booster station four and two million gallon tank will reduce the water age, which is a

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direct contributor to the disinfection byproduct formation. So it's solving an existing problem as well as reducing our expenses to all parties involved.

The interim wheeling rate agreement is slated to go through the City's approval process during April, with expected City Council consideration at its April 27<sup>th</sup> meeting. If changes to the wheeling rate agreement are requested during the City approval process we will bring those requested changes to the Board of County Commissioners for consideration at a future meeting, and I believe that due to our continued need to finalize our shared pool agreement, signatures and the City's action being taken on April 27<sup>th</sup>, our intent was to bring this back to the Board as of the next Board meeting, but we wanted to have it in front of you to explain everything, so our request is that if there's any feedback relative to the agreement that we could receive that now and work through that with the City if we needed to have changes.

CHAIR HAMILTON: Thank you. Attorney Shaffer.

GREG. SHAFFER (County Attorney): Thank you, Madam Chair and thank you, John, for taking the lead on that. Relative to the final point that Mr. Dupuis brought up, and I think we would actually be seeking a formal motion to approve the substance of the interim wheeling agreement, but in recognition of the fact that it is working its way through the City of Santa Fe approval process, direction to staff to bring the final version back at a future meeting for approval. So just as a housekeeping item I would make that note.

And then secondly, I wanted to remind the Board of something that Manager Miller mentioned during the budget presentation, which is the wheeling rate isn't coming out of the clear blue sky in the amended and restated water resources agreement. The County had made a lump sum payment back in fiscal year 2017 to cover all alleged wheeling rate charges or fees through a minimum of January 1, 2021. And so that's now why this issue is coming forward now, is what we had bought back at that time had expired and again, the City had announced its intent to move forward with the wheeling rate charge effective July 1 of this fiscal year. Thank you.

CHAIR HAMILTON: Excellent. Thank you very much. And just before I open it for questions and discussion, I do have a draft motion that recognizes the fluid nature of the fact that we're approving this now contingent while the City is still looking at it, so if other Commissioners don't mind I would make the motion to approve, but Mr. Dupuis, was that your final –

MR. DUPUIS: Yes, Madam Chair. Thank you. And I stand for any questions.

CHAIR HAMILTON: Thank you. So Commissioners, are there any questions? I'm going to start at this end. Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you, Mr. Dupuis. I'll actually defer to my colleagues on the BDD, the Buckman Direct Diversion, which is actually a City and County water utility. I actually have toured that water utility, all the way from the Rio Grande to the actual chlorination of it the booster stations and so I know exactly – I know what you're talking about. But in regards to the rate charge and in regards to Las Campanas and how does this work with the – I'll defer to my colleagues here because they sit on the Buckman Diversion Board, as into my colleagues as what happens because we have some major – I forget what you called it – for Agua Fria, Las

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Campanas, City of Santa Fe, Santa Fe County, over there by El Gancho.

But my colleagues here are on the Board so I just want to make sure that you guys are all – but those are just questions I have. And as into the rate, you actually mention that this is an interim wheeling rate. So how long is the interim wheeling rate for? A year? A month?

MR. DUPUIS: Madam Chair, Commissioner Garcia, the interim wheeling rate would be until we're able to resolve the specific – I want to use the right language, so I'll reference it if you give me a moment. This is kind of the methodology of the calculation of the wheeling rate. What I've found in the past is that our relationship with the City will often come to a challenging moment whenever the details of how you calculate things are left out. And we can disagree on them and then it causes problems. So to the extent that the City is willing to work with us on those, which I greatly applaud and appreciate, we should put in the effort now to document that and avoid that problem for people in the future.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you, Mr. Dupuis. But just once again, I'll leave that to my colleagues, but keep in mind we have some major – we have Las Campanas that we actually wheel water through to, and then we have Agua Fria we wheel water through to. We have El Gancho that we wheel water through and we're going to probably start talking with Eldorado that we water through and to Cañoncito. So in the larger picture of it, we just need to just keep at – you get it – keep that in mind. And I'm sure Attorney Shaffer as well as my colleagues here that sit on the Buckman Diversion Board will make sure that happens. But I just want to put that on the record. Thank you.

CHAIR HAMILTON: Thank you, Commissioner. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair and thank you, Mr. Dupuis. This is a great agreement. Thanks for all the work you put into it and I just had a really simple question. Are we still planning to build our own pipe around the city so we don't need to wheel through the city?

MR. DUPUIS: Madam Chair, Commissioner Hughes that is correct. That project is underway. It is the Rancho Viejo service improvements project and that allows us to wheel or move BDD water through our connections from BDD to the Rancho Viejo and SDA-1 service area without having to go through the city. So that is currently undertaken.

COMMISSIONER HUGHES: Okay. Thank you. That's all for me, Madam Chair.

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

COMMISSIONER HANSEN: Thank you, Madam Chair and John Dupuis. Thank you for all your work on this. I think that it is noteworthy to say that having somebody like you who's willing to work with the City but also having somebody on the City side who's willing to work with us is also equally important, because otherwise we don't get these agreements done. We can talk and talk and make suggestions but if the City doesn't respond we don't go anywhere. So I agree with you 100 percent about making sure that all our i's and t's are crossed and how we're coming to these calculations of how we're wheeling so that we don't have that crisis moment and

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we reach a fair agreement for everybody. And I think that this Board has heard me say before, we want a win-win, and so this working together is how we're going to get a win-win. And so I want to thank you for your effort in that regard. And I think this is a good agreement and since the Chair has a motion, I'm going to leave it there. So thank you very much.

CHAIR HAMILTON: So if there's no further discussion before the motion, recognizing that the agreement is currently moving through the City of Santa Fe approval process I move to approve the substance of the interim wheeling rate agreement between the City of Santa Fe and Santa Fe County and direct staff to bring the final version of the interim wheeling agreement to the Board for final approval at a future meeting.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: Thank you. So we have a motion and a second, no matter how hard it is to say the word "wheeling." Is there any further discussion? Seeing none.

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

CHAIR HAMILTON: Thank you for all the information you provided as well as the work on this.

MR. DUPUIS: Thank you, Madam Chair. Next time we'll work on one that's easier to say.

CHAIR HAMILTON: I need it.

**6. I. Request Authorization to Publish Title and General Summary of Ordinance No: 2022-\_\_\_, an Ordinance Enacting a Santa Fe County Code of Conduct; Repealing Ordinance Nos. 2010-12 and 2011-9**

CHAIR HAMILTON: So I think we have a presentation by the vice chair of the Ethics Board, Rosey Rosanbalm. Is he on line?

MICHAEL "ROSEY" ROSANBALM (via Webex): Yes, ma'am.

CHAIR HAMILTON: Hi. How are you?

MR. ROSANBALM: Good. Shall I take it away?

MR. ROSANBALM: Yes, please take it away, or bring it forward, or whichever.

MR. ROSANBALM: Thank you, Madam Chair, Commissioners. I am vice chair Rosanbalm of the Ethics Board. As you know, the draft Code of Conduct Ordinance was tabled at the February 22<sup>nd</sup> meeting to allow for discussion and reconciliation of some elements of the Code. I'm very pleased to say that the effort produced results. The proposed ordinance now before you as the support of the Ethics Board, the Commission, and the County Attorney. This ordinance is the product of the dedicated effort of many over the last decade or so, and I would like to commend everyone who has been involved for their participation and commit. I'm supported here today by Chair Thompson.

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A Code of Conduct clarifies values and principles and sets out the upper guidelines and best practices to follow for honesty, integrity, and professionalism. This Code is intended to show everyone that Santa Fe County is committed to doing business ethically and responsibly. Potter Stewart, a former US Supreme Court Associate Justice once said, "Ethics is knowing the difference between what you have the right to do and what is right to do." Sometimes this poses a dilemma which this Code now helps resolve.

The following is a high level synopsis of the major differences between the proposed and the current documents. Section 4, Definitions, is updated with additions, deletions and modifications as needed to reflect the new wording of the ordinance, and to increase clarity. Terms such as "administrative adjudicatory matter," "affirmative duty," And "County Contract Ethics Official" are now included. Others have been modified as the document evolved. The term "anything of value" is more clearly defined including specific exclusions and categories of restrictive donors.

Section 8, Conduct Avoiding Impropriety, is revised to more closely track language from New Mexico Statutes regarding the criminal offense of bribery.

Section 9, Limitations on Employment with and Appearance Before the County Following Government Service, is updated to reflect guidance and limitations from the Governmental Conduct Act.

Section 11, *Ex Parte* Communications, is updated to clearly state "*ex parte*" applies in any action involving administrative adjudicatory matters and not just those concerning the County's Land Development Code.

Section 12, Conflicts of Interest: Disclosure, was expanded to include a paragraph that clearly states the fact that the Ethics Board will provide the advisory opinion of any potential conflict of interest upon request.

Section 13, Misuse of Confidential Information, is modified to be specific and to mirror the Governmental Conduct Act.

Section 14, Duty to Report Improper Offers, is revised to clarify to whom improper offers are to be reported.

Section 17, Political Activity, removed a paragraph that was more focused on coercion than political activity and eliminated another paragraph that is now covered by the Campaign Practices Act.

Section 18, Disclosure, now introduces a conflict of interest and financial disclosure statement form and clarifies that these forms are to be filed with the Human Resources Division but maintained by the County Clerk.

Section 19, Properties of Campaign Funds, Section 20, Prohibited Uses of Campaign Funds, and Section 21, Disbursement of Surplus Campaign Funds, are removed in deference to the Campaign Practices Act, and the more detailed Campaign Finance Rule.

Section 22, Reporting and Resolving Alleged Ethics Violations, is significantly expanded to clearly define the steps involved in making claims of ethics violations, the role of the County's Contract Ethics Official, and the role of the Ethics Board. A flow chart is added that graphically walks through this process.

Finally, Section 25, Penalties, is updated in coordination with the County Attorney's Office to better reflect penalties within the purview of the Ethics Board, District Attorney, or the Attorney General, depending on the severity of the violation.

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The Ethics Board believes this new ordinance sets a high standard for ethical behavior for our elected officials, appointed officials, employees and volunteers, and if followed, will place their decisions and actions above reproach. We especially request the Board of County Commissioners to authorize title and general summary of the new Santa Fe County Code of Conduct and hold a public hearing on its adoption. And with that I welcome any questions.

CHAIR HAMILTON: Thank you very much.

COMMISSIONER HUGHES: Madam Chair.

CHAIR HAMILTON: Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I don't have any questions at the moment. I just wanted to thank the Ethics Board for their hard work putting this together. It has been ten years in the making. A year and a half ago when I first came on the Board I had a question for the Ethics Board and they answered it very well, and then they asked me to help get some of these necessary modernizations through the process. It's been a much longer process than I envisioned. I'm learning how long it takes to do an ordinance, which is good education for me. But I think that we now have a really, really good ordinance and one we should be proud of when we pass it, but certainly want to bring it forward to public hearing. I think this makes a number of really important changes. It makes it much clearer how and when to report an ethics violation and what to do, who to report to, and I just want to say I think it's just really important that people have trust in government, that they know that the funds are being appropriated free of any kind of corruption and these are things that make our jobs easier going forward and make us much better public servants and make us able to respond to the needs of our constituents in a much better way.

So with that, I would like to make a motion, if that's okay.

CHAIR HAMILTON: Well, we can do it at any time, but I have other people who want to speak also.

COMMISSIONER HUGHES: Okay. I'll wait to make my motion then.

CHAIR HAMILTON: Thank you. So I understand we also have the Chair of the Ethics Board, Carol Thompson. Are you available?

CAROL THOMPSON (via Webex): Yes, Madam Chair.

CHAIR HAMILTON: Thank you. Welcome, and please go ahead.

MS. THOMPSON: I just wanted to take a moment to honor the work of my fellow board members in strengthening the Code of Conduct and working closely and in good faith with the County staff and the County Commissioners to come up with a joint recommendation for public review. As Commissioner Hughes indicated, it's been a long time coming. We should be very proud of how we have come to this collectively.

I do support at this time that we go ahead and move forward in publishing title and general summary of our newly revised Code of Conduct, and if the Commissioners during the public hearing have any questions of the board members that we would be happy to answer them at that time during the public hearing.

CHAIR HAMILTON: Excellent. Is that all?

MS. THOMPSON: Yes, Madam Chair. We really do appreciate everyone's hard work – staff, the County Commissioners, the County Attorney's Office. It was a collective effort.

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CHAIR HAMILTON: Excellent. Thank you so much, Chair Thompson. And so under further discussion, Commissioner Hansen.

COMMISSIONER HANSEN: Yes, thank you, Madam Chair. So County Attorney, we have the definitions and we have the amendments that we all agreed to, so do we need to make a motion to add those amendments into the presented Exhibit A?

MR. SHAFFER: Madam Chair, Commissioner Hansen, I believe that that's what the vice chair of the Ethics Board was presenting, but for clarity I think it would be fine to move to authorize publication of title and general summary of the amended and restated County Code of Conduct with the amendments jointly recommended by Commissioners Hansen and Hughes and the Ethics Board. I think that would make a clear record.

COMMISSIONER HANSEN: Thank you. I want to defer to Commissioner Hughes if he wants to make that motion that Greg just suggested.

COMMISSIONER HUGHES: Yes. I do. I do want to make that motion. I was pausing in case anybody else had a comment. I know we'll have a time for discussion but let's go ahead and make the motion as Attorney Shaffer stated it, basically to public title and general summary with the amendments that were agreed upon by the Ethics Board and Commissioners Hughes and Hansen during the discussions.

MR. SHAFFER: And if I could, Madam Chair, Commissioner Hughes, just if you want to give direction as to how many public hearings you'd like to have. Only one is required by law, and also at what meeting you'd like this to be brought back. Given legal noticing requirements, I don't think it could be done sooner than the first meeting in May for a final hearing and adoption, but again, you could potentially include that in your motion as well. Thank you, Madam Chair.

COMMISSIONER HUGHES: Thank you, Attorney Shaffer. I did want to add to the motion that we have a public hearing, just one public hearing on May 10<sup>th</sup>. I think that that will cover it.

CHAIR HAMILTON: Excellent.

COMMISSIONER HANSEN: I will second.

CHAIR HAMILTON: So we have a motion and a second. Is there further discussion? Seeing none.

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

## **7. PRESENTATIONS**

There were none.

## **8. MATTERS OF PUBLIC CONCERN**

CHAIR HAMILTON: Daniel, I assume you're on line to help me out but I know we have – or at least my understanding is that we have five people who've indicated a desire to speak to the Board under Matters of Public Concern. So I will call on them in the order they were presented to me, and Daniel, feel free to interject and



management that is needed to move through this. I'm going to ask for a three-minute time limit on each presentation. So first is Savannah Richards. Savannah, are you hear? You can unmute yourself and speak to the Board. Is Savannah Richards with us to make comment at this time?

DANIEL FRESQUEZ (County Manager's Office): Madam Chair, I do not see Savannah Richards on the Webex.

CHAIR HAMILTON: Okay, I will move to the next person and if you see Savannah come on, please give me a heads-up. Joe Schepps, are you with us?

JOE SCHEPPS (via Webex): Thank you very much for your attention. I'm calling about something that you might have read in the paper for two years I've been running a column about, and that is the lack of attention to enforcing the City noises ordinances. Now, the hotels, for everyone who lives on any major artery from Old Pecos Trail to Airport Road to Old Taos Highway to Bishop's Lodge are tortured by regular violations of the noise ordinance by probably no more than 100 individuals city and countywide.

I would really like to explore, one, an increase in the fines, which to me are minimal now, and they're certainly not getting people's attention to be afraid of getting caught. Explore the idea of a dedicated noise enforcement officer that I can raise money from the hotels. I would hopefully see an amendment to the lodgers tax rules and regs to allow a small portion of money to go towards a dedicated officer in the county whose sole job is to nail these people, so to speak, identify them, and begin to give severe penalties so that by the second offense it could be as high as \$1,000. But we don't seem to be able to motivate the police department. They're understaffed and it doesn't seem to be a big priority.

I am meeting with the new police chief on Thursday and the Sheriff tomorrow because the Sheriff seems receptive to this issue. He says that the County has the same problem and since the city is in the county, I'm hopefully that some resources can be allocated in a joint venture kind of with the private sector, which would be the retailers and the homeowners associations and the hotels, to fund this dedicated officer. It's just out of control in my opinion and whether it's for people that work for us at the hotel or live on Airport Road or our guests who stay in our hotels who continually write reviews about the noise issue. We're running the risk of destroying so much of the historical value of town, which was quaint, quite, peace and quiet, and the special qualities that make us the City Different.

So I'm really imploring the County to focus on this and lend a can, if you can, within the city limits, because I just cannot seem to get Mayor Webber motivated that it's a serious issue. I know he believes midtown is very important but I think the people in this community are suffering from this noise pollution, stress-wise, personal health-wise, nervous-wise and there's tons of studies reinforcing this. So that's my comments. Thank you very much.

CHAIR HAMILTON: Thank you, Mr. Schepps. We appreciate your comments. Is Joanna Garcia available to make a comment?

JOANNA GARCIA (via Webex): Yes, Madam Chair. This is Joanna Garcia. I'm here today – I object to Resolution 2020-55. That's the disposal of the South Meadows open space parkland. I further object to the proposed sale of the South

Meadows open space and believe my due process was violated. Further, I proposed the South Meadows open space parkland should immediately be restored to parkland, to open space parkland in perpetuity. I further propose the South Meadows open space parkland be offered to the City of Santa Fe as parkland in perpetuity, in which it was the goal for District 3 resident. Thank you.

CHAIR HAMILTON: Thank you very much, Joanna. Is Miguel Acosta available to speak? Once again, is Miguel Acosta on line? And if you are, can you unmute so you can make your comments to the Board?

MR. FRESQUEZ: Madam Chair, I'm not seeing Miguel Acosta on line. However, there are a couple of phone-in users. If they hit star 6 on the phone they should be able to unmute themselves.

CHAIR HAMILTON: Okay, Miguel, are you on the phone? Can you hit star 6 to unmute yourself if you are only here on phone? Okay, I will move on to the next person then I will recheck for the two people that signed up but didn't seem to be available. Is Alba Blondis available?

ALBA BLONDIS (via Webex): Yes, Madam Chair, I am.

CHAIR HAMILTON: Welcome. Go ahead and make your comments to us.

MS. BLONDIS: Certainly. Madam Chair, Commissioners, I would like to speak to my concern as a resident of District 3 as well as the chair of the Southwest Santa Fe Advocates in regards to preservation of parkland and specifically with the issue that has been fomenting for a while with South Meadows. I think that it's very important to preserve a designated parkland that was designated in perpetuity over 20 years ago for District 3. District 3 in the city has the least parkland and open space of any of the four city districts, which supporting the highest population of families with children.

The postponement of a decision by the City Planning Commission to me indicates that at the administrative level of the city they're not comfortable with the current proposal by a developer. And for this transaction between the County and the developer to occur, a precedent has to be set with recoding parkland to high density, and that has never before been done by the City of Santa Fe and I believe it sets a very dangerous precedent.

District 3 has at present one large 55-acre park which is on the opposite end of the district from the parkland on South Meadows. There is not public transportation, so anyone wanting to access Swan Park would need a private vehicle because currently we do not have bus service to that park.

And finally, while this has been labeled cleverly by a developer as a movement against affordable housing it has never been so. District 3 houses the majority of affordable housing in this City of Santa Fe. We are very amenable to affordable housing. We are excited about the Phase 3 of the Tierra Contenta build-out, and there is also an apartment complex that is soon to be, I believe, approved and built at the corner of Agua Fria and Airport Road, some 224 apartments.

We're very concerned about affordability in this district, but we are also very concerned about our parkland. So I thank you very much for your time and I encourage you as the County to reconsider offering this parkland in perpetuity to the City of Santa Fe. Thank you.

CHAIR HAMILTON: Thank you very much for your comments. So Daniel, with your facilitation, do you see Savannah Richards who had signed up to speak?

MR. FRESQUEZ: Madam Chair, I do not see Savannah Richards, nor Miguel Acosta online.

CHAIR HAMILTON: Okay. So are either Savannah or Miguel on the phone? And if you are, could you hit star 6 to unmute yourselves? Or is there anybody else who wishes to make a comment to the Board of County Commissioners during this Matters of Public Concern? I think I'm hearing none, so I'm going to go ahead and close Matters of Public Concern. And thank you everybody for making your comments to us.

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

MANAGER MILLER: Thank you, Madam Chair. I wanted to see – I'll give the COVID updates and then I thought I would have Hvtce give the Legislative Update, and then I'll do the Miscellaneous Updates.

So on COVID cases, updates that were published Monday in New Mexico over the weekend, and that's Saturday, Sunday, Monday, there were 329 new cases reported or an average of about 109 per day, bringing the state total of COVID cases to 519,186. And then over the weekend also there were 91 new cases reported or an average of about 30 per day for Santa Fe County, which brings our total to 28,336.

The number of patients reported as hospital patients across the whole state as of Monday was 50, with five of those on ventilators. That number is significantly lower than it had been a few months ago. And the CDC is still reporting that Santa Fe County community level is low.

Vaccination rates as of yesterday in New Mexico: first dose, 91 percent, fully vaccinated, 77.8 percent, and in the county, first dose at 99 percent with fully vaccinated at 87.4 percent. So that is the latest and greatest on COVID. I did read, however, though in some communities around the country they're starting to see an increase. The omicron had another variant from it that's supposed to be more contagious, and now they're looking at when somebody does get that either as a break-through case then they're actually getting – the more cases they have reported they consider a higher level of community immunity. Another tongue twister for the day.

So we've been kind of watching that to see what's happening throughout the rest of the country, but as I've said, in New Mexico and in Santa Fe County specifically, it's still considered to be at a low community level on the CDC scale, which is good for us.

That's all I have on the COVID information and now I would turn it over to Hvtce for the special session report.

**9. C. Interim Legislative Update**

CHAIR HAMILTON: Thank you. Welcome, Mr. Miller.

HVTCE MILLER (County Manager's Office): Good afternoon, Madam Chair, Commissioners. I think I can go over this rather briefly. This is just an update from

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the special session last Tuesday and they were considering two bills. One was a rebate for economic relief to residents in the state and the second one was basically the reconsideration of the regular session Senate Bill 48, which contained statewide projects in the amount of \$50 million.

So what's happened since then is that the Governor did sign into law on Friday, April 8<sup>th</sup> both of these bills, so they have been passed and they are in law now. And I can just briefly summarize the two different bills. The economic relief was Senate Bill 1 and it contained in it a tax rebate for single filers of a total amount of \$500 broken down into two \$250 payments, one in June of this year and the second in August of this year. And for joint filers there will be two \$500 payments for a total of \$1000, also in June and August.

The second component of that House Bill 2 is that there is \$20 million set aside for non-income tax filers, and so that would include undocumented residents and low income seniors, and any others over 18 who do not file a state income tax return. And that did contain an emergency clause, so that did go into effect Friday, once it was signed.

The second item was the Senate Bill 1 and I'm happy to report that all of the items that were originally included in Senate Bill 48 remained within this new special session bill, and so all those items that were slated to be funded for county projects did remain within the bill at the original amount. So nothing had changed there for the County.

Going back to House Bill 2, the specifics of the rebate for income tax filers are pretty much set and it is a rebate that you will get once you do your 2021 returns you become eligible for that rebate. The process for the non-filers, which goes through the State Human Services Department are yet to be determined so I can provide you details of that to let you know how individuals go about claiming a rebate – or it's not necessarily a rebate, but claiming that assistance through the Human Services Department once that process is known.

Other than that, I think that's all I have as far as the update. If you have any questions I'll be happy to answer them for you.

CHAIR HAMILTON: Fabulous. Thank you so much. Commissioners, are there any questions? I guess that's a great summary. Thank you very much. Commissioner Hansen.

COMMISSIONER HANSEN: Yes, I was just going to thank you, Hvtce, for the update. So on the rebate, It's going to be sent out in two different sets, one \$250 one time for single, \$500 for a married – I'm sorry; I had to leave the room. So when is it going to be sent out for people?

MR. MILLER: Madam Chair, Commissioner Hansen, it doesn't specify as to first week, second week, within June. It just simply states within the months of June and the month of August. So that was in part to break the payments into two fiscal years. Much like the County, the State follows the same fiscal year, so they will end in June and start a new fiscal year in July. That part was more for the logistics of processing the payments.

COMMISSIONER HANSEN: Okay. Thank you. And I'm sorry if I missed that. I'm sorry; I had to step out. Thank you.

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CHAIR HAMILTON: Thank you, Commissioner Hansen.

COMMISSIONER HANSEN: Yes, thank you very much.

CHAIR HAMILTON: Are there other questions? So thank you very much, Mr. Miller.

MR. MILLER: Thank you all.

**9. B. Miscellaneous Updates**

MANAGER MILLER: Thank you, Hvtce. So a couple of other miscellaneous updates. The senior centers reopened last weekend on a modified schedule from our regular schedule. Staff reported that while some seniors chose not to return for various reasons, those who did were really happy to come back and socialize. Some just came to socialize more than eat congregate meals but just to be back in the facility. So on the partial reopening, the Ken and Patty Adam Senior Center had 97 attendees and 65 had congregate meals. At Bennie J. Chavez Senior Center, 26 attendees and eight congregate meals. El Rancho Center had 32 attendees with 11 congregate meals. Abedon Lopez Senior Center had 77 attendees. Edgewood Senior Center had 53 attendees and 43 congregate meals. And Rufina Lunch site had 15 attendees.

So we're pretty excited to see the enthusiasm of the seniors. Some of the reasons individuals didn't return that had previously been going: not likely the mask requirement. That is a requirement of the state. That was guidance that we had in re-opening our senior centers that we needed to have a mask mandate and screening when people entered the facility. And then some others just not comfortable yet coming back into congregate settings. But for the most part it was very positive and encouraging and we'll continue with that modified schedule till the end of the month and then at the beginning of May move to our regular schedule that we had prior to the pandemic, as long as everything continues to progress in the positive way.

Then also, I'm sure you've seen on the news, there's a couple of wildfires that are causing concern of people having to evacuate their communities, so our Fire Marshal has been diligently watching and monitoring the weather conditions in Santa Fe County and is issuing an order or has issued an order that will go into effect tomorrow, April 13<sup>th</sup>. It is prohibiting open burning within the unincorporated areas of Santa Fe County, and continues under further order of the Fire Marshal. So current open burning permits will be suspended and new open burning permits will not be issued until further notice upon the end of the order of the Fire Marshal. He's going to monitor that. He's looking at 30, 60, 90 days or potentially longer if necessary.

Also, this is good news, the corrections leadership specifically within our behavioral health area, but Mark Boschelli, our mental health manager and Josh Trujillo, our community re-entry specialist, both of whom presented to the BCC at our pre-tour presentation last Friday have been selected by the NCCHC, which has to do with corrections healthcare conference, but it's to represent Santa Fe County on the national level and conduct a presentation at the Correctional Mental Healthcare Conference in Denver, Colorado in early August. Their presentation is titled Re-entry: Recidivism and Relapse Reduction. So they're very excited. They submitted to the speakers and they will lead a conversation and a roundtable discussion on those issues and then what we've been

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doing in Santa Fe County.

Also, earlier today we had our first budget study session, a couple of hours just to introduce to the Board those issues that will be our challenges for the 2023 budget. We have scheduled the second study session for Tuesday, April 26<sup>th</sup> at 11 am. So it's still two hours but hopefully we'll be able to give you a little break. We will have lunch because then we also go into Housing and then our regular BCC meeting. Although I did talk to Jordan and Joseph. They don't have a lot of action items on the Housing meeting so we also may be able to have a shorter Housing meeting order to give you all a break.

Then we're also proposing a possible meeting on May 24<sup>th</sup>. We'll still have, after the April 26<sup>th</sup> meeting, we'll have a May 10<sup>th</sup> regularly scheduled Board meeting. I was not planning to do another budget study session. We may have some updates during the regular Board meeting, and if it's not ready to go for a vote for approval for the interim budget we would respectfully request doing it on May 24<sup>th</sup>, since May 31<sup>st</sup> is the day after a holiday and it's the last day that the Board could approve an interim budget but we'd have to turn around and have it submitted the very next day. The deadline to DFA for the interim budget is June 1<sup>st</sup>. The final budget, which frequently what we've done is if we have any decisions that can't be made in the interim budget because either we need more information or the Board wants to see additional alternatives, then we have left those – we have left room in the budget for those things and we've come back in June, discussed those items with the Board and then added them to the final budget.

So just giving you kind of a lay of the process of how it will work over the next two to three months to get the final budget submitted to DFA, hopefully by the end of the June but no later than the end of July.

Then also we're proposing to schedule a ribbon-cutting ceremony for this building, the John Gaw Meem Courthouse. This building was officially completed in late August 2020 and staff started moving back into the building in early September 2020, but due to COVID we continue to work remote work schedules from home, and now most of the staff are back in the office at least 50 percent of the time if not more and we're in the process of negotiating with the AFSCME union different requirements relative to screening at the doors and also a more permanent remote work policy, so we believe we'll have that finished and that we would be able to hold an official ribbon-cutting at this building at the end of the month of early May and so we're proposing – and I wanted to check Commissioners' availability for Thursday, May 5<sup>th</sup> from 11 to 2 pm.

I anticipate this will be fairly well attended. We've had quite a few people interested in what the building looks like and we've had the doors locked and you can only come in by appointment or escorted by somebody in order to screen individuals who come into the building for signs of COVID-19. We're hoping this would actually be an opportunity to open the doors for the public even if we still have screening for that event. So I was just checking to see if you have availability on May 5<sup>th</sup> between 11 and 2.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: That works for me.

CHAIR HAMILTON: Commissioner Hughes.

COMMISSIONER HUGHES: It works for me except for a 12 to 1 meeting. Do we need to be there the whole time or just part of it?

MANAGER MILLER: No, usually we have kind of the ceremonies introducing the architects and the construction contractors and the project management team and all of that, and then after that's done, that usually takes about an hour, and then after that's done people just kind of go through, tour the building and see things. I don't anticipate having a formal part of the meeting lasting more than an hour. That would be somewhat lengthy if we did.

COMMISSIONER HUGHES: So that will work for me and I might even get out of this other meeting, depending on how much fun I'm having here.

CHAIR HAMILTON: Excellent. Commissioner Garcia, does it work for you?

COMMISSIONER GARCIA: That's a Thursday?

CHAIR HAMILTON: Yes.

MANAGER MILLER: Thursday between 11 and 2.

COMMISSIONER GARCIA: I should be okay with that.

COMMISSIONER ROYBAL: We could decorate it like Cinco de Mayo.

CHAIR HAMILTON: Commissioner Roybal, are you good on that day?

COMMISSIONER ROYBAL: Yes, I'll make it work.

MANAGER MILLER: I'll be sure to find some mariachis. How's that?

CHAIR HAMILTON: So May 5<sup>th</sup> is good for me, but so you know, May 24<sup>th</sup> is the first of a two-day EPA workshop. So that workshop is until 2 p.m., because it's 4 p.m. on the east coast.

MANAGER MILLER: That's on Tuesday and Wednesday?

CHAIR HAMILTON: Are the two days I cannot – it would be very difficult to do it.

MANAGER MILLER: So would the Commission be available May 26<sup>th</sup> for a special meeting?

CHAIR HAMILTON: That's totally open for me but I don't know about my colleagues.

MANAGER MILLER: So move the 24<sup>th</sup> possibly to the 26<sup>th</sup>?

CHAIR HAMILTON: Commissioner Hughes said that's fine. Commissioner Hansen is checking. Anybody else know whether the 26<sup>th</sup> is open for them? It's a Thursday and it's a potential budget meeting, if needed.

COMMISSIONER HUGHES: Can we do it at 2:00 like normal? Is that what we're thinking?

MANAGER MILLER: Yes. I think we could do it. I just wanted to see if that day works for everybody, since Tuesday doesn't work for the Chair.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: Madam Chair, the 26<sup>th</sup> will work for me. So just tell me the time.

CHAIR HAMILTON: Excellent. Commissioner Roybal, do you – you don't know? It looks like everybody is good. I really appreciate – I'm sorry to throw a monkey wrench into it.

MANAGER MILLER: That's not a problem. And Commissioner Hughes, you said it better if it's in the afternoon.

COMMISSIONER HUGHES: Well, I just want to say is the only conflict

I see is we have MPO at 5:00, so we need to be done by 5:00.

CHAIR HAMILTON: Good point. Thank you.

COMMISSIONER HANSEN: So 1:00 pm I think would be better.

CHAIR HAMILTON: Something earlier?

MANAGER MILLER: Okay. We'll send out a save the day and then if we need it, we'll send it out as a regular meeting or a special meeting with a meeting notice. If not we'll cancel it.

CHAIR HAMILTON: Thank you so much.

MANAGER MILLER: Okay. And then the last item I have is probably the hardest item for me to discuss and that is, with very mixed emotions I am announcing my retirement from Santa Fe County. I'm committed and will remain on board to assist in the transition to the successor that you as the Board of County Commissioners select to take my place. However, upon completion of that transition I will move on to taking care of my family, my husband and my physical and emotion health full time. I don't plan on working.

I have to say I think it's unlikely that for most people, saying the words "I am retiring" is so hard, and I feel very blessed and grateful that this was such a difficult decision for me. I've been the Manager for over 11.6 years, or 4,240 days to be exact, today, but who's counting? It's been one of the most rewarding and also most challenging positions of my 40-year career. I am so proud of the progress that departments have made, elected officials, offices, and members of the leadership team, their staff, and the County as a whole under the direction of the Board of County Commissioners. I'm very proud of that progress.

We have come so far in my time here. I've been able to know most of my team leaders, both on a professional level and personally. Their hard work has been nothing short of inspirational and their work ethic is heartwarming, endearing, and most of all, motivational for keeping me here and keeping me committed to the County. The County leadership and their staff have been so professional, so dedicated and compassionate, and frankly, just extraordinary. I have been so very fortunate to be able to call myself their Manager or their leader.

I will miss all of them individually and collectively. It has been an honor to have been a part of their team. I would like to give a special thank you to you, the Board of County Commissioners for entrusting and allowing me to work with such an amazing County workforce, such an amazing County, and that's Santa Fe County. And you saw it today when you just talked about your proclamation, Commissioner Hansen, and how wonderful counties are and what they do.

Without your support, all of the successful accomplishments would not have been possible. I'd also like to thank every one of you elected officials, leadership, the staff, the public, other governmental entities we work with, the contractors, our legislators, for all of the patience everyone has had when dealing with difficult and contentious issues, including my own impatience and my own frustrations when we have had to deal with stressful situations.

I want to express my appreciation to all who have had to work late nights, slog through long and sometimes very difficult discussions, to work whatever it takes to get a job down when it's after hours or it's on weekends or it's on holidays or it's during



inclement weather. And frankly, when individuals have had their own personal challenges with their own personal health issues or family issues or other pressing things that make it difficult for them to balance their personal life and their work life, they still come through and always complete the County mission. I can't say how much I recognize that that's what County employees, County elected officials, County leaders do, and I will miss that.

That professionalism and commitment has made my role as a Manager rewarding and making this job one of the most difficult jobs to leave. I am truly honored to have worked as part of this team and know that Santa Fe County exemplifies excellence, and I thank you from the bottom of my heart for the love and pleasures you've given me as the Manager. Thank you.

CHAIR HAMILTON: Now that you've cried, I can't speak because I'm going to cry. I imagine people are going to want to say things and before we start we're going to probably have to arrange a bigger forum to say lots of things to you, including pictures and videos and roasts. Commissioner Hansen.

COMMISSIONER HANSEN: So congratulations, Manager Miller. It makes me very sad to know that you're leaving. I know that you will be here through the transition and I do think that if we're doing a ribbon-cutting and opening of this building on May 5<sup>th</sup> it would be an auspicious time to also honor Katherine with a proclamation or a resolution or something of that nature. I wanted to include you in the County government proclamation today because I knew you were leaving and I felt like it was really important to recognize all your contributions that you have given to us, to the County and there are clearly not words that we can all express our gratitude and at the same time and enjoy for you the transition that you have chosen to make, because I think it is respectful that we also recognize your desire after a 40-year career and a long time at State and County government and all that you've given to everybody.

I know that many people will be very surprised and I guess shocked by the fact that you're leaving, but at the same time, we're lucky we had you for the time that we did. So thank you.

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

COMMISSIONER HUGHES: Thank you, and Katherine, we've known each other for 20 years, all the way from the New Mexico Housing Trust Fund and the state tax credit that you helped shepherd through the legislature and your work at MFA and DFA. I won't go on quite as long as Commissioner Hansen because men aren't supposed to cry. But I was just wondering, do we get to vote on this? Do we have to accept it? No, I'm sure you have well earned your retirement and I look forward to working with you and seeing what your new adventures are. Thank you.

CHAIR HAMILTON: No, but there's always kidnapping, but then we'd have to get her ice cream also. Are there other Commissioners? Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. I just want to say, I guess it's time for you to do what you want to do instead of what you have to do. I just wish you the very best and I want to say that Santa Fe County is a better place because of your leadership, and it's been my honor to serve with you, to serve the constituents of Santa Fe County. I'm sure you're going to be doing other things still and

just having fun. I can't thank you enough for the leadership that you brought to Santa Fe County in the time that I've served with you. So it's been an honor, like I said and we hate to see you go and we wish you could change your mind but we know that it's something that you've decided and we just wish you the very best. So thank you for everything.

CHAIR HAMILTON: Okay, so I'm going to jump right in. Everybody said it very well, that the County is a better place for you having been here, and frankly, so have a lot of other counties. You've contributed incredibly to the County and you've contributed way beyond our county in terms of leadership and teaching and what not, and I'm a way better elected official for having had all the time for you providing information and coaching and support and everybody else could add something similar.

So there are a lot of wonderful people in the world, but the really exceptional ones are rare and it's been incredible.

COMMISSIONER GARCIA: It's my turn. My problem is a couple individuals I don't want to break down but –

CHAIR HAMILTON: Oh, go ahead. We all did.

COMMISSIONER GARCIA: Anywhere from Karen being here, many, many years ago, to that mural that wasn't there on the back of that wall here, since 1995, when I met Katherine Miller. She was actually our Procurement Director and then she became our Finance Director, and then she actually move to the Mortgage Finance Authority. She did that for several more years, and then she actually became the Department of Finance and Administration Secretary, and she did a very excellent job.

One thing about Katherine is – Karen's been for many years as well. We worked here under several managers – Domingo, Sam Montoya, Roman – and we've been through several elected officials. You know that. And Karen's been here through the whole time with us, and like I said, that mural on the wall back there wasn't even painted up there. And one thing I respect of Katherine, whenever I used to do legislative items when I was staff at the County, she would always open her doors as DFA Secretary, Saturday morning or Sunday morning and I would knock on her window, she'd be out – come in, come in, come in. This was on a Saturday morning because she spent many, many hours as a civil servant for local government and state government.

I'm going to be strong because I told a couple people at least that it's her day. But for the 11 years you've worked for Santa Fe County, we've been here for a while, Katherine, and you know that. As Pablo said, we grew up on the ship here and we worked from the bottom of the ship, some of us all the way to the bridge of the ship. You behind the scenes, like you said, your workforce, our workforce. You've kept the ship sailing, the ship sailing and sailing. And out of 33 counties in the State of New Mexico, I'll tell you what – you're the number one top manager in the state of New Mexico. And you know that; you're good at it.

And with your entire workforce, this ship is sailing and it's smooth sailing. It's moving. It's going. And because of your leadership, and several other elected officials and the team that you have, Santa Fe County does well. And you know that as a Department of Finance and Administration Secretary. And when I used to see you there at the Roundhouse when you worked for Governor Richardson, and whether it was Ben Lujan and those guys, the Governor said, go talk to them. And you did. You said,

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Governor, give me a chance. Give me a chance. And he gave you a chance and you did very well, because you understand that, like we talked about the other day. I was into the GRT tax. This tax is for this; this tax is for this; this tax is for this. All these different taxes, because you think five, seven years ahead of the game. You're like on the other side of the mountain but the camp's over here.

You know this business very well. You know this business very well and you know what these taxes, how these taxes work, what this tax is for, why this tax works, why we need this tax, why we need this tax. It's almost like some of the representatives that ran the budget – you know those guys, those gentleman and lady. But you understand this process, local government. You get it, Katherine. I want you to be happy and I'm going to get you this book. This is stress and anxiety. However, out you go. Do what you need to do, you and your husband, Chuck. A good man, and you're a good lady, and relax, because you know, sometimes this job is just – goes a hundred miles an hour. But thank you for what you've done for civil service and for local government and for the State of New Mexico. And I'm proud of you as my friend since 1995, you know what happened here. Back in 1995, but I'm proud of you. Just kind of breaks my heart but you need to take care of yourself and do what you need to do. Thank you for what you've done for this government. Thank you, Katherine. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you, Commissioners.

MANAGER MILLER: Thank you, Commissioners. I appreciate all your comments.

COMMISSIONER HANSEN: We're not done, Madam Chair. We're not done with our recognition of you, for sure.

CHAIR HAMILTON: But it is on hold, right? Until the next opportunity, which we will not miss or make light of, or something like that. So that was a hard one to do and it's a hard one to move off of.

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

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

CHAIR HAMILTON: So I'll start with Commissioner Hansen.

COMMISSIONER HANSEN: I would say this is a little bit of a hard transition but I will make it work. Yesterday I was speaking with Pamela Matthis who is the Taos field officer for BLM and they have just issued a vandalism investigation for the La Cieneguilla petroglyphs. The FBI is offering a reward of up to \$5,000 for information leading directly to the successful prosecution of the persons responsible for the vandalism committed at the La Cieneguilla petroglyphs in Santa Fe, New Mexico. Details: on or about January 19, 2022 spray painted graffiti was discovered on the petroglyphs located on property managed by the Bureau of Land Management.

Most of the petroglyphs date between the 13<sup>th</sup> and 17<sup>th</sup> century. The FBI and the Bureau of Land Management are investigating. If you have any information on this case please contact your local FBI office, the nearest American embassy or consulate, or you

can submit a tip online at fbi.gov. And this was issues by the Albuquerque field office. So I just wanted to let people know that that was now being – the FBI is working on that also.

There is also a federal notice that has been submitted and has gone through all the state offices for the shooting ranges that are being proposed in Santa Fe County and it is now at BLM headquarters in Washington, DC and we are waiting for them to clear this so that we can go out for the NEPA process. There are a number of maps that they have shared with everyone and you can contact my office here at the County if you want a copy of their newsletter. I will be attaching it to my newsletter that I will be sending out so that it gives you an update about it, about the shooting ranges.

I think that's really the main thing that I have to speak about today. So thank you, Madam Chair.

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

COMMISSIONER HUGHES: Thank you, Madam Chair. Just a couple of thank yous and announcements. First I wanted to thank Jose Larrañaga and Vicki Lucero for presenting a very nice presentation online to the constituents of District 5 about the housing developments planned for that area and land use and the general presentation about the Sustainable Land Use Development Code. It was very well received. There were good questions and they answered them thoroughly, so I think that really helped with people's questions about some of the development going on there.

Also, just if anybody's online in District 5, or anywhere, I want to invite people to come May 7<sup>th</sup> for our Earth Day planting and Valle Vista and finally we'll have another Hour with Hank public meeting on May 3<sup>rd</sup>. I'm switching the Tuesdays so that I can attend the BDD meetings. Thank you, Madam Chair.

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

COMMISSIONER GARCIA: Thank you, Madam Chair. In regards to this weekend, I actually was at Ragle Park and I attended the Easter egg hunt and it was great to see so many kids out there and their family running around collecting as the Fire Chief and her assistants. Nearly 16,000 eggs, and it was pretty awesome to see the young individuals racing out there doing what they needed to do. And then at 1:00, 12:30 or 1:00 then they had opening ceremonies for Little League and T-ball and everything else and it was – just so many children running around, little guys and little girls running around. It actually made my day. It was pretty cool.

And one of the other things they did here in the city area, we actually cleaned our ditch, as the Commissioner talked about drought and Earth Day, it was awesome to see the acequia getting cleaned and whatever you need of the acequia because my uncle Tommy a long time ago how to work that shovel because if you know how to work that shovel, you can work, do what you need to do. And my uncle taught me that when I was a young guy, how to work that shovel. But it was awesome to see that there in La Cienega that they actually got the ditch going and there's water in the pond and that was great. And also as my colleague Commissioner Hansen said, in regards to the BLM stuff that is happening there in the petroglyphs area, we've got to just be on top of that.

Also myself and Commissioner Hansen have been working in regards to the Caja

del Rio with Senator Martin Heinrich as into creating that area as into a preserve area. And so that's coming forward. But Manager Miller, I wonder if we could work to deny your request. But whenever you do civil service or you work for government, sometimes you wake up at 2:00, 3:00, 5:00 in the morning or you don't sleep because: What about this? What about this? But anyhow, thank you for your services. Appreciate you.

And that's all I have, Madam Chair. Thank you.

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

COMMISSIONER ROYBAL: Thank you, Madam Chair. I did want – I had a few things to talk about. We had in Chimayo, we had the Head Start out there that is a facility that's sort of underutilized so we're going to be talking to the community about doing a garden and providing a couple other services in that area. So there will be a community conversation Friday, April 15<sup>th</sup>, 7:00 to noon.

Also, I just wanted to let everybody know about the Earth Day that will be held at the Santa Cruz housing in Española, and that's on April 23<sup>rd</sup> from 9:00 to 12:00.

Also, this is to the senior centers in Santa Cruz and Chimayo, next week so I'll be out in those areas and that's all I have. Thank you.

CHAIR HAMILTON: Thank you, Commissioner Roybal. So I also wanted to just mention the Earth Day planting for District 4 is actually on April 30<sup>th</sup> from 9:00 to 12:00. It is happening at the Arroyo Hondo Trailhead, and that's on a Saturday. You can sign up like all the other ones on the County website, [santafecountynm.gov/earthday](http://santafecountynm.gov/earthday).

I wanted to mention, and Manager Miller did a great job of mentioning fires that are out there now, during this meeting I got notification from a colleague that there's a fire started in Dalton Canyon and their fire chief is hightailing it to San Miguel County right near the border with Santa Fe County and so hopefully that won't get big but under the current conditions extreme caution is really advised. And hopefully this won't become scary. So thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. The fires are very concerning and the wind is really stronger than it normally is.

One of the things I wanted to request and I've requested this over the years that I have been on the Commission, and it kind of goes along with Earth Day is that we at some point get an ordinance on the regulation of pesticides and herbicides on County land. I have brought this up many times and we just haven't had the time to move forward and I did mention to Commissioner Hughes that maybe we need to make a list of the ordinances we want to work on and prioritize them in some way so that County staff has an understanding, and especially Legal because that is where everything ends up, how we see the list of priorities that we would like to work on. Thank you, Madam Chair.

CHAIR HAMILTON: Great. Thank you, Commissioner Hansen.

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

CHAIR HAMILTON: So we'll go first to our County Clerk.

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KATHARINE CLARK (County Clerk): Thank you, Madam Chair. So it is beginning to be election season and voting starts with the primary, May 10<sup>th</sup> in the Clerk's Office for the June 7<sup>th</sup> primary election and then expanded early voting is May 21<sup>st</sup>. Absentee ballot requests are now available online. The portal has been opened at nmvote.org and we recommend using the website and not sending in a paper form because when handwriting is confused then we have to send a notice back and so it is actually easier. You get a direct confirmation that your absentee ballot request has been accepted when you go to nmvote.org and request online.

So the primary, I want to remind voters that the primary is for major parties only and if you want to participate in the primary you have to change your voter registration. You can do that now online at nmvote.org or this year same day voter registration will be available to anyone who is a minor party or independent voter, they are free to change their party to a major party and then vote in the primary.

This year we've added two new drop boxes, one at La Cienega for your absentee ballot, and also one that's a drive and drop, right across the street from the federal post office, so you can just pull – you can drop your mail and then you can drop your absentee ballot about ten feet further down on the left side.

So we've also added Southside Library as an election day polling site. That was something that south side residents had requested, and so there will be more polling sites on the south side of town.

Also we are doing our second annual sticker contest for high school seniors who want to create an "I voted" sticker. We highlight that sticker. We send it to everyone who requests an absentee ballot and have it available on election day to get a special I voted sticker, and then the submissions will be voted upon by the Santa Fe County staff using ranked choice voting and the winner will be the featured sticker. So we're hoping folks will start submitting. We've sent it out to the school board and we just want to let people know it's open to high school students, ages 14 to 18, and if you're interested in submitting something you can send an email to Gabriel Schultz, [gschultz@santafecountynm.gov](mailto:gschultz@santafecountynm.gov). Or you can email the Clerk's Office.

And we are still recruiting poll workers for standby. We did raise the rates this year for early voting, pay and also we are offering mileage because some of our polling sites are harder to staff and so if you're interested in working for democracy and making sure our election happens, please email the Clerk's Office and we'll get you signed up for a training. Thank you very much.

CHAIR HAMILTON: Excellent. Thanks very much, Madam Clerk. So are there any other elected officials online, since I don't see any in the room here, who would like to speak to their constituency during Matters from Other Elected Officials? Daniel, do you see anybody online? Our Treasurer?

MR. FRESQUEZ: Madam Chair, I do not see any other elected officials online.

CHAIR HAMILTON: Okay. Thank you very much. I know the Sheriff was here earlier when we were doing budget study. Thank you. I will close Matters for Other Elected Officials.

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**10. C. Report and Request for Direction on Annexation Negotiations with City of Santa Fe Pursuant to Joint Resolution No. 2021-105**

CHAIR HAMILTON: Commissioners Hansen and Hughes are listed, but do we need an introduction about why this was brought forward from maybe Attorney Shaffer or Manager Miller?

MR. SHAFFER: At your pleasure, Madam Chair. The only background that I would provide is as the Board knows, the City Council and the Board of County Commissioners did pass a joint resolution calling for some non-binding negotiations to take place to resolve open annexation items that were recognized in the joint resolution. The joint resolution provides in part that by April 13, 2022, County and City representatives shall present principles of agreement on all open annexation items to the Board and City Council, report that negotiations are at an impasse, or report that additional time is needed to complete the non-binding negotiations, provided, however, that neither the City nor the County is obligated to continue to participate in non-binding negotiations after April 13, 2022. So it's that provision of the joint resolution that causes this item to be brought before the Board of County Commission this evening.

CHAIR HAMILTON: Fabulous. I appreciate the background.  
Commissioner Hansen.

COMMISSIONER HANSEN: Yes. So I would respectfully like to request that we continue negotiating. We have been making some progress, both myself and Commissioner Hughes, City Councilors, City and County staff have met on several occasions to discuss the open annexation issues. The participant have exchanged useful information and perspectives, and we are now at a point where concrete proposals can be negotiated. Accordingly, we would respectfully request that the Board authorize an additional time to complete the non-binding negotiations and we suggested through May 31<sup>st</sup>. We might have to extend it further but May 31<sup>st</sup> gives us another six weeks or more and we would like to continue to negotiate.

CHAIR HAMILTON: That's sound like a motion to me.

COMMISSIONER HANSEN: I so move.

COMMISSIONER HUGHES: And I'll second.

CHAIR HAMILTON: Okay. Fabulous. So I have a motion and a second.  
Further discussion? Commissioner Hughes.

COMMISSIONER HUGHES: Well, just to confirm that I think that the discussions are moving in a direction that might lead to some positive outcomes, so it's worth pursuing.

CHAIR HAMILTON: That sounds good. That was my understanding but it's good to hear. Is there any other r discussion? I have a motion and a second.

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

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**11. MATTERS FROM THE COUNTY ATTORNEY**

**A. Statement for Inclusion in Meeting Minutes Concerning March 29, 2022, Executive Session**

CHAIR HAMILTON: Mr. Shaffer.

MR. SHAFFER: Thank you, Madam Chair. First, with regard to item 11. A, at its March 29, 2022 meeting the Board of County Commissioners went into executive session at the end of the meeting and did not reconvene in open meeting and consequently was unable to include in the minutes of its March 29, 2022 meeting the statement required by the Open Meetings Act, which is that matters discussed in the closed meeting were limited only to those specified in the motion for closure. So we'd be seeking a motion to have the minutes of this meeting reflect that the matters discussed during the March 29, 2022 executive session were limited only to those specified in the motion for closure.

COMMISSIONER GARCIA: Madam Chair, so moved for item 11. A as the Attorney mentioned.

COMMISSIONER HUGHES: Second.

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

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

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

CHAIR HAMILTON: Back to Attorney Shaffer.

MR. SHAFFER: Thank you, Madam Chair, Commissioners. With regard

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to item 11. B, we'd be looking for an executive session for purposes of discussing limited personnel matters as allowed by Section 10-15-1(H)(2) NMSA 1978, 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, including: one, hiring of the next County Manager and two in re: National Prescription Opiate Litigation, US District Court, Northern District of Ohio, Eastern Division, Case No. 1:17-md-2804.

COMMISSIONER GARCIA: Madam Chair, I'd like to make a motion to go into item 11. B, executive session, as discussed by the County Attorney.

CHAIR HAMILTON: Thank you.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. So I have a motion and second, and I will note that we will be coming back out and reconvening for a final action item after executive session. So, Madam Clerk, can I have a roll call?

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

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

[The Commission met in executive session from 5:52 to 6:35.]

CHAIR HAMILTON: So we have returned from executive session. I would entertain a motion to come out of executive session.

COMMISSIONER GARCIA: Madam Chair, I would like to make a motion for item 11, Matters from the County Attorney, item B, executive session, to make a motion to come out of executive session.

CHAIR HAMILTON: Can we add to the motion that nothing –

COMMISSIONER GARCIA: And no action was taken? Yes.

CHAIR HAMILTON: And we only discussed things that were mentioned when we went in with the motion to go into session.

COMMISSIONER GARCIA: Yes.

CHAIR HAMILTON: Thank you very much.

COMMISSIONER HUGHES: Second.

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

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

**11. C. Potential Action with Regard to the Hiring of the Next County Manager**

CHAIR HAMILTON: Commissioner Hansen.

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COMMISSIONER HANSEN: Thank you, Madam Chair. I move that we hire Gregory S. Shaffer as the next County Manager and direct staff to develop a transition plan and an employment agreement with Mr. Shaffer for consideration and action by the Board at its April 26<sup>th</sup> meeting.

I am grateful that we are hiring from within our County. I think that's really important, and I also think that it's really important that we have certainly and that County staff knows that we are moving forward in a responsible manner and that it is someone that they are familiar with and somebody that we as the Board of County Commissioners are familiar with.

COMMISSIONER HUGHES: I'll second.

CHAIR HAMILTON: Thank you. So I have a motion and a second, but just for clarity, that I assume that you wanted to make a statement as your own personal statement, as opposed to part of the motion.

COMMISSIONER HANSEN: Yes.

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

COMMISSIONER GARCIA: Madam Chair, for discussion, I'll third it.

CHAIR HAMILTON: Okay. I have a motion and a second and third. If there's no further discussion –

COMMISSIONER GARCIA: Madam Chair, just for discussion, just one last thing. I just want to – Manager Miller, we'll actually have some releases to the press, obviously, because they're going to be on it and we already talked about that, who's going to handle that, who's going to take care of that situation. But Manager Miller, we're going to miss you and you'll still be here but Greg, congratulations.

CHAIR HAMILTON: Can we finish the vote and then we can congratulate him?

COMMISSIONER GARCIA: Yes.

CHAIR HAMILTON: So all in favor please say aye

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

CHAIR HAMILTON: Thank you, and congratulations. Mr. Shaffer, did you have –

MR. SHAFFER: Madam Chair and Commissioners, I'm truly honored and humbled to be entrusted with this position. Over the last 11.6 years County Manager Miller has worked with current and former County Commissioners to instill in the County a culture of professional and ethical public service, driven by a set of established core values. It's that very strong foundation that I believe makes this such a welcoming opportunity and building on that foundation, I look forward to working with you and other elected officials and all of the dedicated team members of the County to achieve the County's objectives and meet whatever challenges may come our way. Thank you again for giving me this opportunity

CHAIR HAMILTON: Thank you for accepting it. Is there any other discussion?

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**12. CONCLUDING BUSINESS**

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

Upon motion by Commissioner Hansen and second by Commissioner Roybal, and with no further business to come before this body, Chair Hamilton declared this meeting adjourned at 6:40 p.m.



ATTEST TO:

KATHARINE E. CLARK  
SANTA FE COUNTY CLERK

Approved by:

Anna Hamilton, Chair  
Board of County Commissioners

Respectfully submitted:

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

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