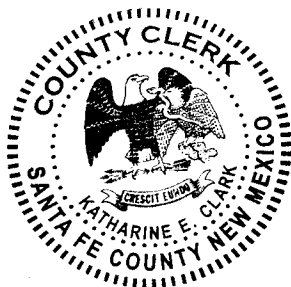


## SEC CLERK RECORDED 06/03/2021

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



Deputy Teresa E. Clark County Clerk, Santa Fe, NM

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

**April 27, 2021**

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:26 p.m. by Chair Henry Roybal.

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

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

**B. Roll Call**

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

**Members Present:**

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

**Members Excused:**

Commissioner Rudy Garcia

**C. Pledge of Allegiance**

**D. State Pledge**

**E. Moment of Reflection**

The Pledge of Allegiance and the State Pledge were led by Chair Roybal and the Moment of Reflection by Alexander Painter of the Public Works Department.

Commissioner Hansen requested a moment of silence for Gene Youngblood, a pioneer in alternative cinema.

**F. Approval of Agenda**

CHAIR ROYBAL: Are there any requests or changes to the agenda from the Board? I'm going to go to Manager Miller first.

KATHERINE MILLER (County Manager): Hello, Mr. Chair,

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Commissioners. There are some items on the agenda that didn't make it onto the original agenda which was posted Tuesday, April 20<sup>th</sup>, and then they amended the agenda on April 23<sup>rd</sup> at 4:54 pm, and those amendments to the agenda were item 5. Miscellaneous Action Items, item 5. E, that was added. Also under presentations, item 6. B, the packet material for that presentation was updated. And then additionally, under Matters from the County Attorney, item 11. A. 3 was added to the agenda. And those are the only changes that I have, amendments that I have.

CHAIR ROYBAL: Okay. Thank you, Manager Miller. Any other changes or requests from Commissioners? Commissioner Hamilton.

COMMISSIONER HAMILTON: I was just going to move to approve the agenda as amended.

CHAIR ROYBAL: Okay, so we have a motion to approve the agenda as amended. Do I hear a second?

COMMISSIONER HUGHES: Second.

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

**The motion passed by unanimous [4-0] roll call vote.**

## **2. RECOGNITIONS**

### **A. Years of Service and New Hire Recognitions**

CHAIR ROYBAL: We have our County Manager, Ms. Katherine Miller.

MANAGER MILLER: Mr. Chair, Board members, as you know every month we recognize those employees that have hit a milestone of five years of consecutive service for Santa Fe County and we like to recognize them at the end of the month Board meetings for anybody with five, ten, fifteen, years of service, and then quarterly we do recognitions for those employees who hit a 20-, or 25- or 30-year milestone. This last month we didn't have too many people who hit a five-year milestone but we did have in our Sheriff's Department/Animal Control Enforcement, Blaine Lattin. He's been here with us for five years.

In Public Works/Maintenance we have David Vigil, has been with us ten years. And also in the Sheriff's Department/Animal Control, Justine Calabaza has been with us for ten years.

So I just wanted to take a moment to thank those employees for their continued service for Santa Fe County, and hope they continue to make a career here.

CHAIR ROYBAL: Thank you, Manager Miller and I couldn't agree more. Congratulations to Mr. Blain Lattin, David Vigil and Justine Calabaza. We appreciate your dedication to Santa Fe County and we look forward to working with you in the future. So thank you and congratulations. Do we have any other comments from the Board? Seeing none, go ahead, Manager Miller.

MANAGER MILLER: The next item is actually new hire recognitions under that same caption, and these are our new hires. These are our new hires for the month of March and these are individuals that started with us March 1<sup>st</sup> through March 21, 2021, and as you can see we're definitely in the hiring mode, in particular in our

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Public Safety positions. So we have Melissa True in the IT/Systems administrator, Evonne Gantz, in the County Clerk's Office as Chief Deputy Clerk. I believe you did have the opportunity to meet her recently as well.

Mona Gonzales in Community Services, a driver and cook's assistant in our Senior Services. In Corrections, five new detention officers. That's Sharon Atencio, Logan Chevarillo Tenor, David Espricueta. Also Ricardo Gonzalez Esquivel, and Joseph Regulus. And then booking clerk Martin Flores.

In the Fire Department, Emergency Management Coordinator, Matthew Hardy, and we also hired quite a few trainees in our dispatch center: Amanda Davin, Mariah Martinez, Allison Pfeifer, Julie Silva, and Shannon Sullivan.

And then in Road Maintenance, Ivan Trujillo is our engineering services manager, and in the Sheriff's Office, Maya Ochoa and Anna Perez as records clerks. So I'd just like to welcome all of them and I'm going to go make sure I know how to pronounce David's last name.

CHAIR ROYBAL: Thank you, Manager Miller and it's awesome to see. I know that we've had a rough year. We did have a hiring freeze, even though I think during most of the hiring freeze during this pandemic we were still hiring almost monthly but to see 18 new employees, that's awesome. I just really appreciate that and I just want to say welcome to all our new employees and we look forward to working with you. So thank you for bringing that forward, Manager Miller. Are there any other comments from the Board?

## **2. B. Employee of the Quarter**

MANAGER MILLER: Thank you, Mr. Chair. So Santa Fe County has an Employee of the Quarter recognition program, and it's to recognize employees who make a significant contribution to the County during the three previous months, and that contribution can include anything from excellent service to constituents, developing or implementing a new program that benefits the organization or their department, providing exemplary performance to the Santa Fe County just in their daily job performance or anything that might be seen as a willingness to work above and beyond the call of duty or another contribution that a nominator believes to be important to recognize.

The process for selecting Countywide Employee of the Quarter begins with a designated recognition team selecting one department or elected official's employee of the quarter for their group, and then out of those groups there is one employee who is considered for the Countywide Employee of the Quarter award. The employees that nominated and selected for the Employee of the Quarter for first quarter of the calendar year are as follows:

So in Support Services, Jennifer Wilson, who is Accounting Supervisor, she has been with us since October 27, 2018, and in addition to her duties as the Accounting Supervisor, Jennifer has taken on the role as the Interim Payroll Supervisor. She has demonstrated great leadership skills in both roles. In addition, Jennifer was instrumental in the implementation of the new Workforce Dimensions timekeeping system or what we call the Kronos system that launched in January. Jennifer is a great example to her staff and her hard work has not gone unnoticed. That was a pretty monumental project, by the

way, so thank you to Jennifer for all her hard work on that.

In the Public Works group, Matthew Martinez. Matthew Martinez has been with us since February 20, 2021. He's a Public Works Program Specialist, and this last quarter he took on the challenge of coordinating the implementation of the Lucity Asset Management System at Public Works. He took the initiative to train staff, coordinate GIS resources within the County, and work with vendors to manage project milestones and target dates for the Lucity implementation. He managed this workload while maintaining his regular job duties. He is a driven and dedicated employee who always has a "can do it" attitude.

In our Public Safety group, Lisa Chavez, Emergency Communication Specialist III. She's been with the County since October 26, 2009. Lisa has taken the initiative to assist with the current staffing gaps at RECC. In addition, she created a training guide to assist new employees, to cultivate their knowledge and help them succeed as new employees of dispatch center. She took these initiatives without being asked. Lisa has always taken on extra responsibilities to assist the department in enhancing services provided to Santa Fe County.

In our Community Services group, Alexander Fitzgerald, Economic Development Specialist has also been with the County for a few years. He's been with us since June 8, 2019, and he was instrumental in the administration of the CARES Act funding that we received from the state. His exceptional working abilities were highlighted while working with the CARES grant proposal. When the CARES Act came into effect, he was the one to prepare the grant proposal. His ability to empathize and commit to this act were key to the successful implementation of this vital program. He is a true asset to Santa Fe County.

And then in our final group, the elected officials, Emma Felt Lenihan is an Administrative Assistant who's been with the County since August 29, 2020. Emma has exceeded work expectations in her short tenure within the Assessor's Office. She has taken on additional administrative tasks and is a central point of contact for staff in the Assessor's Office. She ensures employees have the necessary tools and support to complete their daily tasks. Emma has a strong work ethic, a positive attitude and a strong teamwork concept that makes her an asset to the Assessor's Office and to Santa Fe County.

So with that, this past quarter we had all of the groups submit, which we had not had for a little while. We were I think with much of what happened with COVID everybody kind of put their head down and they were working and we didn't get a lot of submissions over the last couple of quarters but this time we had multiple submissions as you can see, and in each of those groups they came up with outstanding recommendations for Employee of the Quarter within their groups.

So the group that does the evaluation got together and had such a difficult time picking one outstanding Employee of the Quarter out of the group that they recommended that all six of those individuals be Employee of the Quarter. So with that, they receive eight hours of administrative pay and they also will all, all five of them will receive their glass award that we provide to the Employee of the Quarter. All of the ones who were nominated by their group and selected by their group will receive the Employee of the Quarter. So it's kind of a unique one that we have five employees of the

quarter that made it all the way to the final group, but everyone felt their contributions were so significant, and we've had such challenging times and their success and their dedication to work, they all have been recommended for Employee of the Quarter.

So I just wanted to say it truly was an outstanding group. It always is a very outstanding group of employees that are recommended for this but for instance, all the work that Jennifer put in getting – working remotely and doing all this, and Jennifer is putting in a new payroll system for the whole County. And then Alex, for instance, working on the business grants, lo and behold we have access to some portion of \$50 million for business grants and he manages to put together a program like that and help us get \$4 million and get it all out the door.

Also in Public Works, Matthew, a whole new asset management system, Lucity, doing that on top of his regular job. And as you all know in Public Safety, in our RECC we are struggling with a lot of vacancies and it's really called on employees to step up and contribute. And obviously, in the Assessor's Office they have a new gem with Emma.

So I just want to recognize all of those employees and thank them for their hard work and their contributions this past quarter.

CHAIR ROYBAL: Thank you, Manager Miller, and I couldn't agree more and I'm very happy where we were in the position where we couldn't choose just one and I'm glad that we chose all of them because they have done such huge contributions. One thing I will say, recognition from your own peers is so gratifying. I just want to say congratulations. You've all instilled the belief in your leadership role and you've done a great job and your peers are all looking up to you and recognizing you for what you've done for your department and just being recognized by your peers is so gratifying. So congratulations and we're really proud of you being County employees and working for Santa Fe County.

Are there any other comments from Commissioners? I just want to say congratulations again.

MANAGER MILLER: Mr. Chair, I do think some of the employees might be on. I see Alex is there. I think Lisa is there. So I don't know if you would like to give any of them an opportunity to say something. Alex, you look totally different.

CHAIR ROYBAL: Absolutely, and thank you for bringing that to my attention, Manager Miller. If you'd like to call on each individual one. I want to say once again we're just really proud to have you here. Thank you.

MANAGER MILLER: Okay, so Alex. I saw you turn your camera on.

ALEXANDER FITZGERALD (Community Services): Commissioners, Manager Miller, I'm tremendously thankful for the recognition. It's been an honor to serve Santa Fe County constituents. It's been a joy to work with Santa Fe County staff, some of the best public servants I've ever met. It's a wonderful staff. And lastly, I would just like to acknowledge I couldn't have done the work I did without the support, dedication empowerment from my leadership and my broader team. So a thousand thank yous to them as well. Thank you again so much.

MANAGER MILLER: I'm going to go to Jennifer. I see you as well.

JENNIFER WILSON (Finance Division): Hi, Manager. Hi, Commissioners. Thank you. I really, really appreciate the recognition and also I do want

to say that it's the payroll team, the accounting team as a whole, that have contributed to this, especially with the rollout of Kronos. That could not have happened without the support of my payroll staff, so I'm really, really appreciative of them, and also the accounting staff as well, who have had to step up since my attention is now being split working with payroll as well. So absolutely, my team deserves recognition as well. So thank you.

MANAGER MILLER: Okay, Matthew.

MATTHEW MARTINEZ (Public Works): Mr. Chair, Commissioners and County Manager Miller, I'd like to say thank you. But like everybody else, I'd also like to recognize the team that I work with here. I wouldn't be able to do what I do without them, as well as other departments in the County that have also assisted with our Lucy work order system and some of the other projects I work with, so thanks again.

MANAGER MILLER: And I know Lisa, you don't want me to call on you, but you're next.

LISA CHAVEZ (RECC): I just want to thank everybody. It's a team effort. It's not just me. It's all of our RECC. So thank you.

MANAGER MILLER: And then I am not sure – is Emma there? Oh, she's way, way back in the conference room in the middle there.

EMMA FELT LENIHAN (Assessor's Office): Thank you, Mr. Chair and Commissioners. I just wanted to say it's such an honor to be among esteemed people and I'm happy you've recognized the work that everyone else has done and I really appreciate my office for taking me in with open arms and being willing to work with me, even though I'm so new. And I really appreciate the recognition as it was more than I had expected. Thank you.

MANAGER MILLER: So there you go, Mr. Chair. An outstanding group of Employees of the Quarter.

CHAIR ROYBAL: That was awesome. Thanks again to all of you for all of your hard work.

## **2. C. Recognition of Correctional Officers, Nurses, and Teachers**

PABLO SEDILLO (Public Safety Director): Good afternoon, Mr. Chair and members of the Commission. It's my privilege to recognize the men and women who work in Corrections and this week encompasses Correctional Officers, Nurses and Teachers. But I'd like to recognize as well every single person that works in Corrections. They have an impact on what we do in the facility. And I'll go ahead and give you a brief summary of the Correctional Officers Week.

It is celebrated the first full week in May. It was established in 1984 by President Ronal Reagan to honor the work of correctional officers and correctional personnel nationwide, recognizing the contributions made by the men and women who work in jails, prisons, community corrections across the country.

National Corrections Nurses Week was previously observed from October 11<sup>th</sup> through October 16<sup>th</sup> until 1993 when the American Nurses Association board of directors designated May 6<sup>th</sup> through the 12<sup>th</sup> as the dates to observe National Nurses Week. This week highlights the diverse ways in which registered nurses are working to

improve our healthcare.

Lastly, National Teachers Week is celebrated the first week of May. It was established by the National Parent Teachers Association in 1985 with Teachers Day the first Tuesday of the week. This week honors teachers and recognizes the lasting contributions they make to our lives.

At this time, Mr. Chair, members of the board, I have the warden and deputy warden here. But before I turn it over to them to say a few words, I want to personally thank everybody that works in the field in corrections, not only in Santa Fe but nationwide. It's a very challenging job. It's very difficult at times and it can be rewarding. So each person that works in a correctional institution has a big contribution to everybody's lives. So I just wanted to personally thank everybody who works in Corrections at Santa Fe County and nationwide. Warden Williams, would you like to say a few words?

[Warden Williams experienced technical difficulties in joining the meeting.]

MR. SEDILLO: If you prefer, Mr. Chair, I could probably defer to the Deputy Warden until the Warden's microphone is working. Deputy Warden.

ROBERT PAGE (Deputy Warden): Good afternoon, Commissioners, County Manager, Director. I just want to recognize and thank all the staff that work here. My myself started as a corrections officer and moved on up. So it can be a very rewarding job. Lots of people who do work in Corrections sometimes branch out to other departments, so I'd just like to thank them. I wish I could have a year-round thing for them, but just to thank everybody. Thanks, Commissioners, and thank you to all the employees for really supporting us over here.

MR. SEDILLO: We may not want to prolong all this but on behalf of the Warden – he and I speak about this all the time, and he truly, truly thanks everybody who works at Santa Fe County. It's with the leadership; the staff do a very good job and I know that he has some activities scheduled with the Deputy Warden, they have activities scheduled for the Correctional Week and I apologize that he couldn't speak, but hopefully he can get his microphone working. But I would like to also thank County Manager Miller and all the staff, Commissioners, for supporting the staff at Santa Fe County Corrections. So thank you very much, Manager Miller.

CHAIR ROYBAL: Thank you, Mr. Sedillo, we really appreciate that, Director Sedillo. Do we have any comments or questions? I know we had some technical difficulties but are there any comments or questions from the Commission? Seeing none, thank you again, Director Sedillo.

**2. D. Presentation of Certificate of Appreciation to Joe Jordan-Berenis for his Outstanding Leadership as Executive Director of Interfaith Community Shelter**

CHAIR ROYBAL: We have Commissioner Hansen and Commissioner Hughes as sponsors. I'm going to go to Commissioner Hansen.

COMMISSIONER HANSEN: Thank you very much. I'm grateful to be able to present this Certificate of Appreciation to Joe. And I also – if Commissioner Hughes is there, I would also really like to turn this over to Patricia Boies for her to lead



this presentation of this Certificate of Appreciation.

PATRICIA BOIES (Community Services): Thank you and good afternoon, Mr. Chair and Commissioners. I am so happy to be doing this because Joe – and everybody Joe calls him Joe – but Joe Jordan Berenis is one of my standout heroes in this community. Since he began serving as executive director of the Interfaith Community Shelter he has transformed the shelter. He expanded it to make sure it had a broader capacity to connect people with the many resources that they need, including behavioral health services. He oversaw the opening of the women's shelter so that beds would be available to women year-round. The shelter started out as primarily simply a winter overnight shelter so people wouldn't freeze on the streets, and he's taken it well beyond that.

Through Joe's leadership, he was an early and enthusiastic supporter of our CONNECT Network which makes sure or tries as best as it can to make sure that people are connected to all the resources they need for health and well being, and through his leadership, Interfaith excelled at using the CARES Act funds that the County received using them expeditiously and appropriately. And those of us at Community Services Department who have been lucky to work with Joe have always found it a pleasure, and we especially appreciated him during the pandemic.

He's one of those people whose voice you are always happy to hear on the phone and he has developed long-lasting relationships across the county. That is one of his hallmarks. It is his warmth and compassion that endear Joe to so many in this community. The trust that he engenders is widespread. His patience, his equanimity, his non-judgmental approach are the reasons he is so successful at what he is done – and I know he would say it's the entire staff and team and everybody at Interfaith, including the clients they serve, but with him at the helm Interfaith is now so much – it has had such a positive impact on the community.

And I will miss you greatly, Joe, personally, and I just want to say thank you and thank you so much and also, Rachel O'Connor, who's not here at this meeting, she asked me to read a statement from her so I will do that now.

"I know of no other single community leader as universally trusted, respected and admired as Joe Jordan-Berenis. He has been an amazing partner to Santa Fe County. I will miss his all-encompassing sense of grace, both personally and professionally." So thank you.

CHAIR ROYBAL: Thank you, Ms. Boies. Commissioner Hansen, I know you have the floor and I know I saw Commissioner Hughes's hand up but I'm going to let you go ahead.

COMMISSIONER HANSEN: I was going to turn it over to Commissioner Hughes next also.

COMMISSIONER HUGHES: Thank you, Mr. Chair and Commissioner Hansen, and thank you, Patricia for bringing this forward and I just wanted to say I followed the Interfaith Shelter from its inception through now and you're exactly right. It's when Joe took over that the program really became what everyone had dreamed it should be and Joe's just been an amazing leader. He's so compassionate and it's always amazing to me that whenever we talk about a particular client Joe always knows who we're talking about, knows his history and what the person needs and how we should

deal with it. So it's just been great working with Joe. I thought it was funny that you said you were happy to do this because I'm kind of sad because I don't know that anybody can do quite as good a job as Joe, although that now that he has set the program up to be the program it is it will continue on in good shape. But Joe, thank you so much for taking this on and devoting so much of yourself to this cause. Thank you.

COMMISSIONER HANSEN: And Mr. Chair, if I may, I would like to allow Joe to say a few words if he would like, which I hope he will.

JOE JORDAN-BERENIS: Thank you, Mr. Chair. Thank you, Commissioners. I'm a little flattered – I'm a lot flattered. Thank you. As you know, the shelter is not a one-man show; it's actually a 2,000-person show. Long before COVID, I sincerely believed that we're all in this together. Actually, I'd like to quote Mother Teresa who said the biggest problem in the world today is that we do not draw the circle of our family large enough. And I always say that I believe the people I've worked with at the County, whether it be through CONNECT or in other capacities, have really worked hard to enlarge the circle of our family.

I feel so fortunate, and I mean this sincerely, to have been a part of that effort. It's terrific and the people I work with are really dedicated and committed and understand the population we serve, which so often goes misunderstood. So I just want to say thank you, because – and I wish I was a little more articulate at this time but I really do appreciate all the people I've worked with from the County and I appreciate all that has been said today. I truly do. I'm a little overwhelmed by it all. Thank you. Thank you so very much, one and all.

COMMISSIONER HANSEN: Thank you, Mr. Chair. Thank you, Joe, for all that you have done throughout the years for Santa Fe City and County and how important your work is. I know we are all grateful and I'm honored to be part of recognizing you for your incredible work to this community. We need more of you. So thank you, thank you, thank you, very, very much and thank you to Patricia and to Rachel, especially Patricia, for bringing this forward and recognizing you as one of our heroes in this community. So thank you so much.

MR. JORDAN-BERENIS: Thank you

COMMISSIONER HANSEN: And Mr. Chair, do we need an approval? Or is the certificate in itself an approval? Right?

CHAIR ROYBAL: Yes, it is. But if you want to make a motion you can go ahead and do that. But I do want to make some comments and just appreciation to Joe for all his hard work. The constituents of Santa Fe County are indebted to your service. You've done such a great job and are such a leader and you've really made an impression in the community and on everybody here today. And so we just want to thank you for your service, sir. Commissioner Hansen, I'll come back to you. It's up to you however you want to go forward. We can make a motion to approve this certificate if you like and we can go that way. So why don't you go ahead and make a motion and Commissioner Hughes make a second.

COMMISSIONER HANSEN: Yes, I will make a motion that this Certificate of Appreciation to Joe for his outstanding leadership as executive director of Interfaith Community Shelter. Thank you.

COMMISSIONER HUGHES: And I will second the motion.

CHAIR ROYBAL: I do want to just say thank you guys for bringing this Certificate of appreciation and just recognition in general forward. So we do have a motion from Commissioner Hansen and a second from Commissioner Hughes. So I'll go to a roll call vote.

**The motion passed by unanimous [4-0] roll call vote.**

**3. APPROVAL OF MEETING MINUTES**

**A. Request Approval of the March 22, 2021, Santa Fe County Board of County Commissioners Special Meeting Minutes**

CHAIR ROYBAL: We usually do this earlier in the meeting and there are a couple here that we have to do. Are there any changes? Commissioner Hansen, did you have changes?

COMMISSIONER HANSEN: No, I'm just going to make a motion to approve.

CHAIR ROYBAL: Okay, so we have a motion from Commissioner Hansen. Do I hear a second?

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: Second by Commissioner Hughes. Okay, so I'm going to go to a roll call vote.

**The motion passed by unanimous [4-0] roll call vote.**

**B. Request Approval of the March 30, 2021, Santa Fe County Board of County Commissioners Regular Meeting Minutes**

CHAIR ROYBAL: Do we have any changes? Commissioner Hansen, I know you usually have some clerical changes.

COMMISSIONER HANSEN: I have some changes and I will get them to the stenographer and with that I move to approve with changes.

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hansen for approval with changes and a second from Commissioner Hughes, and that includes the changes, sir?

COMMISSIONER HUGHES: Yes, sir.

CHAIR ROYBAL: Okay, so we have a motion and a second.

**The motion passed by unanimous [4-0] roll call vote.**

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**4. CONSENT AGENDA**

- A. Request (1) Approval of Amendment No. 4 to Agreement No. 2018-0005-AT/MM with HUB International, Increasing the Compensation an Additional \$139,120, To Provide Insurance Broker Services for a Total Contract Sum of \$347,800, Exclusive of NMGR; and (2) Delegating Signature Authority to the County Manager to Sign the Purchase Order (Purchasing Division/Bill Taylor & Risk Management/Erica Moncayo)**
- B. Request (1) Approval of Amendment No. 3 to Agreement No. 2018-0151-HA/MM Between Santa Fe County and the Boys & Girls Club of Santa Fe/Del Norte Extending the Term for an Additional One Year and Increasing the Compensation an Additional \$170,000 for a Total Contract Sum of \$680,000, Inclusive of NMGR; and (2) Delegate Signature Authority to the County Manager to Sign the Purchase Order (Purchasing Division/Bill Taylor & Housing Division/Joseph R. Montoya)**
- C. Resolution No. 2021-035 Resolution Requesting a Budget Increase for the Housing Division's Section 8 Housing Choice Voucher Fund (227) in the Amount of \$248,687 (Finance Division/Yvonne S. Herrera & Housing Division/Joseph Montoya)**
- D. Ratification of Race to Zero Pledge and Participation in ICLEI Race to Zero Program (Public Works/Jacqueline Beam)**

CHAIR ROYBAL: We have four items on this Consent Agenda. Are there any items on this Consent Agenda that Commissioners would like to get some more clarification or any kind of – or pull it from the actual Consent Agenda? And if not, I do want to just recognize 4. B. I'm glad to see that we're actually getting additional funding to the Boys & Girls Club. Especially during the pandemic, I think the increased compensation and additional funding will definitely help the Boys & Girls Club so I'm glad to see that item on there. Are there any other comments or questions from the Commission? Commissioner Hamilton,

COMMISSIONER HAMILTON: Yes, as long as you're recognizing item, I recognize item D that I believe Commissioner Hansen has been championing. It's an important thing, and I would move to approve the Consent Agenda.

CHAIR ROYBAL: Thank you, Commissioner Hamilton, and I couldn't agree more. So we have a motion to approve. Do I hear a second? Commissioner Hansen?

COMMISSIONER HANSEN: Yes, I would be happy to second that and I want to thank the Board for recognition of the Race to Zero program and also all the work that our Sustainability Department is doing for us in this arena. So thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. So we have a motion and a second. I'm going to go to a roll call vote.

**The motion passed by unanimous [4-0] roll call vote.**

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

**5. MISCELLANEOUS ACTION ITEMS**

- A. Request Approval of Amendment #1 to JPA No. 2016-0223-PW/BT Between Santa Fe County and the Greater Glorieta Community Regional Mutual Domestic Water Consumers and Sewer Works Association (GGCRMDWCSWA) for the Implementation of Community Development Block Grant (CDBG) Grant Agreement 19-C-NR-I-01-G-17 to Construct a Community Well and Water System Upgrades in Glorieta, New Mexico**

PAUL OLAFSON (Growth Management): Good afternoon, Mr. Chair, Commissioners. The item before you today is an amendment to a previously approved JPA between the County and the Greater Glorieta Water Association. This was developed in a previous CDBG grant process to outline the responsibilities, roles, and ownership needs for the improvements to the water system. We had a second grant which is the one you just outlined which will improve the water system distribution as well as create a new deep well, which is needed because the water right now is not up to standard.

So this agreement allows us to move the water association funds together with the CDBG funds and complete this last phase of this project. There is a \$75,000 ten percent match to the CDBG grant and the water association will be providing this match along with additional funds to complete the entire project. And this amendment, if approved, will allow us to begin procuring services and construct the improvements. And with that I would stand for any questions.

COMMISSIONER HANSEN: Thank you. I would be honored to make a motion to approve amendment #1 to the JPA between Santa Fe County and the Greater Glorieta Regional Domestic Water Consumers and Sewer Association.

CHAIR ROYBAL: So we do have a motion from Commissioner Hansen. This is in your district, Commissioner Hamilton.

COMMISSIONER HAMILTON: I'm happy to second it.

CHAIR ROYBAL: We're fine with that. I just wanted to make sure it was in Commissioner Hamilton's district. So we have a motion from Commissioner Hansen and a second from Commissioner Hamilton. Under discussion, is there anything under discussion from other Commissioners?

COMMISSIONER HANSEN: Mr. Chair, given the concern that I have for mutual domestics and sewers throughout Santa Fe County I am happy to see this moving forward.

COMMISSIONER HAMILTON: Mr. Chair.

CHAIR ROYBAL: Yes, Commissioner Hamilton.

COMMISSIONER HAMILTON: In that regard, first of all, I know the Greater Glorieta Domestic is really grateful for the efforts the County goes to to help us bring in CDBG money and this outside granting. They have Water Trust Board money. This kind of thing is so valuable to be able to have the grant money to complete these projects and I personally think it's a huge amount of effort that Paul Olafson puts in and his entire staff to do all the compliance for CDBG for bringing in this additional funding

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to rural communities to do these projects is a just a huge benefit and I just want to personally say thank you for that.

CHAIR ROYBAL: Thank you Commissioner Hamilton, and I couldn't agree with you more. These types of services are basic needs for our constituents and so I couldn't agree more. I'm glad to see this project coming into fruition. I think it's been in the works for some time now and I'm glad that it's actually coming to be. And so I'm really happy for the County to be able to provide this basic need. We do have a motion and a second. Commissioner Hughes, did you have any comments, sir?

COMMISSIONER HUGHES: I agree with everything you all said. Thank you.

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

**The motion passed by unanimous [4-0] roll call vote.**

**5. B. Resolution 2021-036, a Resolution Delegating to the County Manager Authority to Sign and Approve All Documents on Behalf of Santa Fe County for the Implementation of Community Development Block Grant #19-C-NR-I-01-G-17**

CHAIR ROYBAL: And once again from the Growth Management Department we have Mr. Paul Olafson.

MR. OLAFSON: Mr. Chair, Commissioners, thank you. Again, this is the same project we mentioned during the previous item. This is simply to provide for the County Manager's signatory authority for the multitude of documents and items that are required to actually implement the federal grants. There's an enormous amount of paperwork that comes with the grant awards. And I just want to note as I did previously that the grant is in partnership with the Greater Glorieta – and I'm not going to repeat the whole name because it's too long – the Greater Glorieta Water Association, and they are providing the ten percent match required for the \$750,000 grant.

So with that I would stand for any questions.

CHAIR ROYBAL: Thank you, Mr. Olafson, and I think we all know what this item is for. So if there's any other questions, if not, I'd like to take a motion. Commissioner Hamilton.

COMMISSIONER HAMILTON: I'd like to move for approval of this item.

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

COMMISSIONER HANSEN: I'd like to second this.

CHAIR ROYBAL: And a second from Commissioner Hansen. I did see Commissioner Hughes's hand up as well, so I appreciate that we got multiple people wanting to make motions and seconds because it shows what a great project this is. So thank you so much. We're going to go to a roll call vote.

**The motion passed by unanimous [4-0] roll call vote.**

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CHAIR ROYBAL: Go ahead, Mr. Olafson.

MR. OLAFSON: Mr. Chair, I just wanted to acknowledge the thanks, and it is an honor to work on these types of projects and to work with such wonderful communities and to really provide these basic services. As has been said earlier today, it really does take a team to do these things. It's not me or any one person; it's about a whole group of folks and that includes everything from Legal to Procurement to the Manager's Office and throughout all of our different staff, and Public Works, etc. So thank you to everyone for helping us do these good things for our community.

CHAIR ROYBAL: Thank you, Mr. Olafson and thank you for your leadership, recognizing the entire team for their efforts. Because you're right; it takes an entire team, kind of like it takes a village to raise a child, it takes a whole team to make these types of project really come to fruition. So thank you for your leadership, sir.

5. C. **Request (1) Approval of Amendment No. 4 to Agreement No. 2019-0110-CSD/CW Between Santa Fe County and Santa Fe Recovery Center Increasing Compensation an Additional \$243,745 for a Total Contract Sum of \$808,490, Inclusive of NMGR; and Extending the Term an Additional Year; and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order**

CHAIR ROYBAL: From the Purchasing Department we have Mr. Bill Taylor and also we have from the Community Services Department Ms. Rachel O'Connor.

BILL TAYLOR (Purchasing Division Director): Thank you, Mr. Chair. Good afternoon, Commissioners. Santa Fe Recovery Center is located of Jaguar. They're a professional health provider that provides a comprehensive residential and outpatient treatment services for adults that are suffering with substance use disorders.

This agreement is going to expire in April. The Community Services Department would like to continue those services. They're valuable services of course, for an additional year and increase the compensation for those services from the Recovery Center.

With that, Mr. Chair, I'll stand for any questions.

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

COMMISSIONER HANSEN: I will be happy when we're back in the chamber, even if we might forget to turn on our mikes there. I would like to move approval of amendment #4 to agreement # 19-00110-CSD/CW between Santa Fe County and Santa Fe Recovery Center, increasing the amount of compensation an additional sum, inclusion of all the things that you read before, and delegating signature authority to the County Manager to sign the purchase order.

COMMISSIONER HUGHES: Second.

COMMISSIONER HANSEN: And thank you for all the work that we're doing at the Recovery Center.

CHAIR ROYBAL: Okay, we have a motion from Commissioner Hansen

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and a second from Commissioner Hughes. I'm going to go to a roll call vote.

**The motion passed by unanimous [4-0] roll call vote.**

**5. D. Request Approval of City-County San Juan-Chama Return Flow Project Agreement**

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

GREG SHAFFER (County Attorney): Thank you, Mr. Chair, Commissioners. Mr. Dupuis and I spoke in advance of this item being called and I'm going to take the lead relative to presenting the agreement. I'm going to reference, as Daniel Fresquez knows, the revised memorandum that was shared with the Board of County Commissioners earlier this afternoon which updates some of the discussion of the agreement, as well as includes a proposed revision concerning the interplay between a planning process and a separate NEPA process that will be required for the project.

So as the Board knows, the project consists of a pipeline to move unconsumed San Juan Chama project water from the City's Paseo Real water reclamation facility to the Rio Grande for a redirection and full consumption at the Buckman Direct Diversion or BDD for delivery to a downstream San Juan Chama water user for a subsequent exchange with water stored in upstream reservoirs. And should it become both feasible and preferable in the future, direct reuse, including but not limited to delivery of project supply directly to the BDD water treatment plant for direct potable reuse.

In terms of what's in the agreement I'm going to provide you with a general summary of its most significant terms. In terms of the allocation of cost and project supply, project costs and water supply are allocated 93 percent to the City and seven percent to the County. And while these percentages correspond to the parties' respective share of San Juan Chama project water it's important to emphasize that the County's entitlement to seven percent of project supply is not dependent upon its utilizing its San Juan Chama project water or contributing it to the project in whole or in part. So therefore the County's San Juan Chama project water remains available for any other purpose.

The agreement results in the County's share of project supply being an independent and additional supply of San Juan Chama project water distinct from the County's current allocation of San Juan Chama project water pursuant to its contract with the Bureau of Reclamation.

The one exception to the cost allocation is with regard to water and financial accounting costs that are directly attributable to the project, which the draft agreement says will be split 50-50 by the parties. Again, at the County staff level we felt that that was a reasonable split of those costs because they largely arise by virtue of the County partnering with the City on the project. In other words, these were costs that would not be incurred but for our participation in the project.

With regard to capital costs, the County's share of capital cost is capped at \$2 million or seven percent of actual capital costs, whichever is less. Should capital costs be projected to cause the County's share calculated at seven percent to exceed \$2 million the

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agreement provides a variety of mechanisms to address that situation. The County could authorize additional funds to be allocated toward its capital contribution. The County could agree to have its interest in the project reduced to match its percentage contribution towards the capital costs of project. The parties could agree to have the project redesigned to bring construction costs within available resources. And finally, should none of those options or combination of those options seem palatable the County could agree to end its participation in the project and terminate the agreement.

The payment of capital costs are generally deferred until the later to occur of the completion of the project or the County's decision that it is satisfied with the outcome of the lower Santa Fe River mitigation program that's described in the next bullet in this memorandum and in paragraph 6 of the agreement itself. The one exception is a \$140,000 non-refundable payment which represents approximately seven percent of the County's anticipated \$2 million capital contribution. While this non-refundable payment can be viewed in multiple ways its primary purpose is to show the County's good faith commitment to the project and avoid the perception that the County is getting for nothing the option – and that's what it is, an option – to participate in the project after development of a lower Santa Fe River mitigation program.

So again, \$140,000 in short represents the cost of the County's option to participate in the project after certain things are developed further, more specifically the lower Santa Fe River mitigation program.

The agreement requires the development of the lower Santa Fe River mitigation program, and as indicated, it allows the County the right to end its participation in the project if the mitigation program does not timely materialize or the City and County do not agree on its contents. The stakeholder-informed planning process that is to be used to create the mitigation program will also assist in identifying mitigation alternatives that may be considered as part of the required National Environmental Policy Act environmental review related to the project.

And so in the memorandum in front of you we quote paragraph 6 in its entirety. I would note that the second sentence of paragraph 6A is a sentence that was added in light of our individual briefing sessions with County Commissioners about this agreement. It is the one provision or one sentence quite literally in the agreement that has not yet been formally blessed by County [sic] staff. We've included it though in this draft because of our individual discussions with Commissioner Hamilton in particular relative to the need for having that interplay clearly stated in the agreement.

So again, this sentence, the second sentence of paragraph 6A has not yet been blessed by City staff but we're nonetheless including it in the draft presented to the Board for consideration today.

Moving on, the project is to be designed and constructed to be adaptable over time and to accommodate direct reuse. The agreement specifically provides that that is to be done where it makes sense, and there'd be a variety of ways in which the County could ensure compliance with the requirement that the project be designed and constructed to be adaptable over time. First, by virtue of the agreement we'll be positioned in order – and if you scroll down, Daniel, to the bullet that says "project to be designed" – we'll be positioned to participate in the design by virtue of our partnership in the project.

In addition, the County Utility Director must approve the final construction drawings for the project, which approval shall not be unreasonable withheld. So that's a formal mechanism in the contract whereby this issue could be policed, so to speak, if there weren't otherwise agreement relative to what the adaptable design should look like.

In terms of operations, the next bullet, once operational the agreement requires the creation of an annual operating plan and budget. Ongoing operation costs are subject to appropriation by the Board of County Commissioners, and if there are any disputes relative to the operations, the budget, or the payment of operating contributions, they're subject to fairly typical dispute resolution procedures.

The next provision of note concerns the term of the agreement. I think the agreement sets up the expectation that it can be or will be perpetual, but it does allow the parties to seek a divorce, so to speak from continued participation in the project if there's been a material change in circumstance that would make continuation of the then current terms of the agreement inequitable to a party or contrary to the public good. So every ten years the parties are supposed to review the agreement's terms to determine whether or not there has been a material change in circumstances and if so, what should be done about it in terms of amendment to the agreement or termination of the agreement.

If the parties can't agree on those matters then either party may, subject to mediation and other preliminary dispute resolution efforts, seek a declaration from the First Judicial District Court that there has been a material change in circumstances and that the agreement should be terminated as a result. In that event the agreement continues that the Court may condition termination of the agreement upon such terms as are necessary to avoid unjust enrichment or undue hardship. So in other words, the Court can supervise the divorce of the parties relative to the project and make sure that the parties are neither unjustly enriched or subjected to an undue hardship as a result of the termination of the agreement. So there is a mechanism in the agreement whereby it could be terminated earlier but it's high bars in our view to get to that result and ultimately if the parties can't agree it would be overseen by the District Court.

The final provision of note is the potential use of project water for turf irrigation at the Club at Las Campanas. The agreement doesn't require the parties to do anything relative to the Club other than to look in good faith and work in good faith with the Club and with each other to determine whether or not the project allows for win-win solutions that would be augmentations to or alternative to existing arrangements whereby the County supplies the Club with raw water and the City supplies the Club with treated effluent for turf irrigation.

So as of the date of today and this memorandum that we're looking at now, City staff has approved the draft agreement with the exception of the additional language in paragraph 6A concerning the interplay between the lower Santa Fe River planning process and NEPA review, and in addition, with the exception of that same language, our understanding is that the agreement was recommended for approval by the City's Public Works and Utilities Committee yesterday. And finally, it's our understanding that the City Council is slated to consider the agreement at its May 12, 2021 meeting.

So with that by way of general but still very detailed review I'll stop and ask Mr. Dupuis if there's any additional emphasis that he would like to add, either about the agreement in total, or any specific provision in particular. Thank you, Mr. Chair.

JOHN DUPUIS (Utilities Director): Good evening, Mr. Chair and Commissioners. Mr. Shaffer, thank you very much for the thorough presentation and I believe you've done an excellent job including all the points that are specific and important to our relationship and the continued building of mutual beneficial projects that we can work together on. So thank you.

CHAIR ROYBAL: Okay. Thank you, Mr. Dupuis and Attorney Shaffer. We appreciate that and we appreciate the hard work that went into working with the City and coming up with this agreement. Of course we like to see mutual agreements that we can work with the City because it's benefit as a whole to our constituency. So thank you so much for your hard work. Any other comments from the Commission? Commissioner Hamilton.

COMMISSIONER HAMILTON: Yes. I want to point out that this agreement captures a couple of points that I think are just really critical and have been very important to the County. Several Commissioners, and senior staff have worked since this pipeline project first was brought forward in early 2017, and so frankly, since I was first a Commissioner and Commissioner Hansen was first a Commissioner we've brought forward these issues of mitigation for negative impacts to downstream communities and the potential for alternative uses, which the pipeline, if it's considered appropriately can be used to facilitate.

And I am very grateful that in these multiple years of work with the City that we have really moved forward and gotten acceptance for inclusion of these comments, and there are – so first of all, I want to acknowledge the County's role in that, and second of all I want to thank the Councilors and senior staff at the City who have embraced this thinking and have developed their thinking because I think both of these things – the mitigation is just critical, but the alternative uses for the pipeline I think are also – this expands the City and County ability to manage water and I think it will become a invaluable tool in the future as things become more stressful, when there's more water stress. So I am grateful to have something that we have been able to even through a long process have been able to work out. Thank you, Mr. Chair.

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

COMMISSIONER HUGHES: Thank you, Mr. Chair. I still have some concerns about this, and I thank you, Mr. Dupuis and Mr. Shaffer for meeting with me late last week and we went through this and I think you're right, Commissioner Hamilton. The County and the City have done a lot of good work on this project. I guess I agree mitigation is very important. I would rather see the mitigation plan before we sign the agreement, rather than after, because I'm not sure that us bailing out six months from now would really do much if we found out that mitigation wasn't really possible to the extent we wanted it to be. By then I think we might be too far down the road with the pipeline to switch to anything else.

I guess the other thing we asked for in our letter was consideration of other alternatives. When this first came up I read the engineering report that the City used to decide on the pipeline and they basically decided, because it was the cheapest alternative, but I think some of their cost figures may have been inflated for the other alternatives. If you assume that water released to the Rio Grande doesn't have to be treated to the same

standard as water released to the Santa Fe River. Well, that makes the cost for direct aquifer recharge look a lot higher than maybe it is.

I talked to several hydrogeologists over the weekend who never really got a clear answer to that question. And so that concerns me a little bit. I think the engineering report was read as the bible instead of just a starting place. It's been four years. There should have been plenty of time to further evaluate some of the other options that were there.

The other concern I have is I'm not sure that – this seems to me to be a pretty important decision for the County and the City and I'm not sure the public has really been informed of the choices. One choice is to do this with the mitigation. Another choice that was presented before would be to pump the water upstream into the Santa Fe River and let it flow down through the lower part of the city, thus adding more riparian habitat even to what we already have. And I'm just not sure whether the public would value more – more water for houses and businesses or more water for the environment. And given our 30-30 resolution we certainly at least ought to think about that.

So those are just my concerns. I don't know if Greg or John you have any more information that might help me, or if those are things we still don't know. I guess the one thing I didn't ask you last week was whether it's every been determined that water that would be pumped upstream into the Santa Fe River really has to be treated to a much higher standard than if it goes into the Rio Grande.

CHAIR ROYBAL: Okay. I don't know if Mr. Dupuis – I had some questions too. So I don't know if you wanted to answer Commissioner Hughes' question first.

COMMISSIONER HANSEN: Mr. Chair, I have some answers. I have also some answers to Commissioner Hughes' questions. So in 2017 when Commissioner Hamilton and I were first elected there was the Carrera Study. That was I believe the original engineering. I was a little upset with that because they did not include us on it but they never consulted us. So that was a challenging issue, but what has happened over these four years is that we have really developed a working relationship with the City from that point.

So during the Carrera Study all those presentations that you're talking about – water being pumped upstream and everything, the public has had many opportunities. There have been many meetings, many discussions. I have gone to a number of them. Some of them have been held at the old College of Santa Fe and around town. This is not something I feel that is new to the discussion.

What is new to the discussion are the things that have actually worked out with the City in this last agreement and partly I want to give Dr. Jesse Roach credit and John Dupuis credit for really listening to us and hearing us and talking about the lower Santa Fe River, and how important that is. Because we have not let up on that. We have constantly said this is an important issue. I feel very strongly about that.

I recognize that our acequias – I have an acequia in – I'm kind of switching a little bit – in Agua Fria that needs to be functioning again and La Cienega has an acequia. And I think that all of these issues have the ability to be worked on because, as partners, even though we're only getting seven percent but we're 50 percent of capital, once again we are partners with the City and therefore have more of a say. If we abandon this then we have no say and our lower Santa Fe River is more in peril. Those are important things for

me to consider about this.

Also, I'm not really a supporter of pumping the water upstream. That to me doesn't satisfy the issue of the riparian environment. More I think we need to look at aquifer recharge, which is I think a more valid direction to go to increase our riparian areas.

Also the fact that we have gotten direct potable reuse in this agreement is really important to me. I know that it is important to Commissioner Hamilton. We have both, I feel, worked on this agreement in our own ways. Certainly Commissioner Hamilton, from her scientific relationship and me more from my activist and speaking with the community. I know there's still issues with the downstream users and their concern but I want to make it very clear that I am very much aware of that. That is part of my district, the downstream users. And I do not want to see them being shortchanged and I think that by supporting this agreement with the City it's another opportunity for us to build capacity in our water system and we all drink from the same area and I also am hoping that by getting this water that possibly the wells in Eldorado can be relaxed or rested. There's a lot of other benefits that can come from this. And I don't mean to take so much time but I have been thinking about this and I wanted to just say a few of those things and please, John or Greg, please correct me if I misspoke in any way, or Commissioner Hamilton.

But I think this is a good thing to do and it took a while for me to be convinced of this. But I see the long-term benefit and I see the short-term benefit, and I do feel that we have a congresswoman who really cares about acequias and can also work with us on helping us recharge our acequias in the lower Santa Fe River. So I'll leave it there for the moment and I'll let others speak. Thank you very much.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Mr. Dupuis, you being the subject matter expert. Did you have anything to add, sir, or Mr. Shaffer?

MR. DUPUIS: Mr. Chair, thank you. And I just wanted to say thank you to both Commissioners Hughes and Hansen for what I believe is a lot of involvement and care for getting this right and your recognition of the City's willingness to listen, and through my experiences recently with them I have seen that even in brainstorming, how to accomplish a lot of the desires and still have the operational flexibility that's afforded with the project moving forward.

That brings me to your question, Commissioner Hughes. Answering one of them very directly, I'm not necessarily qualified to speak to the level of treatment necessary for discharge to the Santa Fe River upstream of the Paseo Real plant, but that is a reasonable consideration for that and an indirect answer but pertinent is when we have additional supply for the utility system through some means like the return flow pipeline project it is an enabler for supply that you have otherwise that would have been needed for that purpose.

So it has the potential, and I can't speak for the City on what they would do, but it does enable additional supply for the utility needs such that other supplies like the Santa Fe Watershed source, to be used for other purposes. And brainstorming with them that has been a very significant consideration and that it would enable additional Santa Fe Watershed water to be made available because there isn't as much pressure in certain circumstances for use of that for the utility directly. And living river, amongst other

things is priority for the City and they have a process that they go through but I'm optimistic that it would likely result in being able to achieve a lot of the other goals that they have relative to that, one being the revitalization in the riparian areas in the river area.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Thank you, Mr. Dupuis. Commissioner Hansen, you have an additional comment?

COMMISSIONER HANSEN: Yes. I think that Mr. Dupuis meant to say Commissioners Hansen and Hamilton in the beginning, and then I think as somebody who also sits on the Santa Fe River Commission with the City of Santa Fe, this is something that we are constantly talking about and constantly bringing up, aquifer recharge on the Santa Fe River and servicing the lower Santa Fe River, and the fact that the Santa Fe River water already is highly, highly impaired. The level of nutrients in the water is very high.

So any water that you really need to bring upstream you might even have to clean more than you would want to, because of the damage that is already happening in the Santa Fe River. And so I think that those are all items that I just wanted to point out, that I think you were referring to me and Commissioner Hamilton at the beginning. Thank you, Mr. Dupuis. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hansen. If there's not any other comments from the Board I'll entertain a motion. Commissioner Hamilton.

COMMISSIONER HAMILTON: I would move to approve this agreement.

COMMISSIONER HANSEN: I will second that.

CHAIR ROYBAL: So we have a motion from Commissioner Hamilton and a second from Commissioner Hansen. Under discussion, was there anything else? So I'm going to go to a roll call vote.

**The motion passed by majority [3-1] roll call vote with Commissioner Hughes casting the nay vote.**

COMMISSIONER HUGHES: No, I just don't want to pass unanimously. I still have concerns. But I would be happy to work with everybody going forward. But no.

CHAIR ROYBAL: Thank you very much for your hard work, Mr. Dupuis and Attorney Shaffer. I really appreciate it.

Before we go on to our next item I did want to recognize that we have Representative Tara Lujan that is here at the meeting, so welcome, Representative. I don't know if you wanted to say anything to the Commission. I know that I did see you earlier.

REPRESENTATIVE TARA LUJAN: Thank you, Mr. Chair. I'm happy to be listening in and I just want to commend the Commission on all the work that you're doing. I've been attending the Earth Day events that have been hosted by you, Mr. Chair, and by Commissioner Anna Hansen so far. I look forward to the rest in the next week.

And I just want to say just really quickly to acknowledge and recognize Joe

Jordan-Berenis for his outstanding leadership as the director of the Interfaith Shelter. That's in my district. It's amazing what he's done for Santa Fe and for our community and those that needed to have a public service provided to. It's just with a heavy heart. I think I feel with everybody else that he's retiring but I just want to acknowledge the work that he's done and thank him very, very much.

And I want to also say thank you to the Commission for the additional funding to the Boys & Girls Club that you talked about today. That's actually a piece of legislation I worked on in getting some extra funding to our after-school program. And as we know, the Boys & Girls Club here in Santa Fe has been with us for as long as I can remember and I actually had my son participating in the club back when he was a little guy. And I really want to thank you, Commissioner Hansen, for your efforts and what you're bringing to the table with the Race to Zero and the entire Commission and really bringing that responsibility for the sustainable initiatives for our county. So thank you for all that work that all of you are doing and for your leadership, Commissioner Hansen, on that.

I'm looking forward to participating with you in more events to come as we're getting more vaccinations in place and I just want to say thank you to our governor for the initiative she's leading there as well. So thank you all for all the hard work. We all have to come to the table together and all work together, so I look forward to doing more with you and I really appreciate everything that our County is doing. Thank you so much.

CHAIR ROYBAL: Thank you, Representative Lujan. We appreciate you being here today and the comments in regards to the work that Santa Fe County is doing. Thank you for that recognition.

I also wanted to recognize that I believe I see Governor Mora on the line as well. Governor Mora, are you here? Would you like to say anything to the Commission?

GOVERNOR MARK MITCHELL: Hello, Commissioners. It's actually Governor Mark Mitchell, and I was listening for a little bit but I need to sign off now. I have another commitment to attend to, but thank you for all your work, Commissioners. Look forward to working with you all.

CHAIR ROYBAL: Thank you, Governor Mitchell, and it did come up as Governor Mora, so I apologize, sir.

GOVERNOR MITCHELL: I see it on my end too.

CHAIR ROYBAL: Okay, sir. Well, thank you so much for being here and I look forward to meeting with you if you have any concerns or need anything from the County, please feel free to reach out to me.

GOVERNOR MITCHELL: Okay. Will do. Thank you, sir.

CHAIR ROYBAL: Thank you, sir.

**5. E. Request Approval of Lease Agreement No. 2021-0177-CSD/BT Between Santa Fe County and Behavioral Health Services Inc., dba New Mexico Solutions, Inc. for Lease of Premises Located at 2052 Galisteo. Approval of the Lease Agreement No 2021-0177-CSD/BT is Contingent Upon Final Approval by the State Board of Finance**

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

SCOTT KASEMAN (Public Works): Good afternoon, Mr. Chair and Commissioners. The Public Works Department is requesting the Board's approval of the first full service lease agreement between Santa Fe County and New Mexico Solutions, Incorporated for the lease of newly renovated facilities at 2052 Galisteo Street in Santa Fe. New Mexico Solutions will use their portion of the facility to operate the La Sala Behavioral Health Crisis Center.

An appraisal was completed in January of 2021 that established the rent for New Mexico Solutions' portion of the building at \$14,848 per month. The lease provides for the rent to be paid in the form of in-kind services and any deficiencies to be paid in cash. The lease is a full service lease, which means the County will be paying for maintenance, insurance, taxes and utilities. So with that, I'll stand for questions.

CHAIR ROYBAL: Do we have questions or comments for Mr. Kaseman? I'm going to go to Commissioner Hansen.

COMMISSIONER HANSEN: Mr. Chair, if there are no questions I would like to move to approve the request for approval of lease agreement No. 2021-0177-CSD/BT between Santa Fe County and Behavioral Health Service doing business and New Mexico Solutions for the premises located at 2052 Galisteo, which I'm so excited is about to open, and I want to thank the staff and everybody who has worked on this for your hard work and it is so important to have this type of facility in Santa Fe County and to be able to provide benefit to our constituents. So with that I move to approve.

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: So we have a motion from Commissioner Hansen and I see a hand up from Commissioner Hughes and he would like to second. Is there anything else under comments? Okay. Seeing none I'm going to go to a roll call vote.

**The motion passed by unanimous [4-0] roll call vote.**

CHAIR ROYBAL: I just want to say thank you for all the hard work as well. I know that this is going to be a great facility for our constituents that are in need of this service, so I just want to thank you for all the hard work.

## **6. PRESENTATIONS**

### **A. Presentation and Update from Bureau of Land Management (BLM) Taos Field Office on Recreational Target Shooting In Santa Fe County**

CHAIR ROYBAL: From the Growth Management Department we have Ms. Maria Lohmann.

MARIA LOHMANN (Open Space and Trails): Mr. Chair, Commissioners, hello. I'm going to keep my part of the presentation very brief. I just want to start this conversation by saying that Santa Fe County staff have been coordinating with BLM Taos Field Office, New Mexico, Game and Fish, Santa Fe National Forest and many other agencies to address concerns related to recreational target shooting in Santa Fe County. As part of the initiation of these conversations Santa Fe County organized and convened stakeholder meetings, a focus group meeting. Right at



the beginning of 2020 we had scheduled three meetings to work with a variety of different stakeholders including neighbors and community members, hunters, recreational target shooters, hikers and equestrians, wildlife experts – we had lot of different folks come to our meetings.

The last meeting was put on hold because of the onset of the pandemic but we did wrap up those series of meetings by asking for written comment which we were able to share with BLM as they've started their part of the process. So with that, I'm going to introduce Pamela Mathis, who's the Taos Field Office Manager and she will take it from here.

PAMELA MATHIS: Thank you so much, Maria. Mr. Chair and Commissioners, on behalf of the Bureau of Land Management we want to thank you today. We appreciate the opportunity and also the invitation for this informal briefing of conceptual ideas to improve public safety in the greater Santa Fe area. What we have for you today are some preliminary outcomes of that one-year process with the Santa Fe focus group and what has been a two- to three-year process for an inter-agency working group with BLM and many other agencies to come up with some conceptual ideas that would potentially lead to a formal proposal, formal environmental assessment and public input process, to address the specific questions of where constituents can safely practice recreational shooting with the fewest conflicts.

So I do want to be clear there are no decisions that have been made, rather a process of on the ground scouting and looking and ruling out certain locations, and others rising to the top of the fewest conflicts so far. So we're dedicated to listening and finding solutions and it's pretty clear to us that the ultimate solutions will be by bringing key partners together. We believe that to be the County Commissioners, your sister county, also State Lands, State Game and Fish, our tribal leaders, grazing permittees, recreational organizations, non-governmental partners, and potentially congressional representatives as well.

So at this point I would like to turn the presentation over to our project manager, Brad Higdon. He'll tell you where we're at so far and we'll discuss our next steps.

BRAD HIGDON: Thank you, Pamela. Mr. Chair, Commissioners, I'd like to start off by thanking Santa Fe County for its support in this planning effort thus far. Maria Lohmann and Paul Olafson in particular have been exceptional to work with. I'd also like to thank the Sheriff's Department for keeping engaged and providing meaningful input.

So recreational target shooting is a legal and legitimate use of public lands. But with the substantial increase of gun ownership and sport shooting in the United States over the last ten, fifteen years comes increased conflicts and compromise safety, especially where these target shooting activities are concentrated in the urban interface areas on public lands in Santa Fe County. As Maria mentioned, we've been working with Santa Fe County, New Mexico Department of Game and Fish, Santa Fe National Forest and the US Fish and Wildlife Services to address these concerns. We're also in the process of reaching out to area tribes. We also have plans to meet soon with the State Land Office as well.

So this slide shows three areas of public lands where unconfined, undeveloped target shooting is concentrated, and these concentrated areas, we have real concerns about

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public safety, someone getting caught in the crossfire even. We have resource degradation occurring, vegetation is denuded, trash is accumulating. These areas tend to draw illegal dumping activities. Other public land users – livestock grazing permittees and other recreationalists are displaced and otherwise impacted, and these high use shooting areas are also too close to residential areas. Residents are concerned about their safety even within their own backyards, and there's potential spread of wildfire from these shooting activities.

They are also constantly bothered at the loud, erratic noise associated with target shooting. So one of the things that the agency working group accomplished is getting together a focus group that was led and organized by Santa Fe County, and a key outcome from that well rounded group of diverse interests was a consensus that we needed safe environments to go shoot around the county, including safe environments to take your family for a shooting outing. So the focus group recognized that developing shooting ranges is key to resolving these conflicts.

By shooting ranges I mean specifically facilities designed and engineered for safe sport shooting opportunities. So our focus as an agency working group has been really over the last year or so has been to find a suitable location on public lands where we could develop shooting ranges.

Again, let me be clear. There's no ideal location on public lands for developing shooting ranges. We're having to consider the tradeoffs. Any development of shooting ranges would involve environmental consequences, impacts, and so our planning is largely an exercise in weighting the tradeoffs. Human resource specialists in our working group members have gone out on numerous occasions to conduct field visits, scout potential locations, just looking for suitable locations, particularly on public lands where the BLM as the administering agency has a lot more flexibility and discretion on these types of developments, more so than other land managers around the state.

So in the Camel Tracks area specifically we identified this location delineated in red as a possible site for developing a shooting range. About 3 ½ miles of road would need to be upgraded and maintained to access this location. We'd also have to consider what to do with the current shooting area where the conflicts are occurring. We'd have to consider remediating the site, cleaning it up and perhaps reclaiming it. We'd also consider imposing restrictions on shooting, precluding the discharge of firearms at these locations, as well as maybe a larger restriction on shooting in proximity to the residential areas nearby.

So this is what a shooting range might look like at this location. I want to emphasize again that this is only a conceptual design. BLM is still very open to ideas and even other suitable locations if they might exist. This conceptual design, an area around 240 acres could accommodate a variety of shooting opportunities, from long-range rifle shooting to shotgun shooting to multiple lanes for handgun shooting or even siting in hunting rifles. Again, about 3 ½ miles of road would need to be upgraded and maintained and the BLM needs to look at more intensive management of this Camel Tracks area in general. The remediation of the existing site, shooting restrictions in certain areas, and even improvements or other developments for livestock grazing and recreation.

So that's essentially the same case with the Buckman/Alamo Creek area. The existing shooting destination here is along Alamo Creek and is only about a half a mile

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from a residential area. So we conducted multiple field visits throughout the Buckman area and settled on this location identified in red as the most suitable, in this case for a pretty modest shooting range facility. This location would avoid various issues and concerns, including concerns related to wildlife, cultural resources and conflicts with other well established uses of the area.

So as with the Camel Tracks we would relocate shooting to this conceptually designed shooting range. We'd look at remediating the current shooting area. We'd consider applying restrictions on shooting near the residential areas and we'd plan for other recreational opportunities along that Alamo Creek drainage.

So this conceptual design would provide for up to three shooting lanes, 25 yards to 100 yards in length. And again, I want to emphasize this is only a conceptual design. We're open to other ideas and locales that might exist.

So in the San Pedro Mountains shooting is currently concentrated in a small area where individuals and parties have often had to line up to take a turn at one of the unofficial shooting lanes. In this case there are private residences as close as .3 mile to these shooting locations and within a line of sight. But we've also had a much harder time trying to identify a suitable location in this area where a shooting range might be accommodated, largely because of the relatively small patchwork of public lands that exist in this area, it really limits our options.

One possibility that we've looked carefully at is a location at the western end of the San Pedro Mountains but this location would require an access across the 160-acre open space that Santa Fe County purchased in 2011 and developing a shooting range at that location just may not be compatible with the management plan prepared for that open space.

So this is a bit more of a challenge to find solutions in the San Pedro area. We've essentially exhausted our options for developing a shooting range, particularly on public lands and that leaves us with looking at making the current location more safe, maybe imposing new controls on the site, such as enforceable hours of operation. We're also looking to the idea of developing something on non-federal lands – working with the County or a sister county, the state, or other partner in developing a shooting range that would meet this demand in the southern part of the county elsewhere. But restrictions on shooting altogether in the San Pedro area is something that really needs serious consideration due to the conflicts that we're experiencing there.

So the next step really is to take a bit of a leap and put our proposal out there. We have some fine-tuning to do. We still need to polish up these preliminary options and move forward with a broader, more formal planning process in compliance with the National Environmental Policy Act, the NEPA. We'd be preparing an environmental assessment, an EA, that looks carefully at all the options, that analyzes the impacts of those options and really weighs carefully the tradeoffs. So as Pamela mentioned we really can't meet the public's demand for more safe, controlled shooting ranges without partnerships.

As part of the EA process, we're also preparing to reach out to the public for more input, for greater participation and certainly we're seeking those potential partnerships. So I want to take just a quick moment to thank you, Mr. Chair and Commission, for this opportunity to present to you, and with that I'll turn things back over to Pamela.

MS. MATHIS: Thank you, Brad, and before we take some questions or hear some input, which we hope you do have, we are interested in knowing whether the Commission as a whole is interested at all in that western end next to the open space for San Pedro, and if that's off the table, also willing and wanting to consider some other locations. As Brad mentioned, we have a meeting with State Lands next week and we were very happy also the Director of State Game and Fish helped broker that meeting, if you will, so we can look at other options or any land exchange with State Lands. Private lands are also on the table. Nothing is off the table. Some of those solutions take a little bit longer and that is deeply a concern of our team.

So we do right now have a very reasonable consideration for funding to fund one of the target shooting – presumably the largest, presumably the one with the least conflicts, which appears on the face, without going out to the public, to be Camel Tracks and State Game and Fish has said that they would consider and apply for a grant for the construction of that. Now, what we don't have right now is a willing and able partner to run the day-to-day management. And we recognize that that has to be identified. So as we move forward through the planning process, the public input process, we are seeking audiences with shooting organizations and others to see how we can come together to reach viable solutions.

And as I stated at the beginning, we want to do something different then it's going to take all of us and solutions so we can bring everybody to the table. And I just have to say, I was touched by Joe's comment earlier, the Mother Teresa quote, of drawing that circle of your family a lot larger, and that is in fact what we're looking for. And so with that, Chairman, I'd like to turn it back over to you and see if the Commissioners have questions for Brad and his team, myself, or other comments that we should be considering.

CHAIR ROYBAL: Thank you. Go ahead, Maria, and then I'll go to Commissioners.

MS. LOHMANN: Mr. Chair, I wanted to let you know that we do have some members of the public who would also like to provide comment. They should be on this call, so if you would like to have that as part of this presentation too. Thank you.

CHAIR ROYBAL: Thank you, Maria. Yes, we have some time that we can allow public comment. Commissioner Hansen.

COMMISSIONER HANSEN: I was just going to mention the same thing, that there are constituents here before we make comments from the Commission that want to make comments. I can see, I believe three of them; there may be more.

CHAIR ROYBAL: Yes, we've got a list already, Commissioner Hansen.

COMMISSIONER HANSEN: Okay. Good.

CHAIR ROYBAL: I was already notified. Thank you very much, and then I'll also ask if there are additional constituents that would like to make comments relative to this issue. Okay, so are there any questions for Ms. Mathis or Mr. Higdon? Commissioner Hamilton, go ahead.

COMMISSIONER HAMILTON: I guess the first question is what is BLM bringing to this? It's BLM land and I know that BLM has never regulated shooting on its land. If you now consider it a big safety issue or what not, why aren't you guys developing the facilities?

MS. MATHIS: Sure. Thank you, Commissioner. I think that's a very fair question. So, well, yes, it is our public lands, your public lands, and we are committed to doing what engineering we can – engineering, education and enforcement. The three E's. We are interested in applying for additional federal monies through our headquarters. And obviously, the prospect of a grant from State Game and Fish would cover only one of those areas. So we would also have to step up to the plate from our agency to address the other two areas.

If there is a land swap potentially on the table, that's something else we would be bringing to it. We are in a process of hiring a new law enforcement ranger, specific for that Santa Fe and Espanola area to increase enforcement of dumping and target shooting, other things that are going on there. That job should be on the streets relatively soon. And Brad, would you like to add more to that?

MR. HIGDON: Let me just say that we are working on developing a plan to address these conflicts including the planning for the recreational target shooting. We anticipate conducting an environmental review process in compliance with the National Environmental Policy Act, so there are things that we have in motion that the BLM can contribute to this overall issue. Certainly we're taking responsibility because the issues occur on public lands, but as Pamela points out, it's going to take a broad set of teamwork to accomplish our goals for this.

COMMISSIONER HAMILTON: I have another question and a few comments I think in terms of maybe getting information in the future. One of them is if this is not a funded project, I'm not sure what auspices you would be doing conducting NEPA under. Would you be doing it sort of preemptively before there is a project actually recommended? So I'm a little curious about that.

The other thing is there are a lot of good ideas and I get the value of this, but to be able to evaluate the importance of this compared to many other public safety and recreational opportunity issues that the County has on its table, I'd really like to see the data that defines the safety issue in a way that's comparable to some of the other issues we're dealing with, like how many people and cows have been shot by recreational shooters, and what some of the environmental pollution has been and the other things like that, so we can make a comparison.

And I want to put it out on the table that this kind of investment – looking for partnerships is code talk for having other people put up the money to do this. I have real concerns about that. If the County is going to take on putting in capital. We have a capital planning process. This needs to be put on that process and be evaluated with other projects. We right now are at capacity with projects including recreational projects that haven't been done for years and years and I think part of the reason for having a planning process is that we don't continually have projects that get voted on and put forward and then languish for decades because other things get moved in the front.

So we have capital and strategic planning. It doesn't mean that everything has to be in rigid temporal sequence, because the importance of something is also a rating factor. But I want to see the information and have it brought to the County in a way that it can be considered in the perspective of the other projects of the County is doing. And that's quite frankly [inaudible] And those are my comments for now. And it's not – just for the record, it's not to devalue importance in people's safety concerns. I know there

are always people on both sides of the issue.

I've done lots of recreational shooting and I love it. And I don't want to be in my house and be shot at. Just because I like to shoot guns doesn't mean I want to be shot at. Nobody should be shot at. But the way to – so I'm not minimizing the importance, the value and the meaning in bringing this sort of thing forward, but we still have to on a rational basis be able to evaluate it compared to other projects that are already on the books and need County resources.

CHAIR ROYBAL: Thank you, Commissioner Hamilton, and I would agree with your comments. I also had a question. As far as BLM land, any BLM land, if we established these areas for recreational shooting, there's other parts of BLM land that are pretty far – they're really far away from residents. Is there going to be a certain distance from residences that it will be – I don't know if we're looking at the possibility of issuing citations or what would happen at that point but I'm just curious. There's other parts of BLM property that are miles away from homes and stuff. Would those areas – would you still be able to shoot guns recreationally in those areas if they're further away from residences? Or will that not be allowed any longer?

MS. MATHIS: Mr. Chair, the lands on BLM are called dispersed shooting, and unless a resource management plan, which is similar to your County use plans, unless those plans specifically close an area to target shooting they are in fact open. The main issue that we have is relative access to the public. Most of the studies that I have seen from the sports shooting roundtables suggest that target shooters are not, for example, going to hike long distances. They're going to want relative access from a highway or from a main road to the BLM road and a place to park, and most of the target shooting would be right there. Brad, did you want to maybe also address how your team has looked at some of those other access issues and also I think what the Chairman mentioned were buffer zones as well.

MR. HIGDON: Sure. One of the things that we recognize, the agency work group is the fact that these current locations because they're easy to get to and so one of our objectives was to find a suitable location that would still draw the same group of shooters. And so we want to go further out to get away from the residential areas and to prevent folks from continuing to use these existing locations. If we were to develop these ranges we would look at restricting those locations with some kind of a buffer. I wouldn't speculate what that is but we would have to work as a team to identify an appropriate buffer to remove shooting from relatively close proximity to these residential areas.

So that's kind of the tradeoffs, the balance we're trying to strike. If we were to build something in a real remote location then we don't expect the public willing to travel great distances to get there. So we've kind of – we're striving to meet that balance.

The other thing is that we're talking about several blocks of public lands in the Santa Fe County area that aren't necessarily vast expanse of open space. They're relatively smaller blocks that we have to work with, and they're loaded with significant natural and cultural resources and other uses. And so it's really a challenge to strike that balance, and as I mentioned, we're focused on public lands that BLM manages because that's where we have jurisdiction, but we also tend to have more discretion in our agency's mission in our regulations and policies to consider these types of developments.

We have a broader range of options to us than the more narrow mission of the Forest Service, for example, or even the State Lands.

CHAIR ROYBAL: Thank you. Commissioner Hamilton, I saw your hand up again.

COMMISSIONER HAMILTON: I was going to ask about – you touched on the answer with respect to places people already shoot, whether you had information from other experience, other states even. Any place. I just keep wondering if building – it's a wonderful item, but whether building a shooting area is actually going to limit use in the historically used areas, and what kind of enforcement, which you've never done before on BLM land would be required to reduce that shooting.

A few years ago when we first started – in one of the areas that's particularly close to the development – there are other safety development. You could put in a ten-foot high berm that blocks the entire developed area and set things up so people shoot in the other direction and not really have to move things. It might be cheaper than putting in an entire new shooting range. I don't know if that's an option that's rational to consider, but I'm thinking of it from a practical point of view of where people already shoot and what the possibility is of actually reducing that.

MR. HIGDON: Thank you, Commissioner. Let me just say that we have given serious consideration to developing these existing locations where the activities are currently occurring, but one of our main objectives is to move them away from these residential areas. It's a quality of life issue for the area residents. These locations also, there's other demands for the use of those areas. For example, staging OHVs or trailheads and so forth. And so, yes, it's just one of those tradeoffs we're having to consider. And we're hoping, Commissioner, to get to an earlier question, we're hoping that through our planning process, the NEPA process we will flush out what the best options are and we also intend to hopefully flush out exactly who will take on the responsibility for building them and managing them.

COMMISSIONER HAMILTON: I know I should probably know, but my brain isn't – what's an OHV?

MR. HIGDON: I'm sorry. Off highway vehicle, whether motocross bikes or jeeps, that sort of thing.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. I did have an additional question. I know that there's a distance that Game and Fish has established that somebody can – if they're hunting and somebody's property adjoins state land or BLM, that there's a certain distance that they have to be away from a house to discharge a firearm, and I thought it was a thousand yards. Is this something that would be considered as well with the buffer just because that potential could happen? Just another question.

MS. MATTHIS: Chair, that's an excellent question and that is what our sister BLM folks are doing in other states and that is something I'm actually looking at seeing if I can implement right away, pending all of this is adopting the Game & Fish buffer zones. They're about roadways, not shooting over a roadway. The homes, trails, there's other aspects. So an excellent, excellent point and definitely under consideration right now.

CHAIR ROYBAL: Okay. Thank you very much. Are there any questions or comments from the Commission? If not, then I'll go to public comment.

Commissioner Hansen, go ahead.

COMMISSIONER HANSEN: Thank you, Mr. Chair. I wanted to wait until the end until we had some public comment. So that's some of my concern. But I do have one question. Game & Fish is still at the table, and they are planning to possibly build one of the shooting ranges? New Mexico Game & Fish.

MS. MATTHIS: Correct. We met with the director this week and he has committed to applying for an out-year grant under the Pittman Robinson Fish and Wildlife Service, federal funds that are available. And I believe, as you know, Commissioner, some pretty sound diagrams and plans. And that team is definitely at the table.

COMMISSIONER HANSEN: Okay. And then I will just comment about San Pedro. I do believe that from our own analysis from County Open Space that that is just not a feasible area to have a shooting range from what the discussions I have had with County Management. That area in San Pedro and with Open Space staff. There's really too many cultural resources on that piece of land of open space and having to get there you'd have to go through some of these cultural resources, and that would really create a problem. I really feel that if Santa Fe County is willing to move forward with one or two shooting ranges that it would behoove our sister counties, such as Torrance or Bernalillo to also step up to the plate and look for funding because a lot of the shooters that do come to San Pedro are from the Albuquerque area. So I just wanted to throw that out but I want to reserve my time to make comments after we hear from some of our speakers, or from some of the constituents.

CHAIR ROYBAL: Thank you, Commissioner Hansen. I did want to say that I noticed that Tammy Scarlott-Maynard, are you part of the public that wants to address the Commission?

TAMMY SCARLOTT-MAYNARD: Yes.

CHAIR ROYBAL: Yes? Okay. So Tessa, if we can please get her name down as well to the list so we can make sure and call on her. So I'm going to go ahead and go to public comment, Tessa. Can we have our first member of the public that would like to comment relative to this item?

TESSA JO MASCARENAS (Operations Manager): Yes, Mr. Chair. The first person who has signed up is Charles Harrison.

CHARLES HARRISON: Yes, I'm here. Thank you for inviting me to comment today. My name is Charles Harrison. I'm a long-time resident of Santa Fe County. I've been involved in this issue for over a decade. I especially want to thank and praise my County Commissioner, Anna Hansen and her excellent assistant, Sara Smith. They both work endlessly with their constituents and answer endless questions. I hold the entire County Commission in the highest possible regard for serving and protecting me and all my fellow citizens. I know you all work long hours behind the scenes with little recognition to bring about this amazing result. We now have something to work with at BLM.

The BLM presentation opened mentioning the importance of partnership and collaboration. This is exactly what we've been seeing and what we understand is currently true in many western states. We hope this document works as turning a page and a new era in BLM relations with the neighbors in this region.



There are obviously issues that haven't been addressed yet but this is an earnest and welcome start. Probably the most serious omission is the lack of planning how to deal with those currently abusing the public trust at Alamo Creek. I think other places as well. I mean the people who will never use a managed shooting range, those who shoot at night, those who shoot rapid bursts with automatic weapons, who kill cows and leave the bodies to rot, who leave mountains of trash, occasionally burning, and who shoot across fences into private land. All those things happen in my immediate neighborhood.

The only phrase that's in the BLM currently that even touches on this is remediation of the current shooting area. And I know that that's going to be a big concern. I appreciate that it's included in this. It's wonderful to see BLM talking about segmenting land use, citing some uses can happen some places and some can't. This is the essences of land management. Other federal agencies like the Forest Service has found it strongly promotes civil order and it reduces friction among users, so we're really hoping for that.

Now there's clearly going to be ongoing expenditure, for salaries as well as facilities construction and maintenance. We're wondering with the enforcement needed to make this transformation successful, be it County or federal salaries, and will those salaries come from federal, city or county budgets? I know none of that's decided on. I'm raising the issue because it's a very important one.

And I want to finish by praising BLM for agreeing to set up managed ranges, for looking into funding for them, and for saying they want public input. I look forward to learning what forum will be set up for public discussion. As a person involved in this from the beginning and as an owner of land bordering the BLM I look forward to continued participation and I look forward to a growing sense of peace and safety for everyone in Santa Fe County affected by this issue. Thank you.

CHAIR ROYBAL: Thank you, Mr. Harrison. And I think we neglected to say, although you had that right under the three minutes. I'm not sure if we mentioned that it was a three-minute time limit. If we could get our next speaker, Tessa.

MS. MASCARENAS: Yes, Mr. Chair. Our next speaker if Ralf Fahrenbach.

RALF FAHRENBACH: Mr. Chair, Commissioners, thanks for giving me the chance to describe how this has influenced my life. I'm a resident of La Tierra Nueva, and my property borders BLM. My wife and I bought that eight years ago. It seemed to be okay back then. We could transition from our land to BLM and do what we like to do – to hike, to ride and to walk our dogs. This is no longer possible because the shooters along Alamo Creek, they have developed one wildcat site after the next, and whenever one site is turned into a dump they move on, and now they've changed the direction of their shooting such that they post targets, mostly beer bottles, onto the fence posts that separate my land from the BLM land and they shoot right into my property.

BLM has responded to that by posting No Shooting signs right there. Those No Shooting signs no longer exist because they are shot. My house has been hit. My car has been hit. I've seen dead dogs in the morning from the night's shooting before. I used to clean up the two sides that are closed to my house; I can see them dump, and within a week I collect thousands of rounds that are fired from there in all directions. When I'm in my kitchen or in my dining room I can see the muzzle flashes that instigates an instinct to

drop to the ground to take cover, and all of that has led to the fact that my wife and I don't live there anymore. It's too dangerous. We can't be on BLM land and we can't even be safe in our own home because they're shooting in our direction.

So we shut down the house, laid off the people working for us. I wound down my investments in Santa Fe and rather than riding through the pandemic in New Mexico which we would have liked, we bought a house on the east coast, and this is from where I participate now, regretting that the situation has devolved into that.

So I would like to finish by just making the comment that, yes, I've been personally afflicted by that to an effect that my wife and I had reason to fear for our lives. We don't live there anymore. That would be it.

CHAIR ROYBAL: Thank you, Mr. Fahrenbach for sharing with the Board.

MR. FAHRENBACH: My pleasure.

MS. MASCARENAS: Mr. Chair, our next speaker is Chip Munday.

CHIP MUNDAY: Yes, thank you, Tessa Jo. Mr. Chair, Commissioners, my name is Chip Munday. I'm the general manager of the Las Campanas Homeowners Association, and I'm also a local resident. I live at 23 Avenida de Mercedes in the Roybal Subdivision, just off of Caja del Rio Road. I was privileged to be one of the group that was taking part in the focus group that was – talk about diversity. It was an amazing group of people from all walks of life and different parts of our culture, which demonstrated not only the people who have interest in this but how difficult it's going to be to create a solution that can address the concerns of all these disparate concerned people.

So I encourage and support, and my community encourages and supports this effort to find a workable solution. One of the things that was touched on, and I can't even get close to it, what Mr. Fahrenbach had to say, but if you walk across the street from where I live, just across Caja del Rio Road, and that's where you would turn left on County Road 62, which is Caja de Oro Grant Road, and there's a little parking area at the trailhead to the Camino Real Trail. The Camino Real Trail goes between one of the active shooting areas, which is not mentioned in the BLM's presentation, which is directly west of our offices here at Las Campanas and in the vicinity of the Buckman Water Diversion Plant and the intersection of Dead Dogleg Road and Caja del Rio Road. And we're very concerned about the environmental impacts. You can't go out there without seeing shell casing and furniture and appliance and all kinds of debris, but also the people using Camino Real Trail, and you can't go outside on any day of the year and not hear gunfire.

One of the things that really caught and brought this to our attention – and I send a couple of pictures to Commissioner Hansen's office earlier. Hopefully it makes its way to everyone in this group. But we had a truck that was part of our Club at Las Campanas' fleet that was parked at the water recycling facility on Las Campanas Drive, which is right near our dog park. And that truck was parked with its tailgate facing towards one of these ranges, and the tailgate was hit with what looked like a .30-06 round and we have in those pictures the truck tailgate and the round. And we're very concerned about taking a holistic approach to providing a safe environment for the shooters and the residents of our community. Thank you.

CHAIR ROYBAL: Thank you, Mr. Munday.

MS. MASCARENAS: Mr. Chair, our next speaker is Bob Bewley.

BOB BEWLEY: Good afternoon, everyone, and thank you for the opportunity to speak to you this afternoon. I'm in San Pedro. Mr. Fahrenbach's comments, I thought we had it bad here, but I don't see muzzle flashed. But San Pedro is a particularly inappropriate place for a shooting area. It's in a bowl. There are houses to the north, to the south, to the east, to the west. It's open, but there's a driveway access to another resident that lives a little farther to the south and many of the residents, many of our resident in that area, surrounding the shooting area, have experienced bullets damaging their house, flying by their head. I think Tammy's on the Webex and she might mention some of her personal experience. She's one of those houses that looks right down on the shooting area. Like Brad Higdon said earlier, this is all line of sight. We're looking down on the shooting area. They're looking up at these residences.

One of the primary concerns we have here in San Pedro is fire danger. People are terrified of fire and many of the residents are working to clear their property and we've had a fire here that started at the shooting area in 2017 that required the evacuation of 50 homeowners. We were part of that group and it was certainly an experience you don't want to repeat again. And every morning – I have about 19 years experience working wildland fire and when there's a red flag warning and you hear people over at the shooting area, which is about half a mile from our house, and they're exploding targets, and it's a red flag warning, it really raises the blood pressure. It's a terrifying experience.

So I really – I think Brad mentioned that potentially the use of a County ordinance to restrict shooting in the San Pedro area might be a viable option. And one of the reasons we have so many people coming into San Pedro from Bernalillo County is that they passed an ordinance back in 2010 that made it illegal to shoot firearms any place except for a managed shooting range. And after 2010 is when our shooters here – the shooting really increased. So something to consider. And thank you very much for the opportunity to speak to everyone.

CHAIR ROYBAL: Thank you, Mr. Bewley, we appreciate it. Tessa, can we get our next speaker.

MS. MASCARENAS: Yes, Mr. Chair. Our next speaker is Tammy Maynard.

MS. SCARLOTT-MAYNARD: Good afternoon. Thank you for allowing me to speak with you all today. Thank you, Commissioners, for hearing our concerns. It was about four years ago that I stood in front of the Commissioners and also expressed my concerns about the shooting that does take place in the San Pedro recreation area. My home does border that land. My home is approximately 850 yards from the most prominent shooting location within BLM area. Over the years I've experienced bullets flying over my head. I have been followed home and threatened by armed individuals who are scared of the area being shut down to shooting. Of course we were evacuated during the fire.

My husband is an 18-year veteran of the United States Army and due to the constant harassment of just noise, the constant gunfire, it does happen all hours of the day and night, the decibel levels on that are extreme. It does cause him extreme anxiety and trauma from his experiences in Iraq and Afghanistan. He just got back from his fourth deployment and already this is becoming a serious concern.

My two-year-old runs inside the house when he hears the automatic firing of weapons. The noise as it comes up to our house, it feels like they are just right in front of you. And like I said, we have constant stray bullets coming to our house. So just to give an example, like I said, we're 850 yards approximately from where our home is. Our property does extend out further.

The most popular handgun for people to go out and target shoot with is a 9 millimeter and the average distance that a 9 millimeter bullet will travel is about 2130 yards. So you can imagine that we are – depending on what people are shooting down there is a constant threat. It is a real liability. And I do want to thank the Santa Fe County Sheriff's Department because over the last four years they have definitely stepped up and come to our attention when we have called, whether it's been explosions, whether it has been individuals that followed me home. Just a number of different reasons. And I do appreciate BLM also working with them to get better law enforcement in the area. Like something that was mentioned before, the biggest reason that people utilize these areas are quick access. And so what happens with our area is they drive off the road and within two minutes they come in, explode something for fun, and then take off and they are never to be seen again.

So I know that the task is difficult but I do appreciate everybody involved in this situation because our lives are in constant danger every single day because of this shooting. Thank you.

CHAIR ROYBAL: Thank you, Tammy. We appreciate it. Tessa, do we have any other speakers?

MS. MASCARENAS: Mr. Chair, that was the last speaker that signed up.

CHAIR ROYBAL: Okay. I just want to see if there's anybody else that would like to speak on this issue in the public that didn't get a chance to sign up. You can unmute yourself and just state your name, and also, if you're a call-in you'll have to hit star 6. Is that correct, Tessa? If you're a call-in you can hit star 6 to unmute yourself and just state your name for the record. Okay, hearing none it looks like that was going to be our last speaker from the public. I just want to thank everybody for being here and sharing these issues and your experiences that you've had in these situations where there's shooting ranges that are close to your homes. So thank you again for being here and I just want to thank also our presenters and thank Maria Lohmann for all her input and bringing this forward so we appreciate that. I'm going to go to Commissioner – it looks like we have three Commissioners that want to comment. So Hamilton, I'm going to go to, and then I'll go Hughes and Hansen. I think you want to go last, right, Commissioner Hansen, for your final comments?

COMMISSIONER HAMILTON: The crazy shooting that's been brought up, I may be wrong but I would tend to think that 80 percent of the people who are relatively compliant and would go and use the shooting ranges – or let me say who would use the shooting ranges are only fairly compliant. First of all, I'm concerned that the craziest of the shooting wouldn't be affected by the ranges. That's a slightly different issue. The point was brought up of potentially putting an ordinance by the County. like Bernalillo County did, that either establish buffer zones around developed areas or not disallow shooting except in managed shooting ranges. That wouldn't apply on federal land. So BLM has to step up and do that on their own land.

And I know – I think you mentioned that – I think Pamela, you mentioned that that might be something we would consider, but that's a real concern because some sort of buffer and some sort of action like that would seem to be a rational thing to consider, but we don't have jurisdiction on federal land.

CHAIR ROYBAL: Okay. Thank you, Commissioner. I'm going to go back – staff pointed out that I missed somebody from the public that wanted to make a comment. It was Joshua Maynard. Joshua, did you still want to make a comment to the Commission? I'll go ahead and allow that.

JOSHUA MAYNARD: Yes, sir. My name's Josh Maynard. My wife Tammy just spoke. I'd like to add a few things, and thank you, Commissioner and all the Commissioners for allowing me this opportunity to speak. So really, my wife kind of hit the nail on the head and all the neighbors, we experience all the same things. Really what I want to get after is what is the value of lives? And I'm an avid hunter, avid shooter myself so I'm very empathetic to people wanting to shoot, but at what cost?

When I'm out walking my property, which my property line boundaries the BLM. I'm 100 yards within people shooting. I can't take my five-year-old son and go walk in the woods on my property without fear of him getting shot or myself getting shot in the process. People down there, while there are many people that go shoot and have respect for the land and the people who live there, there's a good majority that don't. It's very evident by the amount of trash and just everything that's been shot at. I know in the past BLM has tried to mitigate where people are shooting and they've placed berms. One of the times they place a berm that faced right towards my house, thinking that would keep people from shooting in that direction. Well, at that time it created more target shooting in that direction even though there were signs clearly posted: No Shooting in this Direction.

There have been fences that have been put up. There's a gate that's been put up to try to offset the distance that people shoot from our property. People use that fence to hang targets on and shoot off if it. I guess what I hope everybody understands, BLM and Santa Fe County, is that people's lives are in danger. I've been shot at multiple times overseas and it's not a good feeling when you come home and you sit on your own property and you hear a round pop over your head. It's fearable for everybody.

So I just wanted to take a minute and kind of reiterate some of those things. And really, to my last point, is the water contamination in the area. The amount of lead that's getting put in the ground, in the water table, which is relatively low. My house, right down in San Pedro, the water table is at about 150 feet. So it's very shallow to the land. And that water table goes directly underneath the San Pedro shooting area. So that's my other concern would be the lead remediation or the lead that's going into the drinking water for my family and all of our neighbors. Thank you for the time. That's all I've got.

CHAIR ROYBAL: Thank you, Mr. Maynard, and thank you for your service to our country. Commissioner Hughes, and then I'll go to Commissioner Hansen. Commissioner Hughes, go ahead.

COMMISSIONER HUGHES: Yes, thank you, Mr. Chair. I think it's very disturbing to hear the stories of what people have to put up with when they live near BLM land. I assume that you bought your property to enjoy some peace and quiet and that's been taken away from you. So it does seem like, as I think Commissioner Hamilton

alluded to, there's got to be a couple different ways to try and solve this. A shooting range where people can go and be far away from houses and legally shoot their weapons and have fun without disturbing anybody is an important part but I think enforcement in the other areas is going to also be important. I think it's been said by several people but people who are already disrespectful of everybody's privacy may not be that respectful of a couple signs. So it seems like a lot of thought needs to go into trying to make this situation better. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hughes. I would agree that a lot of what we're hearing would actually – I don't know that signs will deter them from doing what they want to do anyways, especially if we had a constituent that said that they shot up the sign. It seems like it's a lot bigger of an issue than trying to figure out areas where they can shoot, because they may still choose not to go there. So that's going to be another problem. So thank you for bringing that up. I know it's a lot bigger of an issue than what it seems like it would be easy to solve, but thank you for that. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. I want to thank BLM for taking the time to come here. I want to thank all the residents who have taken the time to speak about this important issue. I want to respond to a few things. Commissioner Hamilton suggested that we just leave these shooting ranges in the locations they are. That is just not really a feasible idea. One, Alamo Creek, as many have stated, is right next to their housing development, but it is also actually a creek and it is a water flowing area. It has been heavily deteriorated by the shooting and needs to be cleaned up. At one time it was a really nice area to walk in and recreate and it has the ability to be that again. But it is going to need the support and the work of BLM to clean it up. Especially Alamo Creek.

They do have the ability to close some of these areas. At the moment I believe that San Pedro is closed right now because they are doing remediation and cleanup for two weeks, but that is not really enough time to change people's habits. Not having a shooting range, like what happened with Bernalillo and them passing this ordinance and us getting more of an influx has definitely created some of this problem.

I am not a shooter. I have no desire to go to a shooting range or to go shoot anywhere. What I care about is the health and safety of our constituents and that is the primary reason that I am bringing this forward and constantly working on it because of the suffering my constituents are experiencing. I'm really concerned what's happening at the Camino Real trailhead also because that is another place where many, many people recreate, and the whole Buckman area is a perfect place to develop outdoor recreation. It is also a beautiful area for filming. Diablo Canyon is one of the more beautiful areas that is a place to recreate.

So another partner that has not been mentioned in this is the outdoor recreation department at the State of New Mexico who in the last couple of weeks I have realized they also have money to help with shooting ranges. So they also see that we need to develop shooting ranges.

Of course, there's always going to be the ten percent or so of the bad actors who are not going to use these areas but if we can convert them to actually real recreational areas where people have the ability to use them and the Buckman area as we move forward with outdoor recreation it's going to become one of those places where people

want to go and recreate. So with the County, the County owns the road. So does that mean that we need to get money to improve the Buckman Road that's going out there. And then once we improve that do we find money from the State? Do we find money from BLM? Game and Fish is only going to build one shooting range, which is unfortunate, but that doesn't mean that BLM can't build another shooting range and build the one in Alamo Creek.

There's a lot of processes that we also need to go through. We need to consult and include our tribal partners throughout Santa Fe County and throughout this area because in this time BLM land is also – Charlie Dorame made this great comment when I was speaking with him about what BLM actually stands for, and BLM actually to Charlie Dorame, who is the former Governor of Tesuque commented that BLM stands for BeLongs to Me. And since Charlie is a member of the Tesuque Tribe I enjoy his comments. But that is previously their land.

So I think we need to include outdoor recreation in this discussion. I had added the shooting issue to the strategic plan. Of course I didn't know when I was elected in 2017 that this was such a horrible issue. And I do believe very strongly that if we had shooting ranges in Santa Fe County we would deter some of these people from going out and wildcat shooting. I think Pamela may be able to speak to this but in Arizona they have had some of the same problems that we are having here in Santa Fe County and they have built a shooting range outside of Phoenix and it has deterred people and people have been going to the shooting ranges. When I talk to shooters they say that that is what they want, but since we don't have any place – we have no safe environment they go out and shoot anywhere, which is for some reason legal on BLM land .

I made the comments I wanted to make about San Pedro. I think we really have to look at other areas around Bernalillo and San Pedro, Tarrant County, and I don't believe that the Outdoor Recreation Department was actually formed when we started these stakeholder meetings, so I think they are somebody who needs to be brought into the group, somebody to work with, and I once again want to thank all the people who have spoke.

I understand how Commissioner Hamilton feels that we have lots of other projects but our mission is the health and safety of our constituents and I strongly believe that we have to think about the health and safety of our constituents, and this is definitely a health and safety issue that needs to be addressed in Santa Fe County. And to ignore it and just to say, well, it's not our problem; it's on BLM land, is really not what we need to be doing at this particular time. We need to find a way forward. We all need to be partners. I agree that we cannot be the only ones at the table. We need the state, BLM, Game & Fish, and we might need private operators. I don't know who's going to operate these facilities and that is a big question that still needs to be answered and something we really have to work on because if we can't find operators and we can't find people to run these places, we're in real trouble.

But I do always hold to this belief: if you build it they will come. And I do believe that if we build it they will come, and especially at the Camel Tracks one out there. But that also isn't going to include a County road that is going to need attention. And then where are we going to put these off-road vehicles? Maybe the old area where there was shooting could become a track for off-road vehicles. I haven't thought everything through

but I'm grateful to everyone participating and I look forward to seeing this go forward. So thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. I'm going to go to Manager Miller. I heard another voice. Is that somebody from the public? Because we've closed public comment.

THERESA SEEMSTER: This is Theresa Seemster. I'm sorry I came so late to the meeting.

CHAIR ROYBAL: Yes, we've already closed public comment, Theresa. I'm sorry.

MS. SEEMSTER: That's fine.

MANAGER MILLER: Mr. Chair, this is the Manager. Did you call on me?

CHAIR ROYBAL: Yes.

MANAGER MILLER: Thank you, Mr. Chair. I just – I think one of the things for the County in looking at how we might be a partner in this is we do have to look at the totality of it. If we have to improve roads and all that we're not talking about just assisting in applying for a grant to build a range. But I think the biggest concern, and it was brought up, I believe by Chip is we have an area, the County already has an easement straight through that property to the trail to Diablo Canyon, and I personally use it a lot and a lot of people shoot out there.

I guess I as County Manager would like to know what could be done to change federal rules around shooting on BLM land that's close into property. That's really where this issue is. I know people won't drive further out. There will be a ton of people, those same people will not drive further out. I see them every weekend when I go out there and they've got different places all throughout the land, but we're going to have a tough time even if we paved a superhighway out to Alamo Creek. We're going to have a really tough time directing people to shoot out there and as you first map in the presentation showed there's still a lot of BLM land in the county and a lot of it butts up to residential areas.

Is there anything that can be done at the federal government level to change their rules, like a buffer zone on BLM land? And how could we appeal to our federal delegation, to the federal government to change the rules because I really as a Manager of the County resources struggle with – okay, we could invest in this and still not solve the problem that many of the individuals that got on today are speaking about. And I think that that's 100 percent a BLM issue to tell us how we help you get rules changed so that – maybe the County could – maybe our code for future development says, you know what? You can't have a housing development within a mile of federal land, because we end up with this, but that'd be a taking of everybody's private land.

So I just don't know how we get our arms around – I've talked to our Sheriff. How could we patrol? How could we truly fix the actual issue? I don't think that just building a fire range is going to fix what so many people commented as the problem. It's not going to fix San Pedro, clearly, and I would venture to say we will still struggle with all those properties in close around Alamo Creek, even if we built the Alamo Creek one.

And so I guess I'm looking for what else could we do to get the federal government to make some changes relative to that? I know there's no answer but I just think we'd be remiss if we don't really look at that.



CHAIR ROYBAL: Thank you, Manager Miller. Do we have any other comments from Commissioners? And I do want to apologize again to the constituent that joined the meeting a little bit late and didn't get the opportunity to speak but we did get a lot of feedback from the community relative to the situation and the problem. But I just want to apologize again that I couldn't allow more public comment at this time. But I do want to thank everybody for being here and sharing their stories and all the information that they did, so thank you very much.

**6. B. Presentation on Santa Fe Solid Waste Management Agency**

CHAIR ROYBAL: We have Mr. Randall Kippenbrock.

RANDALL KIPPENBROCK: Thank you. Before we get into the slide presentation I want to thank you for inviting me to give a presentation on the solid waste cost of service study and rate design study that we just had done recently for the joint powers board for the agency. I want to give a little history of the HCSL before we get into the actual recommendation that came out of this 2021 study.

Obviously, the agency has been around since the mid-nineties. It was formed by a joint powers agreement in 1995. The Caja del Rio Landfill opened up for business in 1996 and it commenced operation at \$25 per ton. Then ten years later the agency leased the transfer station that is now known as Buckman Road recycling transfer station, and at that time we revised the Solid Waste Ordinance or fee ordinance, then we added the new BuRRT fees to it. Then right around 2008 we had the great recession. We saw and noticed that the dip in tonnages were averaging about 200,000 tons per year, and then we saw it decline to 178,000 tons.

The ordinance of 2009 set the rates at \$32.50 per ton, based on 178,000 tons at the landfill. A year later through ordinance in 2010 we had to lower that projection of 150,000 per year. And then we also in that ordinance we set incremental rate increases for three years at the current rate of what we're seeing right now at \$40 a ton.

In 2012 we amended the ordinance, kept the same rate on the tipping fee at \$40 per ton but we modified some of the rates at the BuRRT facility and primarily introduced three flat fees, charges that we have from \$2 to \$3 and currently what we have is \$6, \$9, and \$12 flat fees.

Since 2010 there's been no changes for recyclables. The reason for that is we have our own MRF. We've been operating the MRF from 2007 through 2015, and we were relying heavily on the sale of materials, which would cover anywhere from 50 percent to 80 percent of the operating costs. However, as we got closer to 2015 that was no longer the case. Then there was a new player in town called Friedman Recycling in Albuquerque that could offer a more cost effective recycling of that material. This was based on one of the recommendations that we had with this company that you see this design, NewGen Solutions, which was actually under a different name, but the partner there was named Dave Yanke. One of the recommendations was to contract out the recycling of the materials. So we did that with Friedman Recycling and we did it for four years from 2015 to 2019. Everything was working out fine until early 2017 when China announced that they would ban mixed paper and mixed recyclables. Or actually mixed paper.

Because of that, from 2017 we were not receiving any rebates, and then since March 2018 we had to pay a processing fee, sorting that's high, \$122 per ton, minus any rebate that would get back from Friedman Recycling. Towards the end of 2019 it was actually about \$100 per ton, plus \$24 per ton to transport the material down there. Because of that, we went out for actually a new RFP for processing our recyclables. We elected to go with Town Recycling to reopen our MRF at the BuRRT facility at the contractor. If everything would stay the same at least we would eliminate the transportation costs.

With that said, we did a cost of service study back in 2014 and at that time Dave Yanke recommended no change for a rate increase. However, since the China ban on our recyclable materials we have spent about \$2 million over the last two years and have been dipping into our cash reserve to pay for that cost. We hired NewGen in the latter part of 2018 but we didn't get started doing the cost of service and rate design study until the latter part of 2019 early 2020 and that's when the pandemic hit us. So we postponed most of the study until late 2021.

And this is where we come to the point here. I have about ten slides from the study that I will actually present. This is the gentleman who did the study for us, Dave Yanke. Obviously, he has over 25 years of experience, particularly with solid waste facilities, etc. The key is recovering the cost of providing any type of service that you may have, whether it's for landfill, transportation, recycling and so on.

The way he did his study basically, he developed a five-year revenue requirement from FY21 to FY25. Keep in mind that we started back in late 2019 and the baseline of FY2020. Obviously, we had to delay about one year so when you see the next few slides you'll see FY21, while we did not make any changes to it because we're currently into FY21. Then he took all the revenues that we rely on under the current rates, then he projected for the five years and you have seen what the revenue requirements are. Then based on that he came up with the rates that should be provided for those type of services and then is now currently presenting them to us.

Obviously, this is just kind of similar to what I just told you. The test year was 2020, he developed revenue requirements forecast and he allocated those service categories and determined what the rates will be and so on.

What are revenue requirements? Obviously, these are the three biggest expenses that we have: operating and maintenance, that includes labor, materials and supplies. The second biggest component is equipment replacement. Just to give you an idea of what we replaced, here at the landfill it's very expensive. I'll give you an example. Make in 2002 we bought a landfill compactor of waste over 100,000 pounds. What it does is maximize compaction to extend the life of your landfill. Back in 2002 it cost \$600,000. We purchased another one of similar size but obviously it's got new technology on it. That went up to \$836,000. In 2019 that same type of machine is almost \$1.1 million. So basically the equipment replacement is at a rate between three and four percent a year for all pieces of equipment when you do replace it.

Capital improvements are anything that's related to roads and buildings. We use that for any project that we can try to accomplish after we meet our operating and maintenance expenses as well as the equipment replacement. And of course landfill gas collection and closure and post-closure are covered. Replacement.

These are the current rates that we have here at the landfill and at BuRRT. You'll see that at the Caja del Rio Landfill it's \$40 per ton. At BuRRT it's generally \$10 higher because of the transportation fee to bring it over to the landfill, and of course we have the three flat fees for the vehicles – \$6, \$9, \$12, and currently glass is at \$15 per ton, green waste at \$20 per ton and those on the right-hand side, you'll see e-waste at \$50 per ton. HSW, which is household hazardous waste at \$50. Tires is \$160 per ton. Currently we have \$2 per passenger tires, \$6 each for truck tires. And obviously appliances with Freon is \$10, non-Freon is \$5.

So when he developed the revenue requirements he tried to determine the funding needs. This slide here is the capital improvements. That would be the transfer station roof replacement and replacement of the outbound sales and some cell development.

What I see here is a slide presentation that was presented by NewGen. I've sent out a different slide presentation but that's okay. The service categories, you notice that at BuRRT we have more services that we provide to the public. What you see is transportation, material recovery, facility, HHW, green waste, glass, white goods, tires and so on. At the Caja del Rio Landfill it's primarily disposal and of course we do have compost by Payne Nursery, and you have your admin and O&M at both locations.

This is one of the slides that I pulled out from this study. What I want to point out is the revenue requirements that we have, starting with FY22, you'll see that it increases from \$9 million, \$10 million, and eventually \$11.4 million at FY25.

This is the key, over and under. Where you see in parenthesis that means we're under recovering, starting with FY22, it's \$1.9 million. In FY23 it's \$2.9 million; FY24, \$3.6 million; and by FY25 it's \$4.4 million. If you don't do anything, the under-recovery will be up to about \$14.5 million by FY25.

If you go by the projected rates, the proposed rates – these are the proposed rates. Right now we're at \$40 per ton; we're proposing starting in August, hopefully, of FY22, at \$42.50, then it goes to \$47.50, \$50, then \$52.50 to meet those requirements that you saw in the previous slides. And obviously the transportation is \$10 higher because of the current cost to move the material from one location to the other. And of course you see the see flat fees that we have at the transfer station, currently that's \$6, \$9, and \$12, we are very sensitive to the customers that use that facility. It's set as \$7, \$10, and \$10, and increased by 50 cents per fiscal year, and it ends at \$8.50, \$11.50, and \$14.50.

These are a continuation of current rates. The green waste will obviously increase from \$20 at \$42.50, and the reason for that is the cost of service, we try to recover as much as we can based on that. Now, tires, \$160 per ton was feasible, where we're taking our tires to Denver City, Texas, they no longer do the transportation so that cost increased from \$160 to \$250 per ton. And to make them more sensible, per truck tire is from \$6 to \$8, passenger tires is from \$2 to \$3. Keep in mind that we do have tire amnesty or free tire weekends; the first weekend of each month where they can come, the residents can come and dispose of up to eight tires at a time at no cost.

And the recycling, this is the key right here, the very last one. The recycling process and costs. Currently we're not charging the users, the haulers to come into the facility was set at \$150 per ton. It would increase to \$180 in FY 2025.

NewGen recommends that the agency implement a processing fee on all recyclables starting in FY22. If you delay that it will significantly increase the under-

recovery over the five years and slow equipment replacements.

So this is if you implement the proposed rates, what it does, by looking at the third line, the over and under, starting with FY22, it will stay at \$153,000 above the net revenue requirements. FY23 is \$62,000, and FY24 is -\$40,000, and by FY25 is -\$200,000, but you add those four numbers together it's approximately -\$23,000, which is do-able. So this is very important.

What it's showing, one of the important things that one of the board members had asked us, it's seemed like we were building up a lot of cash but we are not. If you look at the total ending balance, starting with FY22, we have \$4.3 million, then \$4 million, then \$4.2 million, then eventually \$2.8 million. You should maintain about a 25 to 30 percent of your operating budget in your cash reserves. So it's at or close to that right now. So it's not building up.

I'm going to take any questions that you have but I'm going to turn this off and go to a different speaker so I can hear you guys from a different angle.

CHAIR ROYBAL: Hey, Randall. It's nice to see you, sir. It's been a few years since I sat on the SWMA board so it's good to see you. Are you ready for questions from Commissioners? Commissioners, do we have questions? I'll go to any Commissioners with questions. Okay, I don't see any hands up. So I just want to thank you for this presentation, Randall. We really appreciate it.

MR. KIPPENBROCK: Okay.

CHAIR ROYBAL: So I just want to go one more time. Do we have any other questions from Commissioners? Okay. Seeing none, we'll go ahead and move on. Thank you for being here today. Oh, Commissioner Hamilton, go ahead.

COMMISSIONER HAMILTON: Part of the reason we were hoping to have this presentation, because at least a couple of us have heard this before was to also get the opportunity for the County Manager and the Public Works Department to understand it. And I just wonder if they might have some questions also, like Mr. Giron. They have a different kind of understanding than the Commissioners do. It might be good to ask some details that we might miss.

CHAIR ROYBAL: I'm going to go to Manager Miller. Manager Miller, if you can call on any staff that you think may have questions or staff who just wants to go ahead and chime in. But go ahead, Manager Miller.

MANAGER MILLER: Thank you, Mr. Chair. Thank you, Commissioner Hamilton. Randall, have you broken the three proposals down? Or the three options down as to what those would cost each entity based on their tonnage? The City, the County, and then you did this analysis for what it would cost the residents if you changed the recycling processing fee, dropped it down by \$10, and then the other was by \$25, and that resulted in a - I don't know; was it a 33 cent reduction? And that really doesn't apply to Santa Fe County's transfer stations because for the transfer stations we allow residents to throw for free. But I wondered if you had looked at, based on our average tonnage for each of those things. What that does to the City and what that does to the County, based on both entities' tonnage. And if you have that tonnage information - I have a rough estimate of that that is but still want to verify the tonnages. Do you keep a record of City and County tonnage by type?

MR. KIPPENBROCK: Yes.

MANAGER MILLER: So we could verify those numbers, our tonnage numbers with yours to make sure that we have it correctly.

MR. KIPPENBROCK: Yes.

MANAGER MILLER: And I just wondered, for the SWMA board, so that the board members that would be voting on this for the SWMA board would actually know what that impact is to their respective entities.

MR. KIPPENBROCK: Yes. What I did, I printed out the last four months of material that's brought on to the landfill and the transfer station. The total cost was \$386,700. Okay. Now, just using the first year, assuming that we would start in July of this year but it's not going to happen, but if we use the proposed rate increase, increasing it from \$40 to \$42.50 per ton, the first year would obviously increase your green waste that you bring in my approximately \$7,000. It would increase your glass recycling from about \$8,200 to about \$16,000. Obviously the big number is – remember there's no cost for bringing curbside recycling from your convenience centers. That would go from zero dollars to \$75,000, based on 520 tons. The residential is about – currently you're doing \$366,000; it would jump up to \$388,000, and so on.

So essentially, for year one, the increase will be approximately \$115,000, \$120,000 above the \$386,000. So you'll see about \$115,000 increase in year one. And obviously, you have to do the math for year two and year three, all the way out to year FY 2025.

MANAGER MILLER: And Mr. Chair, Randall, that's with the proposed one, not with the decrease by \$10 processing fee or the decrease by \$25. Did you happen to do those?

MR. KIPPENBROCK: I have – what we found out that – let me see if I can pull up that report.

MANAGER MILLER: Because I would be interested in getting the tonnages that you have us recorded for. Last year was a weird year for us but what I've got from our Public Works was quite a bit different in tonnage, which results in quite a bit different an increase to our budget.

MR. KIPPENBROCK: Dave Yanke with NewGen did the scenario impact to County convenience centers. A \$10 decrease in tipping fee will result in about \$3,700 decrease for FY22. Then Scenario 2, was a \$25 decrease in the MRF cost would result in about a \$9,300 decrease for Santa Fe County in FY22.

MANAGER MILLER: Okay. So I'm going to have to get with you, Randall, for those quantities, because it comes out – I think our recycling processing per ton, we have quite a higher number than what you have, so I want to make sure – because staff gave me a number of around 1,266 tons, versus 500 tons, and I don't know – which is obviously huge when you take that times \$150 all the way up to \$180 per ton.

MR. KIPPENBROCK: Sure.

MANAGER MILLER: So I'm curious why we have different tonnages on the recycling side.

MR. KIPPENBROCK: Yes. Ms. Miller, the 520 tons of curbside recycling or mixed recycling if you want to call it that, 521 tons that's glass, which they may have given you a total for both. There's also 341 tons of cardboard.

MANAGER MILLER: And then what's the T160?

MR. KIPPENBROCK: Tires, by weight.

MANAGER MILLER: And what do you have for that?

MR. KIPPENBROCK: I believe I mentioned \$225 per ton. That basically covers the cost to transport and recycle the tires.

MANAGER MILLER: Okay. I'll just have to verify all overall tonnage with you to make sure that those come out to the same impact, because our revenues are – and then do you keep a separate account for what's being hauled right now by the County for legacy sludge for our utility, for the utility company? Is that a separate billing? So right now, our solid waste is hauling legacy sledge to the landfill from our sewer treatment plant, and we budget that separate and I'm just wondering if you bill separately and if you keep a separate record for that tonnage. Because I'd also have to factor in increased costs for that to our utility company, until that's all hauled away.

MR. KIPPENBROCK: That is a separate cost.

MANAGER MILLER: Okay. So I'll have to get that figure as well. Because I come up with a little bit higher number to the tune of double what you had indicated the increase would be for next year, so I want to make sure that I'm comparing apples to apples.

MR. KIPPENBROCK: Sure.

MANAGER MILLER: And also, obviously we are partners in this with the City. Is there any particular one of those three options that's better for the City? And does it put us at odds with the City if we like one better than the other? So for instance, you indicated that if the recycling processing fee were decreased by \$25 per ton, in your consultant's estimate that would be lower for Santa Fe County than what we're currently paying, but I don't come up with the same but I do come up with that that is the lowest option for the County, the lowest cost option for the County over the five years based on estimates, obviously, estimated tonnage. And similar to the tonnage we currently have. Obviously, if we encouraged more people to recycle then that's still likely to be better on our end the lower that fee is. Is that the same for the City of Santa Fe? That Option 3? The decreased processing fee by \$25 a ton is the best option for them financially?

MR. KIPPENBROCK: If you look at the City of Santa Fe residents, yes. In those scenarios, yes, you can decrease the requirement of what they have to charge to the city residents. But it comes down to – what NewGen did – I'm just looking at the report over here. It comes out to about 13 cents per month, per customer for the \$10 scenario, and for the \$25 scenario it will come down to 33 cents per month per customer. That's what we have to look at.

MANAGER MILLER: Okay. So you didn't look at total cost to the City. Because their bill – for instance, I live in the city and I pay \$16.46 per month, because I went and looked just to make sure.

MR. KIPPENBROCK: Sure.

MANAGER MILLER: But it's combined. I don't pay separate for recycling and separate for refuse. So they're going to, for the City of Santa Fe, they're still only going to get one revenue from their customers, but they're going to be paying you two separate fees when they bring that to the landfill or to the recycling center. So I just wondered if you had done a similar analysis to what the City pays you, as to which option is the better option for their bottom line.

MR. KIPPENBROCK: Well, obviously, if you lower down the recycling costs you have to increase the landfill tipping fee in order to balance out the revenue requirements. On the City, from a homeowner, they mentioned in the last board meeting or the previous one, it's about \$2.60, \$2.80 increase. Not counting what the City would like to add on to on top of that. Okay? However, they may find a way to spread out that cost over the next few years, not to impact the residents immediately at the beginning. I don't have all the answers. They haven't finalized their rate study they're supposed to present at their Public Utility Committee in May and we'll get to know more about what they're going to come up with.

If you ship the recycling you have to increase landfill, no matter how you look at it, one way or another.

MANAGER MILLER: And my estimate is that they have, as a percentage, a relatively small percentage of recycling to refuse. So if refuse goes up significantly more then it's a higher cost for them and even though the recycling might drop, if refuse goes up it may go up more than the offset. It depends on their total tonnage I know. And I was just curious if you had looked at that. Because for Santa Fe County it's an all-in thing for the residents. They pay per trip for refuse and the recycling is free. So we don't have any revenue off of our revenues to offset an increase in the recycling. We don't charge for it. So if the recycling processing fee goes up then that's straight out of what revenue we currently have and it's also straight out of the general fund because we don't have enough revenue to cover our costs anyway.

I don't think I have any other questions. I don't know if Public Works, if Gary did.

GARY GIRON (Public Works Director): Mr. Chair, Commissioners, I think it would be useful for us to get the information that's being used for this report so that we can do our own analysis based on the tonnage that they are calculating so that we can determine which is the best option for us. So if we could share that information that would be really helpful.

CHAIR ROYBAL: Thank you for that, Mr. Giron. I'm going to go to Commissioner Hansen.

COMMISSIONER HANSEN: So Randall, when you are calculating for the County, the tonnage, were you including the waste haulers? Or are the waste haulers that we have in the county completely separate?

MR. KIPPENBROCK: They are separate.

COMMISSIONER HANSEN: Okay. Thank you. I just wondered, since there was a discrepancy in the numbers. Thank you.

CHAIR ROYBAL: Okay, Commissioner Hansen.

MANAGER MILLER: Mr. Chair.

CHAIR ROYBAL: Yes, Manager Miller. Go ahead.

MANAGER MILLER: Randall, about how much of your business is from private haulers versus City and County?

MR. KIPPENBROCK: City of Santa Fe is about 50 percent. Then you have a lot of major haulers such as Waste Management, MCT, Santa Fe Waste. Those are the larger players too. Then Santa Fe County comes down the line. I think Santa Fe County is about number six in terms of volume.

MANAGER MILLER: Okay. Great. Thank you.

CHAIR ROYBAL: Thank you, Manager Miller. Is there any other questions, comments? Okay. Thank you very much, Randall. We appreciate it.

MR. KIPPENBROCK: Thank you, sir. Take care.

## 7. MATTERS OF PUBLIC CONCERN

CHAIR ROYBAL: Tessa Jo, do we have anybody from the public that signed up today to address the Commission?

MS. MASCARENAS: No, Mr. Chair. We've not.

CHAIR ROYBAL: Okay. So I'm going to ask if there's anybody on line that would like to address the Commission. Please unmute yourself. If you're a call-in constituent then you can unmute by hitting star 6 and go ahead and state your name for the record. Okay, I'll ask once again if there's anybody from the public that would like to address the Commission.

MS. MASCARENAS: Mr. Chair.

CHAIR ROYBAL: Yes.

MS. MASCARENAS: William Mee said he would like to comment.

CHAIR ROYBAL: Okay. Mr. Mee, go ahead, sir.

WILLIAM MEE: Mr. Chair and Commissioners, thank you for this opportunity. I actually wanted to talk a little bit about the target shooting range. I forgot that the Game & Fish people had told me that it was probably going to be on this meeting, but I kind of spaced out the timing of it. But anyway, Agua Fria has been very connected to the Caja del Rio grant and when I was a kid we would take a bunch of bottles with us in the back of the pickup truck and we'd set them up and we'd just blast them. There was maybe some couches out there and that was where you shot things. We did that for a number of years and everyone else did it and it's a mess. So to have a designated range with some type of entity of maybe a membership club or something like this that kind of polices the area. Maybe just trash pickup more so. That would be a great thing to have and to have three of them across the county, there's just so much litter that's being caused by this. I feel for the homeowners of bullets flying across their house or that type of thing. So I just really hope that the County can somehow participate. And we have a lot of shooters here in Agua Fria and if there was a nice range I'm sure they would take advantage of it. So I'm kind of right in the middle of both sides.

And I'm so glad you had Randall Kippenbrock here. It was a very interesting presentation. We've had the County's Sustainability Office come to the Agua Fria Village Association and talk about recycling and that's always been a big issue because we have so many people coming in, say, from California and then they'll say, oh, well, in California, this is the way we recycle. And the recycling rules have really changed from SWMA and so I think it's hard for our residents to keep up with those changes. So they're contaminating those loads and then it's affecting how much the County gets back in money for those. So I would like to see a better education effort by the Sustainability Office, some kind of handouts or posters. I'm not sure what it takes to get the job done, but thank you for listening to me.

CHAIR ROYBAL: Thank you, Mr. Mee. Thank you for your comments



and being here today, sir. It was good to see you. Is there anybody else from the public that would like to address the Commission? Okay, hearing none, I'm going to go ahead and close public comment.

**8. MATTERS FROM THE COUNTY MANAGER**

**D. First Special Session of the 55<sup>th</sup> Legislature: Potential Action to Express Support for or Opposition to Legislation that Was Passed and Has Been Sent to the Governor for Final Approval**

MANAGER MILLER: We could go the legislative update and then I could come back to the miscellaneous. Thank you.

CHAIR ROYBAL: Okay. Sure no problem. So for the legislative update are we going to have Mr. Miller? Is that you, sir, today? Or is Tessa taking some of it?

HVTCE MILLER (County Manager's Office): Good afternoon, Mr. Chair and Commissioners. I don't have any report provided for today. Today's agenda item was more as a placeholder if there's any more questions any of you had regarding any of the legislation for this special session. But I do want to add that this week Finance had a meeting with different project managers regarding the various capital outlay projects, and so they are getting the additional questions submitted to the State regarding all the capital outlay projects. So those items look good and they're ready to go and accept grants once they are received by the State for those particular capital outlay projects.

And with that, if there's any other questions I'm happy to entertain any of those.

CHAIR ROYBAL: Okay. Thank you, Mr. Miller. I'm going to go to the Commission. Are there any Commissioners that want any updates on anything from the legislature? Okay, seeing none, thank you again, Mr. Miller. We appreciate it.

**A. COVID-19 Updates**

**B. Miscellaneous Updates**

CHAIR ROYBAL: If you want to do both of those, the Miscellaneous updates and the COVID-19.

MANAGER MILLER: Sure. Thank you, Mr. Chair, Commissioners. Just some real quick COVID updates. The County still continues to stay in turquoise. As you know, we have to have a case rate of less than or equal to eight per 100,000 and a positivity rate of less than or equal to five percent. The last time around we were under eight per 100,000 and well under the five percent.

We have 62.1 percent of our residents partially vaccinated and 35.9 percent fully vaccinated and 69.8 percent registered. But we are noticing a slowdown. We had a couple of vaccination events that we coordinated with the Department of Health and Christus St. Vincent's, the last one being at the Santa Fe County Fairgrounds. The one prior to that was at Edgewood. The first event had 300 vaccinations in Edgewood and then the second had just a little over 400. Our County staff were present and working at both events and all those staff were also provided to receive vaccinations at the second event if they had not already done so.

We also had an event at the detention center with about 198 doses given today

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and that was for inmates as well as staff that had not been vaccinated. As of last week I think we had a pretty high percentage of the staff at Corrections had been vaccinated. It was around – I think we are at our staff with over 63 percent prior to this event today. So that number continues to increase and I believe that's one of the best county jails in the state.

Also, any of the individuals who had the vaccine event last week on April 23<sup>rd</sup> they received the Moderna vaccine and they will get a second dose in approximately 28 days.

We also continue to push forward a public awareness campaign about vaccinations and continue to work with our CONNECT program providing assistance through our providers providing grocery boxes, home-delivered means to the homebound individuals, although we are starting to pull back the rural food distribution. We're only doing those the first week of the month now.

And then I think that's about it on the COVID. Well, additionally, the American Rescue Plan, they still haven't – and we'll talk about this a little bit on Friday. We still have not received federal guidelines. We keep being told those are coming soon, but we've not received guidelines on the direct allocation that we will be receiving. We've only been told we will receive funding and we will be required to spend it in accordance with federal Treasury guidelines or pay it back, and that we will receive it directly, about 50 percent of the \$29.1 million estimated amount.

The crisis center continues to move forward. Thank you for the approval today of the lease agreement. That will need to go on to the Board of Finance at the State and we also are working, Public Works staff, Projects staff are working with the Department of Health to get it certified by DOH. It did pass the Fire Marshal inspection. So we're getting to our last pieces of putting that in place and hopefully we will be able to open the facility in June to in-person visits.

Then I just wanted – that was all I had on COVID updates and then I just wanted to give Jennifer LaBar a good opportunity to give you what's going on in film. You've probably noticed we've had some recent coverage of film and she's excited about our sizzle reel as well as some of the productions going on.

JENNIFER LABAR-TAPIA (Santa Fe Film Office): Thank you, County Manager Miller. Thank you, Chairman Roybal. As County Manager Miller mentioned we've received a lot of press the last month or so. A lot of it stemmed from our Christmas movie that we had here in Santa Fe. It's a Lifetime Christmas movie starring Mario Lopez and his production company who came in and produced it. Mario is a big social media user and he was on his social media constantly, just talking all about Santa Fe, how great the food is, how great the people are, how much he's loving filming here, and he's actually one of the hosts of Access Hollywood and he was opening the show and closing the show for about three weeks from Santa Fe.

So Santa Fe has had a ton of exposure over the last three weeks just with his presence being here shooting the Lifetime Christmas movie, which people ask me, well, when is it coming out? It's coming out at Christmas time. So it will be at the end of this year. It will be on Lifetime and I'll be sure and let you all know when it's going to air. They actually rewrote the script to name it *Holiday in Santa Fe*. They loved Santa Fe that much.

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We are on pace for having a record year this year with having been shut down for about six months last year for COVID. Things were slowing down or they were shut down permanently for production but the calls were still coming in. So the film office was still really busy, planning for when we could open up, which we were able to open up this past fall. We were deemed essential. So productions have been here. I just picked up three new productions today, so it ranges from photo-shoots. It ranges to documentaries, student films, and then we've got the big what they call tent-pole productions, which are the really large budget productions.

Roswell, which is a Warner Brothers television show, they just wrapped their third season, which is all filmed here in Santa Fe. They rent out Santa Fe Studios all year. They are starting season four in June, so they got picked up for another season by Warner Brothers, so we're happy about that. Lamy saw some action last week, an Amazon series that's primarily shooting up in Las Vegas, New Mexico. Has been coming to Santa Fe every once in a while and they were just in Lamy for about a week, about a week or so ago, and we had a reality show out at Romero Park last week, and the news has been covering a lot of this. So it's been great exposure for Santa Fe and for the office.

And one last thing before I show you the sizzle reel is *New of the World* is out now. It's streaming and it's also at the Violet Crown, which I did last night. I rented out a theater at the Violet Crown. You can rent it out for \$100. Invite 20 of your closest friends to come see it and *News of the World* is starring Tom Hanks. It was all filmed in Santa Fe County. It received a ton of publicity from that production as well, especially from the creatives who have been talking to *Variety* and different agencies about how they were able to make a 600 mile journey within 45 miles, because it was all done at our western sets in Santa Fe County. And *News of the World* was up for four Oscar nominations. They were up for best cinematography, best original score, best production design and best sound. Unfortunately, they didn't win any of the Oscars but just to get nominated is huge. So we were happy about that.

And the last thing about the Violet Crown is I reached out to the general manager over there and he's agreed to play the sizzle reel that you're about to see before each of the showings of *News of the World*, since they're playing that as one of the features that you can watch. So they will be playing that before each of them. And so I'm going to go ahead – Daniel, can you go ahead and share it?

[A video was played.]

MS. LABAR-TAPIA: So that sizzle reel was done last year with some of the productions that were done in Santa Fe. The opening shot you might see was Waldo Canyon, so that was in Commissioner Garcia's district. That's an opening shot. But all of that is all done in Santa Fe County. So they'll be showing that at the beginning of *News of the World* at Violet Crown so some of our residents will get to experience that as well. And I can stand or sit for any questions.

CHAIR ROYBAL: Thank you, Ms. LaBar. Great work. Thank you so much. Great reel. If we want to share this reel will we be able to get a link so that we can share it as well?

MS. LABAR-TAPIA: Of course. Yes.

CHAIR ROYBAL: That's great. Any other comments from Commissioners? Commissioner Hansen, go ahead.

COMMISSIONER HANSEN: Thank you, Jennifer. Romero Park got a little action and Diablo Canyon got some action so thank you for that and thank you for the great job you're doing.

MS. LABAR-TAPIA: Thank you, Commissioner.

COMMISSIONER HANSEN: Any other comments? Commissioner Hughes, go ahead, sir.

COMMISSIONER HUGHES: Thank you, Mr. Chair. Just thank you for the report and I was just going to say I'm glad Roswell got renewed because that's my favorite show.

MS. LABAR-TAPIA: Great. We'll have to get you out on set sometime, Commissioner.

COMMISSIONER HUGHES: That would be fun.

CHAIR ROYBAL: What was the – I think Daniel already posted the link, so thank you, Daniel for doing that. Any other comments? Manager Miller.

MANAGER MILLER: Not on this but I had one last update, one other miscellaneous update.

CHAIR ROYBAL: Awesome. Thank you again, Jennifer. Great job. Please extend our gratitude to the whole office.

MS. LABAR-TAPIA: You just did. Thank you.

CHAIR ROYBAL: You're a one-person warrior. Thank you so much. Manager Miller.

MANAGER MILLER: And then I just want to put out a reminder. For Earth Day, we actually made it an Earth Month or Earth Five Weeks, so just a reminder that this Saturday, May 1<sup>st</sup>, District 4, Hondo Fire Station 2 from 9:00 to 1:00, and then the following Saturday, District 3, Edgewood Senior Center. That's May 8<sup>th</sup> from 9:00 to 5:00. And then last but not least event will be on May 15<sup>th</sup>, 9:00 to 5:00 at the Max Coll Community Center. So I just wanted to remind everybody of those dates. And that's all from my updates.

CHAIR ROYBAL: Okay. Great, Manager Miller. We appreciate that.

**8. C. Pricing Certificate of the Santa Fe County, New Mexico General Obligation Improvement and Refunding Bonds, Series 2021**

CHAIR ROYBAL: Manager Miller, are you doing this one?

MANAGER MILLER: Either I can or Yvonne can. I didn't know if Yvonne had planned to do that. Or if she – because it didn't say on the item.

YVONNE HERRERA (Finance Director): Chair Roybal, County Manager Miller, I'm here if you want me to do it. I actually forgot all about this. I apologize.

CHAIR ROYBAL: No worries. Go ahead, Yvonne. That'd be great. Appreciate it.

MANAGER MILLER: We do have the pricing certificate in the packet. If you could pull up –

MS. HERRERA: Mr. Chair, Commissioners, as required by Chapter 6.13.10, the County Manager shall certify in writing that the final terms of the sale of the general obligation improvement and refunding bonds Series 2021 comply with the

parameters and conditions as determined in Resolution 2021-026, a Notice of Sale resolution for general obligation improvement and refunding Series 2021, the bond resolution. And present the certification as evidence with the attached pricing certificate to the Board of County Commissioners.

Within that state law it provided the Board the opportunity to delegate the authority of selecting the best price for debt sales, and a part of that process requires that the County Manager report back to the Board that we did select the best price for the County as well as complied with the terms of the resolution for the notice of sale. So on March 9, 2021, the Board adopted the bond resolution authorizing the issuance of the 2021 GO bonds, delegating that authority to determine the final terms of the bonds to the County Manager.

The sale occurred on April 7, 2021. In attendance for that sale was Commissioner Hamilton, County Manager Miller, Deputy County Manager Bernardino and County Attorney Shaffer, as well as myself and the County's financial advisor RBC Capital. The sale lasted almost 45 minutes with 11 organizations bidding a total of 56 times. The best bidder was awarded to UNB Bank. The bonds sold for \$26,031,469.51. Of that amount it was broken out to \$24,445,000 par amount, and a premium of \$1,675,654.40 for the premium, and then the underwriter discount was \$89,104.89. A lot of numbers there.

The net effective interest rate is 0.553051 as required by the bond resolution. The proceeds are broken out for \$20 million will be used to fund various road, open space and water and wastewater projects. All \$20 million voter-authorized bonds have been issued with this bond sale, and then the remaining proceeds of the \$4,445,000 will be used to refund the general obligation improvement and refunding bond Series 2011.

The bond closing was scheduled for this morning at 9:30. Funding occurred actually right before that bond closing. The bonds will mature on July 1, 2035, and are callable on or after July 1, 2028. As part of the bond sale process, Standard & Poors assigned a AAA rating to the 2021 bonds and affirmed the AAA long-term rating on the County's existing GO bonds. As Manager Miller indicated, attached in the packet is the pricing certificate providing evidence that the bond sale complied with Resolution 2021-026 and Notice of Sale resolution for general obligation improvement and refunding bonds Series 2021.

And with that, I'll stand for any questions that the Board may have.

CHAIR ROYBAL: Okay, great. Yvonne, thank you for that update. Do we have any questions relative to this presentation from the Board. Okay, seeing none, we appreciate that update, Yvonne, again, and thank you so much. I know we caught you off guard a little bit but you did great so we appreciate it.

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

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

CHAIR ROYBAL: First, I just wanted to give a quick update on the Earth Day that we had in District 1. It was really great. It was a great turnout. We were able to

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plant just a huge amount of trees and bushes and we planted some flowers. It was really great. We really had a great day. A lot of participation, and I just want to thank my constituents that were there and we had other elected officials. I know that we had Representative Tara Lujan. We had Senator Ben Ray Lujan. We also had our County Clerk was also there, helping out and so she helped us plant some trees, so thank you for that. It was a really good time. We really enjoyed it and I'm really excited to see how these plants grow and the trees and bushes and just see how it turns out here shortly. Staff was there and they were awesome. They did a great job, watered the plants right away as soon as we were done planting, and so just a really good time. So I really appreciate the success that we had on that Earth Day.

I want to give special thanks to all the participants. Ms. Beam was there and she did a great job, and my constituent liaison, Ambra was there. She was really great out there. So I just want to thank all the staff. Also, Commissioner Hansen, for working really hard on this project. I think that it was a great success. So thank you. Thank you all for the participation.

The other thing I wanted to bring up relative to the County and to the Commission as a whole is I was notified by the RCLC that they never acquired a signature on the JPA that we approved about two years ago. So there wasn't a signature and I was asked about acquiring a signature for that approval. There were some clerical changes to the JPA that were incorporated, so I'm asking that Attorney Shaffer get with the RCLC legal counsel, which is Nancy Long of the RCLC so that we can get a comprehensive update to the clerical changes.

I also want to be – definitely listen to – we had a couple of different advocate groups that felt that Santa Fe County shouldn't participate on the RCLC any longer, but I also had Commissioners that also mentioned their concern with the RCLC. I think we've all received emails and I heard some comments and concerns from our Commission and so I want to make sure that we're taking all that into consideration and I want to be able to see what the Commission wants and Santa Fe County as a whole wants to do as far as the RCLC. I just want to work or I have hopes of hearing from our Board as far as I guess how Santa Fe County is, the commitment and where we are with being on this board in the future. And so I kind of want to bring that up and so I'm asking staff and Greg to work on that to bring it forward because I think that we need to get some clear direction from the Board and I want to make sure that I'm listening to my fellow Commissioners and their concerns in making sure that this is a board that we want to stay active on. So it's something that I want to bring on our next BCC meeting. So we'll look at it then and we'll bring that forward at that point so we can look at that. So I just want to bring that up as well. And I think that's all I have as far as updates on my side. So I'm going to go to Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. So first I want to let you all know that Santa Fe County was mentioned in the NACo News and we were mentioned in there for our energy efficiency standards and adopting our new energy efficiency standards. We got a couple paragraphs across the nation in the NACo News that I think some of you get also besides me, which I was very happy to have our energy efficiency vote being mentioned there. I know that when I did mention it that NACo people were highly impressed that we were even dealing with energy efficiency and that

we were willing to make our code stronger. So I was grateful to see that.

I then also want to mention Reunity Resources in my district, the community farm is starting with a seedling sale on May 8<sup>th</sup> and May 22<sup>nd</sup> from 9:00 to 1:00. Their farm stand is starting to open up so that's exciting, and Rose's Kitchen Farm to Table truck will also be expanding its menu and hours in collaboration with the Youthworks culinary program and they are kicking off a special Mothers Day picnic brunch from 11:00 am to 2:00 pm. Come celebrate, enjoy great food, outdoor recreation, live music and magic and sponsor a family to be served from Many Mothers is also a possibility if you'd like to donate. Also Reunity Resources is having a summer farm camp for kids age five to ten, and for more information go to Reunity Resources.com.

Next, I would like to give a huge shout-out. Oh, my god. Earth Day at the Santa Fe River in the San Ysidro Crossing was incredible. We had more than 60 community members volunteer. That doesn't included children and our four-legged friends who participated in the event. We successfully planted 175 trees and plants, plus wildflowers along the riverbank and trail at San Ysidro Crossing. This was also made possible because we partnered with the Santa Fe Watershed. They got a grant from Community Tree, and so they were a partner with us at the Santa Fe River.

I want to extend my sincere gratitude and thanks to the following County staff for their hard work in organizing and carrying out the event: Jacqueline Beam, our Sustainability Manager, Carrie Olsen, Project Manager II, Eppie Tapia, Maintenance Foreman, Frankie Baca, Maintenance Technician, and Sara Smith, my constituent services liaison, and of course, Daniel Fresquez, the media coordinator for capturing the spirit of the day. Yay to all of them. And just to let you know that Santa Fe County and the Santa Fe Watershed will be watering the plants and trees. I want to thank also, a really special thanks to Congresswoman Theresa Leger Fernandez for coming, not only planting a cottonwood tree with all of us and also taking a tour of Reunity Resource community farm which she was really impressed with.

I also want to thank Representative Tara Lujan and County Clerk Katharine Clark for coming out. It was an amazing, amazing day. I was just like so thrilled and it was just fantastic. There are not enough words. And I want to also give a shout-out to Andy Otto, Morika Hensley and Keely Kennemore Jackson of Santa Fe Watershed. They helped recruit and organize volunteers and use their grant to hire Athena Beshur of Seeds of Wisdom who helped us design and landscape. Athena and Matthew worked at the event and their knowledge of the plants and guidance with volunteers helped extremely.

The Agua Fria Village Association board, William, Catherine, Charlie and Lois all showed up to lend a hand, and Julie and Tejinder of Reunity Resources. So it was just an amazing, amazing event. I'm so excited to see the trees and plants all start blooming along the San Ysidro Crossing, and our next event there will be on May 15<sup>th</sup> when it's San Ysidro Day, so we'll get another opportunity to walk along the river and see all the special things that happen.

So I can't thank County staff and the Santa Fe Watershed Association enough. It was just totally, totally amazing. So thank you so much everyone. And that's it.

CHAIR ROYBAL: Thank you, Commissioner Hansen. We appreciate the update and glad to hear it was a great event as well in District 2. Commissioner Hamilton.

COMMISSIONER HAMILTON: Thanks. Manager Miller already

mentioned the next Earth Day which is this Saturday in District 4. So we'll be doing planting. I think it's on a smaller scale than what just happened in District 2 or even probably District 1. It's a smaller space but we'll be at the Hondo Fire Station 2 from 9:00 to like 1:15, and I'm really looking forward to everybody who wants to come to show up and continue this great Earth Day activity.

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

COMMISSIONER HUGHES: Thank you, Mr. Chair. Just to – I'm really impressed with what you did at District 1 and District 2. I feel like I've got to step up to the plate now and invite President Biden or something to come to mine. But anybody who wants to come to the District 5 Earth Day even on May 15<sup>th</sup>, you're welcome. Even if you went to the last one. We're going to have fun out at the Max Coll Community Center and plant some good stuff.

The other thing is just to reiterate, I said this before, but we're working on an affordable housing resolution to kind of set the stage for the affordable housing trust fund we all want to create, and that should be coming forth to the Commission sometime in May. That's what I'm hoping for. That's all. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hughes, and definitely let me know if you get President Biden to come help. I'll definitely come out. I might be there anyway is you let me know the date.

COMMISSIONER HUGHES: May 15<sup>th</sup>.

CHAIR ROYBAL: Appreciate it. May 15<sup>th</sup>. All right. Sounds good. No you've just got to tell me where the Max Coll Community Center is and I'll be set. Commissioner Hansen.

COMMISSIONER HANSEN: Mr. Chair, thank you. So I felt really honored that I was able to get a congresswomen, Theresa Leger Fernandez to come but I want to mention that what had happened is we had been on two events one night – on for the Council on International Relations, which we are both members of and gave comment, and then the next day I did a DC fly-in, virtually, with the Wilderness Society and we got to talk to her about protecting our wilderness from oil and gas regulation. And so I had the opportunity to invite her. So it was just serendipitous that I had that opportunity. So it was really great to have her come and see all the things that Santa Fe County is doing and the good work that we are doing throughout the county.

CHAIR ROYBAL: Okay. Great. Thank you for that additional information. I did neglect to mention that any constituents that are out there in the La Puebla area, we've helped the constituents in that area that have come together to make a community cleanup day. It's in La Puebla on Sunday, May 2<sup>nd</sup>, so if the more participation we have the better it will be, so I think right now we have 14 constituents that have signed up to volunteer to get out there and help us. The County's going to provide safety vests and gloves and I think trash bags. It's going to be at 8:00 am. If we can get as many people out there just to beautify the community I would really appreciate that and I wanted to mention that I neglected when I first made my announcements.

COMMISSIONER HANSEN: Chair Roybal, thank you for mentioning that. That is one of the serious things. Thank you for doing a cleanup. I have gotten numerous, numerous, numerous calls about how much litter there is on 599 and Caja del



Rio, and all over different places throughout the county. People are constantly complaining. I think during this pandemic, I don't know what happened to people's responsibility but it might be some of the haulers not covering their loads but I plan to bring it up at SWMA also, but let's keep Santa Fe beautiful and clean. So thank you for organizing that. That is fantastic. Thank you, Chair Roybal.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Okay, any other comments, announcements? Hearing none, I'm going to go to our next item.

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

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

KATHARINE CLARK (County Clerk): Thank you, Chair Roybal. I just wanted to remind everyone that we will be having a special election starting a week from today, Tuesday, May 4<sup>th</sup>. Early voting starts at the Town of Edgewood municipal building, and that's the first day that absentee ballots that have been requested will go into the mail. So I'm looking forward to conducting the election and I want to say I'm sorry to miss the May 1<sup>st</sup> tree planting for District 4 but I will be in Edgewood conducting a training on elections. Anyway, so I just wanted to alert voters that if they have more questions about voting we have a webpage on our website with the voting times and you can always go to nmvote.org to check your voter registration.

CHAIR ROYBAL: Thank you very much, Madam Clerk. I see we have our Treasurer on line too. Treasurer Manzanares, did you have anything that you wanted to share with your constituents? I know that we do have an item that's coming up on 10 as well, but if you had anything that you'd like to share with your constituents, please feel free.

JENNIFER MANZANARES (County Treasurer): Good evening, Mr. Chair, members of the Commission. I don't at this moment and will wait until the presentation.

CHAIR ROYBAL: Thank you so much. Do we have any other elected officials on the line or in the meeting right now, Tessa? You might be able to see all of them.

MS. MASCARENAS: No, Mr. Chair. I don't believe that we do. The Sheriff was on earlier but it looks like he has signed off.

CHAIR ROYBAL: Okay. I noticed that earlier too. I just wanted to make sure that I gave him the opportunity if he was still on. So thank you for checking for me.

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**10. SANTA FE COUNTY BOARD OF FINANCE – (The Board of County Commissioners temporarily recessed and reconvened as the County Board of Finance at 6:54.)**

- A. Call to Order**
- B. Roll Call**

Upon motion by Commissioner Hamilton and second by Commissioner Hughes, and unanimous [4-0] roll call vote, the Commission recessed as the Board of County Commissioners from 6:54 to 7:05, returning with Commissioners Hamilton, Hansen, Hughes and Roybal present.

**C. Approval of Agenda**

CHAIR ROYBAL: Are there any changes to the agenda? Commissioner Hansen.

COMMISSIONER HANSEN: I just wanted to move to approve.

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

COMMISSIONER HAMILTON: Second.

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

**The motion passed by unanimous [4-0] roll call vote.**

**10. D. Presentation of the County's Quarterly Investment Report for January through March 31, 2021**

TREASURER MANZANARES: Good evening, Mr. Chair, Commissioners, Manager Miller. The first presentation of our first quarterly report from January 1<sup>st</sup> to March 31<sup>st</sup>. So our Santa Fe County Treasurer's challenges – and I like to look at these as opportunities as well to learn and to grow as a team. So our first bullet, our fed fund rate remaining at near zero is a challenge. The second bullet, investing and reinvesting in this environment has also become a challenge for the office. We have a prediction of \$35 million, plus or minus in call notices. To date we have \$10 million that have been called.

Our fourth bullet, we have our post-pandemic office planning and that's including revamping some areas that we want to better serve the community. We know with COVID we've had lots of changes to improve areas to meet the customers' needs. Fifth bullet, our post-pandemic delinquencies and uncertainties and we will know by the first half of 2021 property tax year. Because of the current escrow issue, what we'll have in terms of the pandemic impact on the County property tax. Currently in the Treasurer's Office we have a large volume of incoming calls and emails and we are staffing up to have a dedicated customer service staff person who will be addressing more of the web chat and more interactive with the customers so that we're meeting that need of the large

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volume of incoming calls and emails.

Finally, on our last bullet, the retaining of our cashiers and recruiting the talent to have individuals come into the County that would like to look at this as a career for long-term retention.

Currently, our fiscal agent balance, as of March 31<sup>st</sup>, we have 41 accounts, so you can see our balance is \$50,425,617.80 at 40 basis points. We are currently in the middle half of our second half property tax for 2020 and we're anticipating our balances in April and May we have a lot of incoming mail so we do anticipate that we're going to be higher in our balances coming up.

Our portfolio balance, in our operations account we have \$133,898,681.32. In our core account, \$27,453,085.99. In our GOB 2011, \$4,437,601.93. In our GOB 2013, \$4,038,270.68. Our GOB 2018, \$10,060,242.74. Our GOB for 2019, \$10,061,571.03. In our Schwab account, we have \$31,880,566.38. Housing, \$4,001,287.07. And finally, in our UBS account, \$40,455,613.23. For a grand total of \$267,286,920.37.

As well as our settlement, just as a footnote, as of today we had our bond sale that has settled at \$24 million plus. That was mentioned earlier in the meeting tonight.

So diversification within the portfolios, as you can see there are several areas that we've invested. To name a few: farm credit bonds, we have some Fannie Maes, Supras, some local CDs, Treasury bills and so again, as you can see, within the Investment Policy, we are diversifying our portfolio.

Other holdings we have currently are the LANB studio CD, which is \$4,947,817.81. In local CDs we have \$1,265,354.43. In our BNY Mellon, \$11,738,731.95. And a total, \$17,951,904.19.

The grant total of all of our holdings is \$335,664,442.39.

So again, as an estimated annual income for calendar year 2021, the total for these – again, it's an estimation – will be \$2,586,002.80.

In our earnings, we have our LANB studio CD at 250 basis points. Our FICAs ranging from 5 to 12 basis points. UBS, 1 to 2 basis points. Schwab, 1 basis point. And our investments are between 50 to 275 basis points.

**10. E. Request Approval of County Treasurer's Six-Month Investment Strategy**

TREASURER MANZANARES: And finally, to our investment strategy. So for a six-month investment strategy we're looking at the first bullet, to invest in Bermuda and Canary securities with a six-month to one-year call protection. Second bullet, to invest in coupons with sensible cash flow. Third bullet, to invest in Supras or GSEs with sensible spreads over the Treasury. Our fourth bullet, to propose commercial paper investments to Investment Committee members, and finally, to look for anything with a high yield for the County's Investment Policy. This being an action item, I'm looking for a motion for approval.

COMMISSIONER HUGHES: I'll move for approval.

TREASURER MANZANARES: Is there a second?

COMMISSIONER HAMILTON: I'll second. I have a question.

TREASURER MANZANARES: Discussion. Commissioner Hamilton.

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COMMISSIONER HAMILTON: Thank you. This is consistent with Investment Policy. It's an action item because it's for the next six months of activity?

TREASURER MANZANARES: That's correct.

COMMISSIONER HAMILTON: Thank you.

TREASURER MANZANARES: Okay, I believe we have a first and a second, Mr. Chair. And I yield for any questions.

CHAIR ROYBAL: Commissioner Hughes, did you have a question as well?

COMMISSIONER HUGHES: Yes. I should remember this. I think we talked about it, but could you describe the Bermuda and Canary certificates a little better?

TREASURER MANZANARES: Mr. Chair, Commissioner Hughes, I'm going to yield to Deputy Treasurer to better explain that.

PATRICK VARELA (Deputy County Treasurer): Good evening, Mr. Chair, Commissioner Hughes. Those are different styles of paper that they have out there. What that is is the frequency that they're called. What we've been doing a lot since last year, for example, a Bermuda, you'll see a security that's offered. We'll look at an example. Like a seven-year/one-year, meaning it will – they get it and they price it for seven years but it actually will be called in one year. And those ones have a little bit higher spread than a regular conventional callable security.

And a Canary is called twice and then it becomes a bullet. And usually it will only get called the one time, again, because of the call protection. So you're looking at like a ten-year/one-year, a seven-year/one-year, a five-year/six-month and so on. So we get that extra bit of yield paid for in six months. It's already been proving itself. Like was stated earlier from Treasurer Manzanares that we already had \$10 million called from the call notices that we had invested the year prior. Did I answer your question?

COMMISSIONER HUGHES: Yes. So what banks usually offer those?

MR. VARELA: They're not actually banks. They actually like federal farm credits, Fannie Maes, Freddie Macs. They're basically fixed income that offer those types of securities, with those Bermudas or Canaries.

COMMISSIONER HUGHES: Okay, great. Thank you. That helped.

MR. VARELA: Thank you.

COMMISSIONER HANSEN: Thank you, Commissioner Hughes. Any other questions relative to this item? Okay, seeing none, we do have a motion and a second. I'm going to go to a roll call vote.

**The motion passed by unanimous [4-0] roll call vote.**

**10. F. Adjourn and Reconvene as Board of County Commissioners**

CHAIR ROYBAL: Okay, correct me if I'm wrong, Treasurer Manzanares, did that take care of item 10. D and 10. E?

TREASURER MANZANARES: Mr. Chair, that is correct. That did take care of both item D and E.

CHAIR ROYBAL: Okay. I just wanted to make sure. All right. So with that being said I'll entertain a motion to adjourn. Commissioner Hansen.

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COMMISSIONER HANSEN: So moved. I move to adjourn.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: And multiple seconds. I always appreciate multiple seconds instead of waiting, right? So we have a motion and a second. I'm going to go to a roll call vote.

**The motion passed by unanimous [4-0] roll call vote.**

CHAIR ROYBAL: I get a motion to reconvene as the Board of County Commissioners?

COMMISSIONER HANSEN: So moved.

COMMISSIONER HUGHES: Second.

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

**The motion passed by unanimous [4-0] roll call vote.**

[The Commission reconvened as the Board of County Commissioners at 7:05.]

**12. INFORMATION ITEMS/MONTHLY REPORTS**

- A. Quarterly Report on Restricted Housing at County Correctional Facilities Pursuant to Laws 2019, Chapter 194 (HB 364)**
- B. Community Services Department Monthly Report**
- C. Finance and Purchasing Monthly Report**
- D. Growth Management Department Monthly Report**
- E. Human Resources Monthly Report**
- F. Public Safety Monthly Report**
- G. Public Works Monthly Report**

There were no questions or comments on the reports.

**11. MATTERS FROM THE COUNTY ATTORNEY**

- A. Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Public Hearing(s) on the Agenda, as Allowed by Section 10-15-1(H)(3) NMSA 1978; Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Between the Board of County Commissioners and Collective Bargaining Units, as Allowed by Section 10-15-1(H)(5); Discussion of Contents of Competitive Sealed Proposals Pursuant to the Procurement Code During Contract Negotiations as Allowed by Section 10-15-1(H)(6); Threatened or Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(7) NMSA 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. Performance Evaluation of the County Manager**
- 2. Potential Breach of Water Rights Purchase Agreement**
- 3. Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Concerning AFSCME 1413, AFSCME 1413M, IAFF Local 4366, NMCP SO-RECC, and NMCP SO-Deputy Sheriff's Association**

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

MR. SHAFFER: Yes, Mr. Chair, Commissioners. Before I do so I would not that we will not be needing any action on items discussed in executive session this evening so we won't need to return to open session after executive session. So therefore, unless the Board has questions of staff regarding the informational items and reports that are included in your packet under item 12 the Board could adjourn the open session and conclude the meeting after executive session without coming back to open session.

With that, by way of summary we will be needing executive session this evening to discuss only two items. That would be limited personnel matters as allowed by Section 10-15-1 (H)(2) NMSA 1978, and 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) NMSA 1978. And that will be for one, performance evaluation of the County Manager, and then item three, discussion of bargaining strategy preliminary to collective bargaining negotiations concerning AFSCME 1413, AFSCME 1413M, IAFF Local 4366, NMCP SO-RECC, and NMCP SO-Deputy Sheriff's Association. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Attorney Shaffer. I don't have any questions. Just a thank you to staff for the monthly reports. It's really helpful for us to be able to look at these and get all the information from them. So just a thank you to staff. Any other Commissioners have any questions of staff before we go into executive session? So then we're good to go. If I could get a motion to go into executive session for the items that were summarized by Attorney Shaffer. Commissioner Hamilton.

COMMISSIONER HAMILTON: Yes, I move we go into executive session, exactly as you said, for the items as described by Attorney Shaffer, and that we end this meeting and adjourn from executive session.

CHAIR ROYBAL: Thank you for making that note as well. Do I hear a second?

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: Okay, so we have a motion and a second. Madam Clerk, can you do a roll call, please?

**The motion to go into executive session pursuant to NMSA Section 10-15-1-H (2 and 5) to discuss the matters delineated above passed by unanimous roll call vote as follows:**

Commissioner Garcia

Not Present

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

[The Commission met in executive session at 7:22 and adjourned without reconvening in open session.]

**11. B. Potential Action on Items Discussed in Executive Session**

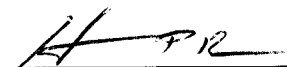
Not required.

**13. CONCLUDING BUSINESS**

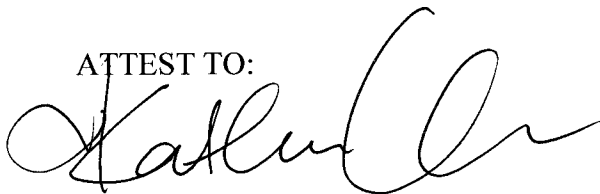
- A. Announcements**
- B. Adjournment**

Having completed the agenda and with no further business to come before this body, Chair Roybal declared this meeting adjourned at 7:22 p.m.

Approved by:


  
\_\_\_\_\_  
Board of County Commissioners  
Henry Roybal, Chair

ATTEST TO:

  
KATHARINE E. CLARK  
SANTA FE COUNTY CLERK



Respectfully submitted:

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

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