

SFC CLERK RECORDED 06/20/2022

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

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

May 10, 2022

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:08 p.m. by Chair Anna Hamilton in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

B. Roll Call

Roll was called by Deputy County Clerk Evonne Gantz and indicated the presence of a quorum as follows:

Members Present:

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

Members Excused:

None

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

The Pledge of Allegiance and the State Pledge were led by Chair Hamilton and the Moment of Reflection by Chris Hyer of the Economic Development Division.

Commissioner Hansen asked for the thoughts and prayers for those at risk from the numerous fires, and a moment of silence for Raymond Aranda. Commissioner Roybal asked for a moment of silence for Alex Roybal and Kathy Lopez from District 1.

Chair Hamilton welcomed Greg Shaffer to his first meeting as County Manager.

1. **F. Approval of Agenda**

CHAIR HAMILTON: County Manager Shaffer.

GREG SHAFFER (County Manager): Madam Chair, Commissioners, the initial agenda was posted on Tuesday, May 3rd at approximately 4:57 pm, and the amended agenda was posted on Friday, May 6th at approximately 5:08 pm. The additions

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to the agenda were the addition of item number 3. B, Request Approval of Proclamation Proclaiming May 17, 2022 as End Childhood Hunger in Santa Fe Day; Miscellaneous Action item 6. F, which is a request to ratify the County Manager's Execution of Amendment #2 to Agreement #2019-0003 PW/KE between Santa Fe County and Souder Miller and Associates, Delegation of Signature Authority to the County Manager to Execute Amendment #3 for the Contractor to Conduct Cultural Resources Mitigation as Requested by the New Mexico State Historic Preservation Officer for the Northeast/Southeast Connector Roads Project and Authorization for the County Manager to Execute the Purchase Order Associated with Amendment #3.

We also added Miscellaneous Action Item number 6. G concerning small purchases during the remainder of fiscal year 2022 and Matters from the County Manager, item 9. C, Fiscal Year 2023 budget preparation item, which is an update and request for preliminary direction on specific budgetary items. Finally, a request was made now to switch the order of category 8 and 9, so that Matters from the County Manager would come after Presentations, followed by Matters of Public Concern.

CHAIR HAMILTON: Thank you very much. So with those changes, Commissioner Hansen.

COMMISSIONER HANSEN: Madam Chair, I move to approve the agenda with the changes that County Manager Shaffer requested

COMMISSIONER HUGHES: And I'll second.

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

The motion passed by unanimous [4-0] voice vote. [Commissioner Garcia was not present for this action and joined the meeting telephonically shortly thereafter.]

G. Employee of the Quarter, 1st Quarter 2022

CHAIR HAMILTON: Manager Shaffer.

MANAGER SHAFFER: Thank you, Madam Chair, Commissioners. The purpose of the Employee of the Quarter program is to recognize employees who make a significant contribution to Santa Fe County during the previous three-month period. The process for selecting the Countywide Employee of the Quarter begins with the designated recognition teams selecting one department or elected office Employee of the Quarter for their group, and then these department or elected office Employees of the Quarter are considered for the Countywide Employee of the Quarter Award.

The employees nominated and selected for the department or elected office Employee of the Quarter were as follows. We had two. One from the Community Services Group, Mr. Kenneth Quintana, is a Development Review Specialist Senior with the Growth Management Department. Mr. Quintana was nominated for the following reasons: Growth Management has been understaffed and during that time Kenneth has taken it upon himself to complete additional duties such as IPRA requests and larger subdivision reviews. Kenneth has outstanding work ethic, is a hard worker and is always willing to learn new duties, take on additional tasks, and assist his team.

In the Support Services Group, we have Mr. Jerome Blea. He's an Accounting Tech Senior, and Jerome was promoted to an Accounting Tech Senior on December 6,

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2021. During his short tenure in this position he has quickly learned his duties and assisted his team to get caught up in spite of being short-staffed. Jerome was very professional and hard working and works with vendors and departments with ease and professionalism. He has a positive attitude and has gone above and beyond to assist his supervisor and coworkers with all tasks required to keep work current in spite of being short-staffed.

So we want to acknowledge the contributions of both Kenneth and Jerome to the County and to their specific groups and departments, and the Countywide Employee of the Quarter was selected to be Mr. Kenneth Quintana. So congratulations to both of them and appreciate everything they do for the County. There's an award, certificates that they both receive and then Mr. Quintana will receive an award separate and apart from that. So thank you to both of those employees.

CHAIR HAMILTON: Congratulations to both of you and to Mr. Quintana in particular. Are they on? We're going to be troubleshooting Webex. Mr. Quintana and Mr. Blea, if you are on the Webex, do you care to say anything? I understand it's fading in and out, so if we're not successful we will let you know and try to bring you in later. So let me trouble Daniel Fresquez with maybe giving me a heads-up if Mr. Quintana comes on board and would really like to speak. But we are always so proud of our Employee of the Quarter. It's the value of praise from the praiseworthy. We have so many good people at the County, and to be nominated by your peers and successful in this is an incredible statement and something you should be very proud of. We're really honored to have your. Commissioner Roybal.

COMMISSIONER ROYBAL: Yes, I would just echo those same sentiments. First of all, say congratulations to Mr. Kenneth Quintana and also Jerome Blea, and just let you know that we really appreciate the hard work and dedication that you've shown to be nominated for this award. I just want to say thank you, both. Keep up your great work and we just want you to know we do appreciate you. Thank you.

CHAIR HAMILTON: Thank you. Anybody else? Well, once again, congratulations and best in your ongoing contributions to the County.

COMMISSIONER GARCIA: Madam Chair, this is Rudy.

CHAIR HAMILTON: Hey. Welcome, Commissioner Garcia.

COMMISSIONER GARCIA: Thank you. Sorry I was delayed. Just to let my colleagues know, I had a real big emergency on Tuesday at Little League. I was in the hospital until late last night. So my speech is a little bit in and out so I'll be definitely listening to the meeting and being in and out of the meeting. But I just wanted to let my colleagues know.

CHAIR HAMILTON: Excellent. Thank you so much for attending and we'll have you marked as present, but in and out as your needs arise. Thank you very much.

COMMISSIONER GARCIA: Thank you. I'm having trouble talking, but thank you.

CHAIR HAMILTON: Yes. Take care.

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2. APPROVAL OF MEETING MINUTES

A. Request Approval of the April 12, 2022, Board of County Commissioners Meeting Minutes

CHAIR HAMILTON: Are there any changes, or what's the pleasure of the Board? Commissioner Hansen.

COMMISSIONER HANSEN: I'll make a motion to approve the April 12, 2022 Board of County Commissioners meeting minutes.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: Thank you. Motion by Commissioner Hansen and a second by Commissioner Roybal. Is there any further discussion?

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

B. Request Approval of the April 12, 2022, Board of County Commissioners Special Budget Study Session Minutes

COMMISSIONER HANSEN: Move approval.

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: Thank you. Motion and second. Is there any discussion?

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

3. CONSIDERATION PROCLAMATIONS, RESOLUTIONS, AND/OR RECOGNITIONS

A. Request Approval of a Proclamation Proclaiming May 1-7, 2022 as "National Small Business Week"

CHAIR HAMILTON: Commissioner Roybal, I'll go to you.

COMMISSIONER ROYBAL: Thank you, Madam Chair. So I'm going to read the summary really quickly and then I'm going to ask that we get the proclamation approved. Despite a worldwide pandemic, America is experiencing its strongest growth in almost 40 years. This is largely due to the resilience of our small businesses. Small enterprises continue to drive our competitiveness on a global stage and are the backbone of our economy and the cornerstone of our nation's promise.

When we support small business jobs we create a local community and preserve unique culture. New Mexico is home to 158,844 small businesses; 1,700 are in the unincorporated boundaries of Santa Fe County. Santa Fe County is committed to expanding its economy and development of traditional and cutting-edge small businesses. Santa Fe County has updated the economic development plan and creates new mechanisms and strategies that help small businesses grow, promotes locally produced goods and creates and adds to a viable local workforce.

We must support our local small businesses whenever possible. I'm going to go to Chris Hyer, but I do want to read the proclamation in a little bit later if that's okay with

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you.

CHAIR HAMILTON: Sounds good. Thank you very much. Mr. Hyer.

CHRIS HYER (Economic Development): Thank you, Madam Chair, Commissioners, and especially Commissioner Roybal for reading the proclamation. I just want to acknowledge that it is small business week across the nation and all counties were asked by the Small Business Association to recognize small businesses. As the proclamation states, we have experienced 40 years of the strongest growth that we've had in America and the resiliency is due to small businesses. They provide the backbone of our economies and also provide jobs.

So I very much congratulate all the small businesses across the nation and especially the 1,700 in Santa Fe County.

CHAIR HAMILTON: Thank you very much, Mr. Hyer. Before I go back to Commissioner Roybal I just want to add my voice to that. I'm so happy to have been cosponsor in this with Commissioner Roybal because it is so important to our county to have this many small businesses and to have that entrepreneurial spirit and the contribution to both our economy and our culture, and to thank you for helping bring this forward, Chris. Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Commissioner Hamilton, and I do want to thank you for cosponsoring this proclamation with me. If you like, you could read the proclamation into the record or do you want me to do it? I'll have you do it if you'd like.

CHAIR HAMILTON: Sure. I'll do it, if that's what you want. Proclaiming May 1-7, 2022, "National Small Business Week."

Whereas, America's strongest economic growth in almost 40 years has been driven by the resilience of our small businesses who, despite a worldwide pandemic, continue to pioneer innovative solutions to our country's greatest challenges and create opportunities for families and workers; and

Whereas, from the storefront shops that anchor Main Street to the high-tech startups that keep America on the cutting edge, to the small manufacturers driving our competitiveness on the global stage, small businesses are the backbone of our economy and the cornerstones of our nation's promise; and

Whereas, when we support small business, jobs are created, and local communities preserve their unique culture; and

Whereas, because this country's 32.5 million small businesses create nearly two out of three jobs in our economy, we cannot resolve ourselves to create jobs and spur economic growth in America without discussing ways to support our entrepreneurs; and

Whereas, Santa Fe County is committed to expanding its economy through the creation and development of traditional and cutting-edge small businesses; and

Whereas, New Mexico is home to 158,844 small businesses, accounting for 99% of all New Mexico businesses, of which 1,700 are in the unincorporated portion of Santa Fe County; and there are 343,648 small business employees, which accounts for 54.4% of all New Mexico employees, so we must support these local businesses by buying local and small whenever possible; and

Whereas, Santa Fe County has an updated Economic Development Plan that creates new mechanisms and strategies that help small businesses grow, promoting

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locally produced goods and creating and adding to a viable local workforce; and

Whereas, the President of the United States has proclaimed National Small Business Week every year since 1963 to highlight the programs and services available to entrepreneurs through the U.S. Small Business Administration and other government agencies; and

Whereas, Santa Fe County supports and joins in this national effort to help America's small businesses do what they do best – grow their businesses, create jobs, and ensure that our local communities remain as vibrant tomorrow as they are today.

Now, therefore be it resolved by the Board of County Commissioners that we proclaim the week of May 1 to 7 2022 as National Small Business Week.

COMMISSIONER ROYBAL: Thank you, Madam Chair. So I want to make a motion to approve this proclamation that will make May 1st through 7th National Small Business Week.

COMMISSIONER HANSEN: I second.

CHAIR HAMILTON: Excellent. So I have a motion and a second. Under discussion, Commissioner Hansen and then Commissioner Hughes.

COMMISSIONER HANSEN: So as someone who has lived in Santa Fe County for the last 49 years and has had a small business in Santa Fe County all of that time. And I still have a business license in the City of Santa Fe as a small business. I think this is a great proclamation. I think it is really important to recognize small businesses. Santa Fe County and City of Santa Fe have the most women small businesses and they make up a majority of the businesses in this community, and I am proud to be part of that group of individuals who have made Santa Fe such a unique and vibrant community.

I had many different businesses under a few names but Dakini Design was my last business name and I have been a designer of fabric, graphics and a photographer and I am grateful that I can make a living doing that here in Santa Fe. So thank you.

CHAIR HAMILTON: Thank you so much. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you. I just wanted to thank my fellow Commissioners for bringing this forward. I had no idea we had 1,700 small businesses. So I have only visited a few of them but I do try and shop local when I can, as we all should. And it's good to have this reminder. Thank you.

CHAIR HAMILTON: Thank you. That is excellent. I didn't quite know that number either and it gives real meaning to the Think Globally, Act Locally issue. So is there further discussion?

COMMISSIONER ROYBAL: Madam Chair, I just want to say thank you for my fellow Commissioners' comments. It's great, because my wife actually had two businesses in Santa Fe County as well, and I did have one but when I became County Commissioner I kind of didn't have the time to keep up with it. I agree wholeheartedly that small businesses are really what keep our economy going, so thank you to all those business owners.

CHAIR HAMILTON: Excellent. Thank you so much. So we do have a motion and a second.

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

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MANAGER SHAFFER: I'm sorry to interrupt, Madam Chair. I was informed that we're having some Webex audio challenges, and so I might respectfully suggest you take a short recess to allow IT to try and resolve those issues.

CHAIR HAMILTON: Thank you, Manager Shaffer. I will therefore call a recess. It is 2:32. Let's reconvene at 2:40 and if we're still having trouble we can extend the recess then. Thank you, so much, Manager Shaffer.

[The Commission recessed from 2:32 to 2:53.]

3. B. Request Approval of a Proclamation Proclaiming May 17, 2022, as "End Childhood Hunger in Santa Fe Day"

CHAIR HAMILTON: We go to Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. I think we all are extraordinarily concerned about childhood hunger, and when the Food Depot asked me to carry this proclamation for them I was incredibly honored. The Food Depot's Advocacy Committee researched and compiled information for more than a year for the Report to End Childhood Hunger in Santa Fe, the result of which will be released to the public on May 17, 2022. The report will represent several items to address food insecurity and poverty.

Santa Fe County is committed to ending hunger in communities as demonstrated in our partnership with the Food Depot, the City of Santa Fe, and many community organizations who are part of the CONNECT network. Requests for food assistance are among the most frequent made to the CONNECT network with 83 requests in the past month alone, 99 percent of which were resolved.

So I want to read this proclamation into the record and then ask for approval. So we are proclaiming May 17, 2022 as End Childhood Hunger in Santa Fe Day.

Whereas, at the request of the City of Santa Fe, a subcommittee of the Food Depot' Advocacy Committee researched and compiled information for more than a year for the Report to End Childhood Hunger in Santa Fe; and

Whereas, the global COVID-19 virus pandemic has intensified food insecurity and poverty issues in New Mexico, a state where these issues are one of the most severe in the United States; and

Whereas, if a family lacks the financial resources to meet its basic living requirements it is likely to suffer from insufficient food and food insecurity; and

Whereas, food insecurity and hunger are symptoms of poverty; and

Whereas, poverty is caused by systemic challenges such as lack of housing, education, healthcare and a livable wage; and

Whereas, efforts to combat food insecurity will only be successful if combined with a comprehensive effort to combat poverty; and

Whereas, Santa Fe County is committed to ending hunger in communities as demonstrated in partnerships with the Food Depot, the City of Santa Fe, and many community organizations who are a part of the CONNECT network; and

Whereas, requests for food assistance are among the most frequent in the

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CONNECT network, with 83 requests in the past month alone, 99 percent of which were resolved; and

Whereas, the Report to End Childhood Hunger in Santa Fe lists several items to address a significant reduction in poverty; and

Whereas, with a reduction in poverty comes a reduction in food insecurity and hunger for the residents of Santa Fe and the great state of New Mexico.

Now, therefore, be it resolved that we, the Board of County Commissioners of Santa Fe County, do hereby proclaim the 17th of May, as End Childhood Hunger in Santa Fe Day.

Thank you. So I'd like to make a motion to approve this proclamation.

COMMISSIONER HUGHES: And I'll second.

CHAIR HAMILTON: Excellent. Thank you so much. And thank you for bringing that forward. So I have a motion and a second. Is there discussion under this item? Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair and thank you, Commissioner Hansen, for bringing this forward and I'm glad that the proclamation talks about ending poverty among children because I think that's one of the most important things we can invest in is ending childhood poverty. It would solve so many problems in our communities if we were able to do that, and I'm sure this will move us in the right direction, the suggestions of the Food Depot. Thank you.

COMMISSIONER HANSEN: The Food Depot is a wonderful organization that we are extraordinarily fortunate to have in northern New Mexico, and the efforts that they are making right now for everyone including the people suffering from all the wildfires that they are feeding. But having homelessness, childhood hunger, poverty – they all go together and we all need to be working to resolve these issues to help our community.

CHAIR HAMILTON: Excellent. Thank you so much. Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair, and thank you, Commissioner Hansen, for bringing this resolution forward. Not everybody realizes how many children do go to be hungry at night right here in our districts. So I'm really happy to see this resolution come forward and I want to thank you. You're absolutely right. The Food Depot does amazing things for our communities and so I can't speak highly enough about that organization. They're such a great organization and I really thank god for them that they're there and I want to just thank you for bringing this proclamation forward once again. So thank you very much.

COMMISSIONER HANSEN: Thank you, Commissioner.

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Garcia.

COMMISSIONER GARCIA: There's a little bit that I can speak on this is actually a great proclamation. Being a member of the school board, as the Commissioner mentioned, [inaudible] Thank you to all the volunteers and the providers. It's a great item to bring forward, Commissioner Hansen.

CHAIR HAMILTON: Thank you, Commissioner Garcia. I couldn't agree with my colleagues more and I think we're extraordinarily lucky to have the Food Depot

and I can only imagine what they're doing while they're trying to address this long-time issue and addressing short-term emergencies at a major scale at the same time. Thank you very much for bringing this forward at this time.

COMMISSIONER HANSEN: Thank you.

CHAIR HAMILTON: So we do have a motion and a second on this.

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

4. CONSENT AGENDA

- A. Resolution No. 2022-028, a Resolution Requesting a Budget Increase to the Section 8 Housing Voucher Fund (227) in the Amount of \$25,607 (Finance Division/Yvonne S. Herrera and Housing Division/J. Jordan Barela)**
- B. Resolution No. 2022-029, a Resolution Imposing an Annual Liquor License Tax Upon Persons Holding State Liquor Licenses (County Treasurer's Office/Patrick Varela)**

CHAIR HAMILTON: Are there any questions or items the Commissioners want taken off for further discussion? Commissioner Hansen.

COMMISSIONER HANSEN: I'd like to make a motion to approve the Consent Agenda.

COMMISSIONER HUGHES: I'll second.

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

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

[Deputy Clerk Gantz and Clerk Clark provided the resolution and ordinance numbers throughout the meeting.]

5. APPOINTMENTS

- A. Request Approval of the Reappointment of the Community Board Member of the Santa Fe County Housing Authority Board**

CHAIR HAMILTON: We have Mr. Barela

JORDAN BARELA (Housing Director): Madam Chair, members of the Board, good afternoon. I'm here before you today to request approval of the reappointment of the Community Board Member of the Santa Fe County Housing Authority Board, Joseph Loewy, who is present in the chambers here today. If approved, Mr. Loewy's current term would extend through January 1, 2024.

Santa Fe County Resolution 2010-104, which establishes the Housing Authority Board further states that the Community Member must have expertise in the area of affordable housing in accordance with the US Housing Act of 1937 and Section 505 of the Public Housing Reform Act of 1998. The Community Board Member is appointed by the BCC and serves two-year terms.

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On May 28, 2029 the BCC amended the resolution establishing the Housing Authority Board to remove the limitation on the number of consecutive terms that many be served by the Community and Resident Board Members. Mr. Loewy, who's here today, has provided a letter of interest expressing his desire for reappointment and continuation of service as the Community Member of the Housing Authority Board and Mr. Loewy does meet the minimum requirements required by this board position and has a total of 19 years of relevant experience related to public and affordable housing. With that I will conclude my presentation and stand for questions.

CHAIR HAMILTON: Excellent. Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Yes, I just wanted to say thank you to Joe Loewy for being such a great public servant and such an asset to the Housing Authority Board and since he's my neighbor, I hope it's okay if I nominate him to be reappointed to the Housing Authority Board.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Excellent. So I have a motion and a second. Further discussion, Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Loewy, just congratulations. The institutional knowledge that you have for the housing, you have more institutional knowledge than all of us sitting out there probably combined. But great job. Thank you for your work, Mr. Loewy.

CHAIR HAMILTON: Thank you, Commissioner Garcia. I just want to augment that comment. It's been not only a pleasure but incredibly informative, the background and commitment that Mr. Loewy has brought to that board has been incredibly valuable, and so I really applaud his willingness to stick with it further and that's a real community contribution. Thank you very much. Commissioner Roybal.

COMMISSIONER ROYBAL: I just want to add to that, the same comment. That's why I refer to Mr. Loewy – I call him Commissioner Loewy. He's definitely put in his time here on this board and so I want to thank him for that, and just thank staff for bringing this forward. I think that this budget increase is really needed, so thank you.

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

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

COMMISSIONER HANSEN: Congratulations, Mr. Loewy. We are honored to have you serve our community. Thank you.

CHAIR HAMILTON: Thank you. We offer both congratulations and condolences. Thank you very much, Mr. Barela.

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6. MISCELLANEOUS ACTION ITEMS

- A. Request (1) Approval to Utilize the Houston Galveston Area Council Cooperative Purchase Agreement Pursuant to Ordinance No. 2012-5, Section 1, Outside Contracts, to Purchase a 2023 Dodge RAM 4500 4x4 Horton Type 1 Ambulance in the Amount of \$314,565.15, Inclusive of NM GRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order**

CHAIR HAMILTON: We're going to go directly to Mr. Taylor and we also have Chief Lindsey available for questions.

BILL TAYLOR (Purchasing Manager): Thank you, Madam Chair, Commissioners. It's a pleasure to be here today. The Fire Department is in need to replace an ambulance unit for their operations and as we've come before the Board before we're requesting to utilize an outside contract which is the Houston Galveston Cooperative Purchasing Unit. They have proven to be solid with their costs and price for these services. They've competed out these services for constructing and putting together these special type units. So with that, Madam Chair, with this action we're asking to utilize the HGAC contract, and of course the amount of the purchase requires BCC approval and I'll stand for any questions and defer to Chief Lindsey.

CHAIR HAMILTON: Excellent. Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Taylor. Welcome, Chief Lindsey. Good to see you. I just want to share with you something that happened last week that's really exciting and that is that New Mexico adopted the Clean Car Rule, and it is going to go into effect in July of 2022. So that means that EVs will be encouraged and tripled in the state. We will be matching with California on the Clean Car Rule.

So I'm hoping that any purchase that we make takes this into consideration. I know there are – I don't know about electric vehicles for fire trucks but I do know that there are many electric vehicles for sheriff deputy cars and that LA County is completely electric. So I think that it is something that we are following in the footsteps of California and moving towards this Clean Car Rule. I just want to remind us all about that and that we are facing extreme climate changes and we all recognize that with what is happening with the forest fires. And with that I will move to approve.

COMMISSIONER GARCIA: I'll second that I have some discussion.

CHAIR HAMILTON: Okay. So I have a motion and a second. Under discussion, Commissioner Garcia.

COMMISSIONER GARCIA: Where will that be located? Which station?

JACKIE LINDSEY (Fire Chief): Madam Chair and Commissioner Garcia, that is going to be going to Station 50 in Pojoaque.

COMMISSIONER GARCIA: And what happens to the old County ambulance there?

CHIEF LINDSEY: So we will rotate those. So as all of our units get older and they have longer mileage we work to replace those and then move those other trucks around the county. If it's not a unit that we're going to be utilizing we will put it for auction or we will give it to some of our partners around us who might be able to use those units.

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COMMISSIONER GARCIA: I was going to talk to our County Manager as well to just see if we can actually donate it to some of the smaller communities around us. But thank you, Madam Chair.

CHAIR HAMILTON: Thank you, Commissioner Garcia. Is there further discussion, questions? Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. Just sort of following up on Commissioner Hansen's comment. I just wondered, I think it might be a while before electric vehicles are able to meet the demands of an ambulance or a fire truck, but have we looked into hybrids? Are they starting to make hybrid ambulances? I have a hybrid car and the nice thing about it is the electric motor assisting the gasoline motor means that both of them actually last longer, so there's a lot of advantages to that. But I don't know if they're making ambulances that way yet.

CHIEF LINDSEY: Madam Chair and Commissioner Hughes, thank you for your question. I know that they actually have all electric fire trucks. We were talking I think at the last BCC a little bit about the one out in Hollywood. I don't know if they have the hybrid but I think for our county that might be a better first step. Again, I think it would probably be important to do a feasibility study, take a look, see what that looks like, see what the availability is of it. I think all of us are interested in cleaner air and being clear with those initiatives. So I can look into that and get back to you if you'd like.

COMMISSIONER HUGHES: Thank you.

CHAIR HAMILTON: Excellent.

COMMISSIONER GARCIA: Madam Chair, just on that note as well. I think a study would be good because how long does it take to charge a unit like that? I don't know if we've checked with our sheriff but if it takes three or four hours to charge that might be a little bit of a challenge. But if we could look into that that'd be great. Thank you.

CHAIR HAMILTON: Excellent. Thank you, Commissioner Garcia.

6. B. **Request (1) Approval of Amendment No. 2 to Agreement No. 2020-0186-CSD/CW Between Santa Fe County and Santa Fe Recovery Center, Increasing Compensation an Additional \$300,000 and Extending the Term of the Agreement for One Year for a Total Contract Sum of \$900,000, Inclusive of NM GRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order**

CHAIR HAMILTON: I'm going to go directly to somebody who doesn't seem to be standing in front of me but Mr. Taylor is so we're going to go to him.

MR. TAYLOR: Thank you, Madam Chair. Santa Fe Recovery is a non-profit organization whose mission is to work with individuals to sustain long life recovery from alcoholism, addiction and related mental health issues. With this action we're asking the Board to approve amendment #2 to their contract with Santa Fe County that extends the term for an additional year and adds \$300,000 to their compensation for a total contract amount of \$900,000. With that, Madam Chair, I'll stand for questions.

CHAIR HAMILTON: Excellent.

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Garcia.

COMMISSIONER GARCIA: It's an excellent program. If there's no questions I'll move for approval.

CHAIR HAMILTON: Thank you.

COMMISSIONER HUGHES: Second.

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

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

6. C. **Request (1) Approval of Amendment No. 5 to Agreement No. 2017-0196-PW/KE Between Santa Fe County and Iron Mountain, Extending the Term of the Agreement One Year and Increasing the Compensation an Additional \$76,500 for a Total Contract Sum of \$438,000, Exclusive of NM GRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order**

CHAIR HAMILTON: Once again, Mr. Taylor. Thank you.

MR. TAYLOR: Thank you, Madam Chair. The County has contracted with Iron Mountain to store its documents in a safe and secure facility since 2017. This contract amendment would extend the term and add additional funding or compensation for a total contract amount of \$438,000 since 2017. This amount is the cost to store those documents. There are additional costs associated with this contract for document retrieval, pickup, document destruction and those sorts of things.

We currently store over 8,000 cartons in Albuquerque at Iron Mountain. So with that, Madam Chair, I'm going to stand for questions.

CHAIR HAMILTON: Excellent. Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: I understand that this agreement is to increase compensation and I believe that is for retrieval of documents, since it seems to be quite pricey to retrieve documents. Is that true, Mr. Taylor?

MR. TAYLOR: Madam Chair, Commissioner Hansen, that's true. Document retention is a big business and all government entities are required to meet those requirements. They need to be held in a secure and weatherproof condition and they're indexed there. There are additional costs that are charged in the contract per carton for retrieval if we need to pull documents out of there and also for coming and picking up document. So there's pickup and retrieval costs associated with this contract.

COMMISSIONER HANSEN: I know we have spoken about possibly moving from that location but since this agreement is for one more year I think we need that time in order to make the additional changes. So with that I will make a motion to approve.

COMMISSIONER GARCIA: I'll second it for discussion.

CHAIR HAMILTON: Thank you. I have a couple of people for under discussion. So I have a motion and a second. Commissioner Hughes and then I'll go to Commissioner Garcia.

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COMMISSIONER HUGHES: Thank you. I just was wondering if we had a rough time line for when we would have our own storage facility. I know it's probably a pretty big project to get that fixed up. I just wondered if we were thinking how many years in the future that was going to be.

MR. TAYLOR: Madam Chair, Commissioner Hughes, it has been discussed. It is going to take a monumental task. There are cartons there that each department within the County have to go through and see if they need the term date of their retention, if there's actually documents there that need to be retained. That hasn't been done for some time. So we do need to extend and I appreciate Commissioner Hansen's motion, so that we can devise a strategic plan to at least take the initiative to reduce that storage space and possibly move to a County-owned facility. But the discussions have begun and that's where it's at now, Commissioner.

MANAGER SHAFFER: In addition, if I may, Madam Chair, Commissioners. Included within the fiscal year 2023 budget request for the Legal Department are funds to contract with a third party consultant to help provide some expertise relative to that transition and the goal would be to have at least recommendations to the Board before or as part of the next budget cycle. So that would be the scheme and what we're trying to accomplish. And that could be a mix of digitization so that you're getting rid of the hard copy records as well as moving them to County facilities.

CHAIR HAMILTON: Excellent. That actually answered my question.

COMMISSIONER HUGHES: And it answered mine, so thank you.

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

COMMISSIONER GARCIA: Just to add to that, I thought an example in projects – really, really busy, like all the land use records and the County Clerk's records, I thought the intent was actually to utilize the building on West Alameda, the old HR building, to have our storage facility, but I know the County Manager can make a study. So I thought that was the intent a while back. Just food for thought.

CHAIR HAMILTON: Okay. Thank you, Commissioner Garcia. I imagine all of those things will be taken into account when the County is looking into this. We're glad to hear that. If there's no further discussion I have a motion and a second.

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

- 6. D. Request (1) Approval of Amendment No. 3 to Agreement No. 2019-0201-FD/CW Between Santa Fe County and Shane Therapeutics, LLC, Extending the Term of the Agreement One Year and Increasing the Amount of Compensation an Additional \$136,976 for a Total Contract Sum of \$585,928, Inclusive of NM GRT, and (2) Delegating Signature Authority to the County Manager to Sign the Purchase Order**

CHAIR HAMILTON: Once again we'll go to Mr. Taylor.

MR. TAYLOR: Thank you, Madam Chair and Commissioners. The

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services that this agreement provides includes an independent, clinically licensed social worker as part of the two-person team with the Santa Fe County Fire Department to engage with individuals and outreach services to identify opioid overdose survivors and work with identified individuals. This, again, Madam Chair and Commissioners, is an action to approve amendment #3, increasing the compensation about of \$136,976 for a total contract sum of \$585,928, and also extend the term for an additional year. With that I'll stand for questions.

CHAIR HAMILTON: Thank you. Any Commissioners have questions? Just to clarify, this is an extension, so this position has been in play for a couple of years now, right?

MR. TAYLOR: Madam Chair, that's correct.

CHAIR HAMILTON: That's what I thought. Just double-checking. Commissioner Hansen, did you have anything?

COMMISSIONER HANSEN: Yes, I wanted to make a motion to approve.

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: Thank you. I have a motion and a second. Any further discussion?

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

6. E. Request Approval of Agreement No. 2022-0226-ATT/MM Between Santa Fe County and Durham, Pittard & Spalding, LLP, to Continue to Provide Legal Counsel Services for Opioid Investigation and Litigation on a Contingency Fee Basis

CHAIR HAMILTON: Mr. Taylor. I haven't seen you in so long.

MR. TAYLOR: Thank you, Madam Chair. The County entered into an agreement with the firm of Durham, Pittard & Spalding to continue to provide legal counsel regarding the investigation and litigation related to opioid manufacturers and distributors. This contract will expire in June. This action will continue those services. Approval of a new agreement, because of the professional services level of the contract it can only go four years so we did a procurement method determination that they are involved with this procurement through the four years and it would be a sole source procurement. It was posted and no protests were received for that procurement method and therefore we're entering into a new four-year term contract with the firm to continue that litigation. There's no cost to the County with this contract unless there's a settlement of some sort. And with that I'll stand for questions.

CHAIR HAMILTON: Excellent. Thank you. Commissioner Hansen and then Commissioner Garcia.

COMMISSIONER HANSEN: Thank you, Bill. I am grateful that we have engaged with these attorneys to pursue opioid litigation against the big pharma opioid distributors. I think they have served us very well so far in the last four years and this is something that I have been very concerned about from the first time I was elected and I am grateful that the County and the Board have found that this was an important suit to be part of. So with that I would like to move to approve this agreement between Santa Fe

County and Durham Pittard & Spalding.

COMMISSIONER GARCIA: Second.

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

COMMISSIONER GARCIA: I was just asking if there was a cost but Mr. Taylor said there's no cost. But just I'll second the motion.

CHAIR HAMILTON: Okay. Great. Thank you very much. Is there any further discussion or questions? Seeing none.

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

- 6. F. Request (1) Ratification of the County Manager's Execution of Amendment No. 2 to Agreement No. 2019-0003-PW/KE Between Santa Fe County and Souder, Miller & Associates (SMA); (2) Delegation of Signature Authority to the County Manager to Execute Amendment No. 3 for the Contractor to Conduct Cultural Resource Mitigation, as Requested by the New Mexico State Historic Preservation Officer (SHPO), for the Northeast/ Southeast Connector Road(s) Project; and (3) Authorization for the County Manager to Execute the Purchase Order Associated with Amendment No. 3**

CHAIR HAMILTON: I will go directly to Bill Taylor.

MR. TAYLOR: Thank you, Madam Chair, Commission. We entered into the contract for engineering services with Souder, Miller and Associates related to northeast/southeast connector project. Based on a review by the project's resource investigations they found that there is a significant site within that area and we're requesting an amendment to their contract to include the cultural resource services that we're requesting.

Additionally, we're requesting action ratifying the County Manager's signature to amendment #2. Amendment #2 actually increased the contract amount by more than 10 percent and required BCC approval. That was an oversight on our part and we apologize but we do ask that the Board consider ratification of amendment #2 and also delegate signature authority to the County Manager for amendment #3 that would include the amount for the cultural resource mitigation. Madam Chair, and I'll stand for questions.

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: So I'd like to make a motion and then discussion.

CHAIR HAMILTON: Okay.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: So I have a motion to approve and a second. And under discussion, Commissioner Garcia and then Commissioner Hansen.

COMMISSIONER GARCIA: So Madam Chair, how far complete are they with the arc study?

MR. TAYLOR: Madam Chair and Commissioner Garcia, the cultural

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study and mitigation has not yet begun but I would prefer to defer to Director Snyder to come in on where the engineering firm is exactly.

COMMISSIONER GARCIA: I was just wondering if we were amending and they haven't started the study yet. So that's just a question that I have.

MR. TAYLOR: Correct, Madam Chair, Commissioner. So this would allow us to give a notice to proceed if approved to the design team to begin the cultural mitigation, through amendment #3.

COMMISSIONER GARCIA: So with actually complete the study, then e go through amendment #4, amendment #5? Or with this actually complete the study?

BRIAN SNYDER (Public Works): Madam Chair, Commissioner Garcia, this work will – we're working in concert with the SHPO and this mitigation work will accomplish what the requirements are of SHPO to document this historic rail bed. This work should be wrapped up within the next couple months and if this is approved this afternoon, it won't affect the schedule of this project.

CHAIR HAMILTON: Thank you, Mr. Snyder. Does that address you question, Commissioner Garcia?

COMMISSIONER GARCIA: Thank you, Madam Chair.

CHAIR HAMILTON: Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. Thank you, Mr. Snyder and Mr. Taylor. So besides the rail bed – I think it's the old Chili Line there, or what line was it that is part of this rail bed that they are considering?

MR. SNYDER: Madam Chair, Commissioner Hansen, I'm not sure. It's just called out as New Mexico Central rail bed. I don't have the history on it, if it's the old Chili Line rail bed or not. But it was a 116-mile long rail that has historic –

COMMISSIONER HANSEN: I know where it is on the property. I'm familiar with it because of my past work with Oshara. But also there's another site also out there of cultural significance, so I'm wondering if that's already been categorized.

MR. SNYDER: Madam Chair, Commissioner Hansen, the only work that's being done as part of this amendment #3 is the rail line. All other work on the site, I understand, has been cleared and the only outstanding item is to have this rail looked into further and mitigated with SHPO.

COMMISSIONER HANSEN: And so what does it mean, mitigated?

MR. SNYDER: Madam Chair, Commissioner Hansen, through concert with SHPO it's my understanding that they need to do archival research and report the documents, the historic context of the rail bed in this area, document that in a report, and so we can turn that into SHPO and that's the level of work that will be required as part of this to clear it.

COMMISSIONER HANSEN: Will it be protected? Will it be documented? What will be the outcome of this report?

MR. SNYDER: Madam Chair, Commissioner Hansen, it's my understanding that this is eligible for a National Register of Historic Places and everything that goes along with that. So this report will feed into that eligibility. We will document it and report and then turn that over to SHPO and it will be eligible for a historic place.

COMMISSIONER HANSEN: Okay. Thank you very much.

CHAIR HAMILTON: Commissioner Hughes.

COMMISSIONER HUGHES: Thank you. I just have a comment, which is I've walked along that rail bed and I'd be really interested to learn the history if that is what we get out of this study. I think I had heard that it was old Chili Line but I'm not sure either. Thank you. That's all.

CHAIR HAMILTON: Excellent. Is there any further discussion? So if I'm not mistaken I do have a motion and a second on this.

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

6. G. Request Approval of the Waiver of the Santa Fe County Purchasing Regulations and Policy Manual Limits Concerning Small Purchases to Allow Small Purchases Up to the Maximums Established by the State Procurement Code for the Remainder of Fiscal Year 2022

CHAIR HAMILTON: Mr. Taylor.

MR. TAYLOR: Thank you, Madam Chair, Commission. In 2006 the Board passed and approved Resolution 2006-60 which basically are the purchasing regulations and policies for Santa Fe County. It actually adopted the State Procurement Code. We follow the State Procurement Code. But within that resolution it did set certain thresholds for small purchases. The current small purchase thresholds for the County are up to \$20,000 for goods and services. We're allowed to purchase items up to \$5,000 with the best obtainable price, one quote. If it's more than \$5,000, up to \$20,000, they require three written quotes are obtained and we take the best price for the County. If it's over \$20,000 we're required to go out for formal solicitation or utilize contracts where there was a competitive, cooperative procurement that was done.

The state adopted, the legislature passed, modified the small purchase threshold in 2012. The County was considering changing our thresholds at that time but decided that we would maintain what we had. What this action today will do is it would temporarily adopt the current small purchase thresholds that are held within the State Procurement Code for small purchases, and for the remainder of the fiscal year. Those thresholds for the state would be up to \$20,000/best obtainable price. The would be required to – the County would be required to obtain the best and we could call around and get quotes and get a quote verbally for the best obtainable price.

Between \$20,000 and \$60,000 for goods and services would then require three written quotes. Above \$60,000 would require either an invitation for bid or a request for proposal, or use of a cooperative agreement. And with that, Madam Chair, I'll stand for questions.

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Thank you. You've come in second. I'll get right to you. First, Commissioner Hansen and then Commissioner Garcia.

COMMISSIONER HANSEN: Thank you, Madam Chair. So thank you, Bill, for bringing this forward. We are in severe inflation mode and I think that this is pertinent to raise the limits, but I also would like to see us write a new policy and I believe that you are working on that. Is that correct?

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MR. TAYLOR: Madam Chair, Commissioner, that's correct.

COMMISSIONER HANSEN: Okay. That's what I thought I read, so just wanted to hear it verbally. Because I think it's important that we be in line with the state, especially since we use so many of their purchasing avenues. So I think that this is an important step forward during this unprecedented time of inflation and change that we are all facing. So with that, Madam Chair, I wish to move to approve.

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: Thank you so much. So I have a motion and a second. Under further discussion, Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, I think the conditions are very good. How come it's just until the end of June?

MR. TAYLOR: Madam Chair, Commissioner Garcia, this action today is through June 30th of this fiscal year. This is to get us through the fiscal year. However, we will be coming to the Board presenting policy that would be adopting and increasing those thresholds with certain safeguards that will be in place to assure that the County would still obtain the best price and make our procurements – continue with our procurements being fair and competitive.

COMMISSIONER GARCIA: Thank you, Madam Chair.

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

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

7. PRESENTATIONS

A. Presentation Concerning the Santa Fe Entrepreneurial Ecosystem

CHAIR HAMILTON: I find this incredibly intriguing. Mr. Hyer and Alex Fitzgerald

MR. HYER: Thank you, Madam Chair, Commissioners. My name is Chris Hyer. I'm the Economic Development Division Director in the newly created Community Development Department. Today is a presentation of the Entrepreneurial Ecosystem, which is an initiative of our new economic development plan to provide a web-based platform of available resources for small businesses to easily find. This is another initiative along with our broadband action plan that we presented last meeting that are due to our forthcoming plan.

We will have more items for you in the coming meetings that are helping us to make our ED plan more useful. For instance, we'll be making a presentation on marketing and advertising at the County at the next BCC meeting, a presentation that will be done by Ms. Lisa Katonak. But today I would like to introduce Mr. Alex Fitzgerald who will be making today's presentation on the entrepreneurial ecosystem.

ALEX FITZGERALD (Economic Development): Madam Chair, Commissioners, it's a pleasure to be here. Thank you, Mr. Hyer, for the introduction. So this is the Santa Fe entrepreneurial ecosystem – a little bit of a mouthful, but it is a great tool for our local business community. It was built in partnership with the Community Partnership Office at Los Alamos National Laboratories in the City of Santa Fe.

So what exactly is it? So it's an online searchable database listing all sorts of resources for our small business community and entrepreneurs. It's categorized by resource type and industry specific resources. You see an image on this power point and you can see different types of resources, whether it's funding, whether it's workforce development. We also have a category for industry, highlighting our industry clusters. So we also tried to categorize the resources that will be applicable for each one of our industry clusters.

So this resource is online. It's targeted towards our local business community entrepreneurs, anyone who might be interested in growing or starting their own business. To access it, we have it on our Santa Fe County Economic Development page. We posted a newsletter. The City has it on their website as well. You can see the banner there. This is what it looks like on our actual website. Just click through and it takes you directly to the resource. And I'll dive into the resource here soon in the coming slides and give you just an on the ground look of what it actually looks like.

Why was this created? This was created to improve information and access information for our local business community and entrepreneur community. Business owners are very busy running their business. They're heads-down, moving forward, trying to run a successful enterprise. They don't always have time to search out all the resources that are available to them. There's so many resources out there that they can access, so this serves as a launching point where they can go and see everything that's out there that's contextualized to Santa Fe County. So it's a great way for them to learn and access these resources.

We also wanted to improve regional collaboration between local governments, i.e., ourselves and the service providers. How we do this every year, we survey the service providers that exist in our community to serve our local business community. They give us feedback. They tell us about their programming. We put it on this resource platform and it allows us to work collaboratively to understand the full scope of programming that does exist, and also identify gaps that do not exist and help us inform future policy and programming and things of that nature.

We also want to increase the connection between the Economic Development Division and our local businesses, and so our contract information is on there. This serves as launching point and onramp for them to come onboard and partner with us to help them find resources and grow their business, start a business, whatever it may be.

And so we get a lot of active users on this website and a lot of people calling us asking us about services that are out there and of course we help them get connected, do a warm handoff where we can. And so those are kind of the main reasons it was created.

With that I'll do a demo and we'll talk about next steps and then take some questions. I'm going to move over here. So this is the actual landing page for the resource. It's a pretty picture. You can see more of the mission of why this was created, and again, it's to help support existing businesses or start-up businesses access resources that are available for them. This is the banner that was in the original presentation you saw, and again, you can see there's all sorts of resources here. And so if I'm a business who's looking for some workforce development resources I would simply click that and hit "explore resources." It will list all sorts of available organizations that are in this work doing great programming and you can simply click through and see what they offer and

how they offer.

Again, this is for us to inform the small business community of the resources out there and so we often work with them to make that warm handoff. But if someone's not quite ready to dive in deep they can still explore these resources on their own as well. As you can see, there's approximately 12 organizations if not more on here. Just listing all the areas they can get help as it related to education or workforce development.

We can also scroll back up to the top. Usually there's a back to the top cursor at the bottom, and we can do the same thing for our industries. And so film and digital media is a large cluster in Santa Fe County. It's an industry that we've identified that's well poised for future growth. And so if I was a movie company, anything of that nature, I could click explore resources and learn about all these great organizations that exist to support that segment of the economy.

And so that's just a very quick overview of what this offers. I invite anyone to check it out. Go to our website, click the banner and explore and share amongst your constituents in the community as well. With that I will switch back over to the power point and just touch on the next steps. The next steps for this is to develop – this is really the ground floor of this resource. We want to develop a long-term management plan. Currently, LANL hosts this resource, and we are in the process of working with LANL to bring that over to Santa Fe County to run and manage where we can do more innovative and timely updates to this. Right now we're limited by what LANL can provide and they've been a great partner. And so we are all talking together about how we can bring this into Santa Fe County to host and make a great resource for our business community.

We're also exploring other value added options. Like I mentioned, this is kind of an onramp for businesses to learn about the resources and organizations. We want to find ways to get more feedback out of this to really do warm handoffs and really do a much more comprehensive collaborative ecosystem to support our local business community. With that, I'll stand for any questions or comments.

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

COMMISSIONER HANSEN: Thank you, Alex, very much. I appreciate this resource. I think considering we have a large number of small businesses this is the kind of thing we need to provide for them but we also have a large number of non-profits. And so I'm wondering if that is part of this mechanism for the ecosystem. I'm not sure I saw a non-profit button.

MR. FITZGERALD: Madam Chair, Commissioner Hansen, it is –

COMMISSIONER HANSEN: Wait. I do it. Okay. I apologize. So under the non-profit button I want to make sure that as the president of the Northern Rio Grande National Heritage Area that we are listed. We have now raised our grants to \$10,000 for a small non-profit, which I think is really important. I want to let everyone know that the City of Santa Fe appointed Councilor Garcia to the board. Also Mayor Pascual Maestas in Taos appointed Corilia Ortega, a new councilor, and in the chair of the County Commission it's Elaine Vigil in Taos and she is also a member of the board. Also some new additions which are also familiar names, our Eric Vasquez and Charlotte Roybal, and we're about to do strategic planning. So I feel like this would be a good launching pad for them.

But then my other question is is this a place where like AgriGate can join forces so that we can start really getting AgriGate up and running so that we can provide farmers with the mechanism to provide food to local restaurants and local restaurants can – I really believe that the whole concept of AgriGate is a really important idea, especially for our farmers. And so I would like to see that promoted as much as possible as something that Santa Fe County I think can be really proud of but I think it needs some robust injections of resources.

MR. FITZGERALD: Madam Chair, Commissioner Hansen, we work closely with the AgriGate team and this resource is a resource that I would say is a step below the AgriGate. The AgriGate would be a more intensified approach and we certainly have an agricultural component to this resource. And what we're wanting to do is get businesses exploring that, and we can certainly list the AgriGate and then work with them more intensely with programming around the AgriGate. And so I think it does complement very, very well, and actually we're in the process of developing plans to make AgriGate for several of our industry clusters as well, because it's a great resource. We want to be sure that we implement that same type of model as it relates to the heritage organization. I can certainly send the contact information and we'll get you plugged in on there if you're not already plugged in on there for sure. We'd be happy to do that.

COMMISSIONER HANSEN: Thank you very much.

CHAIR HAMILTON: Thank you, Commissioner. Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair and I want to say thank you, Chris Hyer and Alex Fitzgerald for the presentation. This is going to be a really great resource for our constituents so I really appreciate that and I appreciate the partnerships that I saw as well. I know I saw the Northern New Mexico Workforce Development Board is on there, LANL. I saw quite a few, and so it's really exciting and I'm sure as Commissioner Hansen mentioned, I think that we can expand as time goes on. So I really just want to thank you for this presentation and I'm excited to see it get going, so thank you.

MR. FITZGERALD: Thank you.

CHAIR HAMILTON: Thank you. Is there any further discussion? This was really interesting. I think your group is really moving ahead with a lot of things that will be incredibly supportive for the County, giving help to entrepreneurs and to economic development in general. So it's exciting to see this. Thank you so much.

MR. FITZGERALD: Thank you, Madam Chair. Thank you, all.

CHAIR HAMILTON: Thank you.

9. MATTERS FROM THE COUNTY MANAGER

A. COVID-19 Updates

CHAIR HAMILTON: So this takes us – this is where we made a small change so we could get public comment closer to the items that are being considered later. So we're skipping over 8 and going to 9. Mr. Shaffer.

MANAGER SHAFFER: Thank you, Madam Chair and Commissioners. With regard to COVID-related updates, over the weekend including Saturday, Sunday and Monday there were 707 new cases reported, which translates into an average of about

236 per day. The CDC reports that the community level in Santa Fe County continues to remain low. In light of all of that, we hope to be transitioning before our next meeting or our meetings in June at the latest to allow in-person attendance by members of the public. We are currently working with the exclusive representative of our AFSCME 1782 bargaining unit on a revised visitors screening policy and we hope to reach agreement to allow that screening process to be done utilizing technology as opposed to human resources and we believe that will help facilitate opening the building to in-person attendance at the Board of County Commissioners meeting.

We will likely continue to have a remote option for those members of the public who do not wish to come to a meeting indoors due to COVID concerns, but in addition we believe that while clunky at times the virtual attendance option does help further public participation in democracy, and so we would want to try and maintain that going forward.

There is an upcoming vaccination event for those who are ages 12 and up, both Pfizer and Moderna vaccines are being offered on Thursday of this week at the Midtown Public Safety Building at 1600 St. Michael's Street from 10:00 am to 3:00 pm. I think that's all we have by way of COVID-19-related updates.

9. B. Miscellaneous Updates

MANAGER SHAFFER: I did want to provide under Miscellaneous updates a lot of information relative to what we are doing as a County to help assist with the wildfires that are burning elsewhere in the state. First, the Fire Department deployed four regional members or career staff to the Calf Canyon-Hermit's Peak fire on Sunday, May 1st and today four additional regional members were rotated to relieve those who were initially deployed. We greatly appreciate the willingness of those career staff members to be deployed outside the county to assist with our neighboring counties.

In addition, that obviously places a burden on other staff and so we appreciate everybody stepping up to help backfill on the shifts that were missed and doing their part so that we can, again, help our fellow counties.

In addition, it's my understanding that the Fire Department has worked with District Chief Coyne to staff a district med unit and squad to add additional resources during these unprecedented weather and fire events. Med 20 and Squad 60 are staffed with all district members and they've been staffing 12-hour shifts over the last week, and will continue as needed this coming week. Those units have assisted at the Glorieta shelter and in the county to backfill when regions are pulled to fires and/or extended incidents. So I appreciate that work and it's further evidence of the importance of our district volunteers to our combined Fire Department.

In terms of other assistance that we've been providing, Assistant Fire Chief Martin Vigil has been assisting with the Glorieta Camps shelter on their management team. They've sheltered over 500 people at a single time throughout the time that they've been open to accept those that were displaced due to the fire. In addition, the World College has over 250 students who are in school and are else helping in the shelter operations.

Our emergency management coordinator, Ignacio Dominguez, has delivered

water in one of our shelter trailers with 250 cots to Highlands University. A second shelter opened late last week at the Chavez Center to anticipate a greater need for sheltering in the days and weeks to come. The Fire Chief is actively working with our HR Department and Legal Department to create a mechanism that would allow our district members or volunteers to help with wildland fires in a manner that would allow them to be more appropriately compensated for the time they spend on such deployments.

In addition, plans are being developed to allow the Black Canyon hand crew to also deploy once the City of Santa Fe's team returns from deployment.

We're participating in ongoing meetings with the State Emergency EOC and the cooperators' meetings relative to the ongoing fires. The Santa Fe County Firefighters Association began collecting donations last week for the Glorieta Camp shelter. The community response, we're pleased to report, was overwhelming and they quickly met the needs of the donations request by collecting 40 to 50 comforters, 100 sets of linens, 60 large bags of usable clothing, toiletries, batteries, flashlights, and new undergarments. So I appreciate the community's support for those who are in needs and obviously that will be an ongoing need throughout what promises to be a very trying wildfire season.

Finally, the Fire Department has worked with your constituent services liaisons to organize two townhalls with several Commissioners to help bring awareness to the community on preventing and preparing for wildfires. The Fire Department will be presenting the Ready, Set, Go planning and show how that is tied into the Calf Canyon-Hermit's Peak fire, as well as have staff on hand to help citizens sign up for Alert Santa Fe emergency alerting communication system. Again, this will be a combined regional and district effort to help educate and prepare citizens for what may come this fire season.

The two townhalls will be held tomorrow, Wednesday, May 11th at Hondo fire station #2, off of Old Las Vegas Highway at 5:30, and Wednesday, May 18th at the Pojoaque fire station, which is also at 5:30 pm. There is a flyer for those townhalls which we'll be sure to make available to you and I believe it's also been sent out to our email distribution list.

With regard to other support being provided by another department in the County, the Community Services Department responded to a need for food delivery for Mora residents that were displaced by the fire who are staying at the Lodge in Santa Fe. We're working with the Food Depot and YouthWorks who are part of our CONNECT network for this need. In addition, CSD staff met with the Head of Glorieta Camps and is distributing literature on our CONNECT network and program as well as on La Sala so that people who are in need are aware of our services on both fronts, the behavioral health front and other social determinants of health.

The County Fairgrounds is housing displaced pets, including those from the Las Vegas animal shelter, as well as some pigs, goats, chickens and a llama. They are now at capacity for animals and have been receiving donations of pet food and cases of water. So again, another continuing area of need as we help our neighbors during this trying time.

On the good news front, our Community Services Department was awarded or will be awarded the National Association of Counties best in category for human services. That award will be presented at the NACo annual conference in Aurora County on July 23rd. So congratulations to CSD for that honor and more importantly for the recognition of the important work they do for our community.

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Speaking of which, CSD is launching a fentanyl public awareness campaign focusing on youth and their families this week. That is again an effort to combat the rise in fentanyl use, particularly among teenagers, as well as the associated toll including death that that use takes throughout our community. This effort will include printed materials as well as online and social media and radio ads, and there's been a press release going out today, I believe as well, relative to that public awareness campaign.

Finally, the Earth Day team hosted planting events over the last three Saturdays in districts 1, 4, and 5. This Saturday's event is scheduled for Edgewood Senior Center at 114 Quail Drive in District 3, and the final event will be in District 2 at the Camino de Jacobo public housing development on May 21st from 9:00 am to noon. Constituents can pre-register online at www.santafecountynm.gov/earthday. So I believe that does it for Miscellaneous updates.

CHAIR HAMILTON: Before we go on – I'll come to you in a sec. First of all, I think everybody's going to want to acknowledge and thank the entire Fire Department for what they're doing. It's a huge effort that they're managing. And just in fairness, the volunteer in chief is Chief Dan Coyne – makes it a little easier. As I think I mentioned to the Chief and the Fire Marshall and Commissioner Hughes that word has it that the public meeting tomorrow is expected to have a huge turnout due to the concern of the citizens. So pre-emptively, they really appreciate that that's going to take place. Commissioner Hansen.

COMMISSIONER HANSEN: After bringing forward the resolution to end childhood hunger the report was going to be released at a press conference on May 17th, the Food Depot has postponed that because at this time the Food Depot is involved with providing wildfire/disaster relief, and so they are postponing that to another time. So I felt like this was an appropriate time to mention that.

Also, the next townhall will be at the Pojoaque fire station, May 18th at 5:30? Is that correct? I'm checking my notes.

CHAIR HAMILTON: Yes. That's correct.

COMMISSIONER HANSEN: Thank you. And then on the NACo award, I'm so excited. I have been pushing the former County Manager to submit all the good work that we do at Santa Fe County to NACo and so I am thrilled that we got an award and are recognized for all the good work that we are doing in Santa Fe County.

CHAIR HAMILTON: Excellent. Thanks so much. So thanks for that, Manager Shaffer, and I just wanted to get those items that were related to the Miscellaneous Updates and we can go on to budget updates.

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Congratulations to Mr. Shaffer on your first presentation as County Manager. I've got a couple questions in regards to the Firefighters Association, if people want to donate items, where can they donate items at?

CHAIR HAMILTON: I think our Fire Chief may have an answer for that. She just stood up. Welcome Chief Lindsey.

CHIEF LINDSEY: Madam Chair, so I think the question was where can people take donations? One thing about our disasters is the donations turn into the disaster within the disaster, so we only ask for any donations that are specifically needed.

The Salvation Army right now is leading the charge for all donation collection at Glorieta Camps. I'd be happy, Commissioner Garcia, to get you a phone number so you can pass that along if you'd like to, so that we can make sure that they get to the right place and that they're getting the right things.

CHAIR HAMILTON: Excellent.

COMMISSIONER GARCIA: Yes, I'd like that number. And then once again thanks to all the firefighters that are helping out to our neighbors.

CHIEF LINDSEY: Thank you, Commissioner. They're doing great work.

CHAIR HAMILTON: Thank you.

COMMISSIONER GARCIA: Yes, they're doing great work. Thanks to all the firefighters that are out there helping out.

CHAIR HAMILTON: Thank you, Commissioner Garcia.

COMMISSIONER GARCIA: And I think that's all I have. Thank you, Greg, Manager Shaffer. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you. So let's go back to Manager Shaffer.

MANAGER SHAFFER: Thank you, Madam Chair and one other thing I did want to mention, just because it may be of interest to the Board is that yesterday I did approve an amendment to a memorandum of understanding with the Santa Fe Community College for a fiber optic installers certification as part of the professional readiness and technical experience for careers training program that the County funds. This was scored as a COVID-19 expenditure, both because the primary source of funds was ARPA funding and because broadband access has been identified as a critical need by the COVID-19 pandemic. So the cost was about \$60,000 for the certification training program, but again, I thought that that may be of interest to the Board, both because it's further implementation of ARPA approved funding by the Board of County Commissioners and continues to help build our workforce to meet the critical need relative to broadband access.

9. C. FY2023 Budget Preparation: Update and Request for Preliminary Direction on Specific Items [Exhibit 1: Power Point on Revised Budget]

MANAGER SHAFFER: With that, the next item under Matters from the County Manager is really our Finance Division Director, Ms. Herrera, and it's our fiscal year 2023 budget preparation. It's an update on where we stand both in terms of revenue projections and expenditures, as well as a request for some preliminary direction on specific budgetary item.

CHAIR HAMILTON: Excellent. Thank you so much. Thank you, and welcome, Director Herrera.

YVONNE HERRERA (Finance Director): Madam Chair, Commissioners, so the presentation we have before you is an update of the last presentation that we had a couple weeks back. Some of the updates that were made to our budget timeline was to identify the purpose of the meetings that we have in May. So May 10th, today, will be the update of new numbers and recommendations that we are presenting to the Board for approval as part of the interim budget. And then we will schedule a special BCC meeting on May 26th for the approval of that interim budget, and then after that then we'll proceed

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to continue to look at revenues to see how they're coming in, look at how departments are spending, especially now that we are getting closer to year-end, and then look at anything related to capital and make those type of adjustments to the interim budget to bring the Board the final budget for fiscal year 23.

We have our population goals, which we always try to keep in mind through this entire process, and then we have revenue and expenses, as opposed to be as of 4/20, which I mentioned before didn't have anything to do with anything but the date itself. The information before you is as of April 30th. Not much has changed. Most of the revenue had been receipted. There was some additional changes to expenditures specifically related to payroll, the way that processes. This time I made sure to correct the slide with the transfers. Last time we met there was a little bit of confusion. Once slide had the transfers removed; the other two did not so it kind of inflated the number that we were looking at.

So our first updates for 2022 revenues as of April 30th. Revenues are coming in at \$164 million. At the last presentation we had already received property tax and GRT, so there wasn't significant change from the last presentation other than charges for services, utility charges, licenses and permits, keeping in mind that we are still – now that we're in the process of trying to record everything that we can in April. So there will be some minor adjustment but nothing that would be significant enough to discuss. And then we have the department expenditures. Again, it's as of April 30th. So far departments have spent just under 60 percent of their budget that was approved for fiscal year 2022 at \$123 million for the year to date.

And using the April 30th numbers, we are projecting out to June 30th. Again, some slight differences because the significant portion of our revenue, which is the property tax and GRT was already receipted as part of the previous presentation, not much changed in the projection. But we still have the last two months which we will continue to review and look at, especially with GRT to see if we see any kind of decline or any kind of continued growth, or a level trend, which will help us determine if our projections for fiscal year 23 are in line, are too high, or too low.

For the department requests, nothing was changed for them from the last presentation. There will be some minor adjustments. I believe at the last presentation I had mentioned we had received an additional \$200,000 of budget cuts from departments that we were not able to include in the presentation and we've chosen to keep them out for this presentation but will include them as part of the interim budget request.

Now, as far as what we are seeing for fiscal year 23, we did re-evaluate some of our revenue projections, specifically gross receipts, the operational portion of it, as well as other taxes and assessments, other charges for services, and investment income. We believe that based upon what we've seen historically our revenue projections were a little bit low. However, we will continue to look at actuals to make sure that the adjustments that we did make for those specific line items won't be overstated.

With that, on the next slide we're presenting what we had originally estimated to be our revenue at the last presentation of \$184 million, and what we presented as of 4/12, 4/26, which actually should have been updated to May 10th. So the difference was \$14 million at that time, and the adjustments that we did make, as I mentioned wasn't in property taxes, which we actually increased I think about \$2 million, is what we had

added, and then other taxes and assessments, other charges for services and investment income, for a total of \$1.2 million, is what we ended up adding to the revenue projections for fiscal year 23.

As far as the department requests, the requests were not modified from the last presentation. I don't believe we'll have any additional adjustments, except for those additional budget cuts that came in after the last presentation. Additions to the department requests will involve another salary analysis, so the salary analysis that was used in the original projection was as of March, and we have personnel actions occurring on a daily basis, so we want to make sure that when we perform the analysis that we use the most current data to ensure that we budget the correct amount needed for the departments as far as personnel costs.

From this request we will also add any of the recommendations that the Board approves as part of the interim budget. The next couple of slides will be those items that we are recommending to the Board. The first item is the COLA, which we would make effective July 2nd, which is the beginning of the pay period in the new fiscal year, and that would be three percent for all employees, for an estimated total of \$2.1 million.

In addition to that we still have about 36 employees or positions that are still under the \$15 an hour rate, so to bring the remaining employees up to that \$15 it would be \$50,848. At that point in time every County employee will be making at least \$15 an hour. And that is applicable to AFSCME 1782 employees as well as non-union employees.

In addition to those adjustments we've been talking about the class & comp study for several presentations now and there's two components to that study. The first is to increase the minimum pay for employees based upon their new pay rate. So those employees who have been – so our pay ranges have been collapsed and we have employees who have been assigned a pay range based upon their job duties and 61 of them are not being paid at least the minimum within that pay range. So to move those 61 employees up to at least the minimum it would be \$203,000.

And then the second part to the comp study is to address the compression. So as the pay ranges were collapsed it created a lot of density with employees based upon not considering experience. So the definition that we have up here of compression is salary compression is insufficient distinction in pay between non-union public safety employees despite differences in skills, experience, performance, seniority and tenure.

So basically, we could have employees who have 20 years experience making the same as somebody who has five years. During the study, the only experience that was considered was experience with Santa Fe County, so it didn't take into account the experience that people bring to the County if their first job wasn't with the County. And we are estimating that to be about \$1.2 million to address that compression issue.

In addition to that we are also proposing a 1.5% COLA for all employees on January 1st, and the cost for fiscal year 23 would be \$548,000 for all of calendar year 23. It would be just under \$1.1 million. The other \$500,000 would be part of the fiscal year 24 budget.

And then finally we have the PERA contribution increases. Effective January 1 there is a .5% increase for employer and employee contributions and the contributions that the County would be responsible for is right now it's \$387,000 based upon the

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current salary analysis but we estimate an additional \$120,000 to be added due to the compression adjustment.

Then we have – this slide is just a breakdown of the two COLAs, based upon bargaining unit and non-union employees, showing those two amounts for July and for January for each of those organizations.

In addition to the compensation proposals we are also proposing a 5% increase to insurance premiums as well as condensing the four tiers that we currently have down to three. The tiers would be adjusted based upon the percentage that the County would pay on behalf of the employee, as well as the cutoff for salaries. So tier 1 would now be 20% employee cost versus 80 percent County, and that would be applicable to any employee making less than \$35,000. Tier 2 would be 25% employee cost versus 75% for the County for any employee making between \$35,001 to \$75,000. And then tier 3 would be 30% employee cost, 70% County cost for anybody making over \$75,001.

The five percent increase and condensing the tiers from four to three would end up resulting in a net increased cost to the County of \$789,000 for calendar year 23, which would be \$294,863 for fiscal year 23. That might not be correct, Madam Chair. It would be half of \$789,000. I'm not sure where that \$294,000 came from. I need a calculator. As an accountant, I can't do math in my head. That might actually be correct. So the cost for 12 months for the tiers and the 5% increase is \$789,000, and half of that would be recognized in fiscal year 23, and the other half would be in fiscal year 24.

The employees would experience a net savings of \$228,000 for 12 months, versus \$114,000 in fiscal year 23.

Now, the amount calculated above differs from the amounts that were provided by Gallagher as a result of the COLAs that we included in our calculations. Gallagher didn't have that additional information, and we also budget 100 percent cost for all employees because we use any savings to help fund the following fiscal year's fixed asset requests, like equipment, computers and vehicles and what not. So that would be the significant difference between these numbers versus the tables that were provided during the last presentation.

We wanted to provide the Board with additional information on what the impact was while we provided the total by County and by employee, we went ahead and we pulled several employees to show what the impact was of the compensation adjustments, as well as the insurance premium increase and the tier change. So in our first example we have an employee who's making \$14 an hour and who was originally classified as tier 1 or in tier 1 as of today. They would be classified as the revised tier 1 if the proposal was approved by the Board, and they have coverage of employee plus a family. So their gross wages' impact from the \$15 hourly rate increase and the COLAs result in \$2,305 increase in their gross wages. They would experience an insurance premium increase of \$108, having a combined impact of a positive \$2,197. So essentially they would see the five percent increase, while it is an increase of them for an entire 12 months, their income increase is over \$2,000.

The next example is an employee making \$14.69 an hour. Again, they are currently in tier 1 and they'll continue to stay in tier 1. Their coverage is an employee plus one. Their gross wages' impact as a result of the COLAs is just over \$1,100. This particular employee actually experience insurance premium savings of \$397, giving them

a combined impact increase to their income of \$1,500.

And then we have an employee who's making \$19.41 an hour. They are currently in tier 2. They will stay in tier 2, having a coverage of employee plus a child, their gross wages' impact from the COLAs is just over \$1,500. They will see a premium increase of \$47. Again, that's for 12 months and the combined impact of those two is just under \$1,500. That's for six months. So all these numbers represent what would happen from July through June for wages, because we have the COLA that would be effective on July 2nd. We have the \$15 increase for those employees who are making less than \$15. And then we have potentially any minimum pay range increases, and then we have the COLA in January, which is actually only six months.

The insurance increase or savings only represents six months. I hope I didn't confuse anybody. Does that make sense?

COMMISSIONER GARCIA: Madam Chair, I have a question.

CHAIR HAMILTON: Yes, Commissioner Garcia.

COMMISSIONER GARCIA: So the increase in the insurance is only for six months. Could you explain that to me? So that only lasts for six months and then it goes back to where it was, or how does that work?

MS. HERRERA: Chair Hamilton, Commissioner Garcia, no. The proposal of the five percent increase and the tier change would be effective from when the Board approved it, so the insurance would be effective January 1st and it would be effective going forward until we make any additional changes. We go back to four tiers or we stay at those three tiers, we adjust the tiers. Maybe the tiers stay the same but we could adjust the salary ranges, but the proposal that we're presenting to the Board was effective from January 1st to the future up until we make that next change.

COMMISSIONER GARCIA: Thank you.

MS. HERRERA: The impact that we're presenting is only for six months because that's what's going to be budgeted within fiscal year 23. But we also show the calendar year impact because the insurance is based upon a calendar year versus a fiscal year.

COMMISSIONER GARCIA: Okay. Understood. Thank you.

MS. HERRERA: Madam Chair, are there any other questions to clarify? I hope I didn't screw anybody else up.

CHAIR HAMILTON: Commissioner Hughes.

COMMISSIONER HUGHES: Yes, just so I'm clear on the first example, the employee would make an additional \$2,197 over a six-month period?

MS. HERRERA: Madam Chair, Commissioner Hughes, no. That \$2,300 is for the full 12 months. So those different components would make up that \$2,300 for fiscal year 23.

COMMISSIONER HUGHES: Okay. But then – so what does the six months refer to?

MS. HERRERA: So the insurance premium increase that we see up there of \$108 would be six months from January 2023 to June 2023. So during the budget process for fiscal year 22, I think we had a three percent increase in insurance and that was already budgeted for July through December. So that part is already said and done, so what we're looking at now is just from January through June of 23.

COMMISSIONER HUGHES: Okay. So it's the second half of the year.

MS. HERRERA: Yes.

COMMISSIONER HUGHES: Thank you.

CHAIR HAMILTON: Yes, I think that was a bit confusing but I think we've got it now. Are there any other questions on this presentation? And I actually want to thank you because it's really good to get these revisions, like the original presentations were really pretty detailed and informative and now it's a bit easier to incorporate some of these changes. It's also valuable in keeping us up to date so between now and May when we get a final budget to look at it will be a little easier to incorporate. Just my opinion.

MS. HERRERA: Yes, Madam Chair. The next slide would provide additional examples. So we tried to find employees throughout the different wage ranges. So the first slide was the employees that were at the lower end; the next slide is up at the higher end, and again, we have employees who are experiencing either a savings or an increase even at the higher end of the changes to the tiers. Basically, the tier change is what's driving some of those premium increases even at the higher tier, or tier 3 now, which is tier 3 and 4 currently.

So again, a five percent increase in insurance premiums effective January 1, 2023, in addition to condensing our tiers from four to three and revising the salary range representing those three tiers.

And then we have the FTEs. We covered the FTEs during the last presentation. We have some new FTEs and then we are requesting some reclassifications of existing FTEs to a completely new job description, and then we have some reclasses basically just reclassing positions into a higher responsibility position within the same department. So we have one FTE request for County Manager and that would be under the IT Division, and we have the Clerk's Office, we have one new position for the Clerk's Office. Actually it's not new; we're going to be reclassing a position to the street file manager position.

And then we have six requests within the Fire Department, two new positions – a communications alert and warning officer, EMS quality assurance lieutenant, and then we have three reclasses – reclassification of training captains. And then we have the addition of a Deputy Fire Chief. And then finally we have Growth Management which we have a Deputy Growth Management Department Director, a Department Review Specialist, and a Development Review Specialist Senior.

A total of 11 FTEs, either new or changes, for a total of \$572,000.

And the funding for those positions are broken out between the general fund and other revenue sources such as EMS and the second one is GRT, and that would be applicable to the fire positions.

And then what we wanted to show is the impact of these proposals to the department requests. When we presented the department requests for fiscal year 23 we indicated that there were no changes to that amount from the last time we presented it, so we provided this reconciliation to show the original department requests as of 4/26 at \$193 million, and then the impact to the department requests with the addition of the two COLAs, the hourly rate increase to \$15, the class and comp study portions, so the cost for raising employees up to the minimum of the new pay range and then the compression

distribution.

In addition we have the PERA contribution that's effective on July 1st, and then the FTE reclassifications and new FTE requests, and then the five percent insurance premium increase and tier change, for a total of \$5.6 million in compensation and insurance adjustments and the department requests, which would bring us to a revised total of \$199 million for fiscal year 23.

What is not included in that number, when we presented the last time we mentioned that departments had proposed to hold positions open for fiscal year 23. Right now there are 24 positions for a total of \$1.4 million. That proposal is still being reviewed. So it's not finalized. That's why it's separate from the adjustments above. If we did end up holding all those positions open, the revised department requests would equal \$198 million for fiscal year 23.

And then the last component that we have is our fixed asset recommendations. Again, these are the same that we presented at the last meeting, which is actually representative of adjustments made by departments who voluntarily decided on some requests that they didn't need, or they could wait, to try to reduce the total amount that was being requested and reduce the budget. Of the \$14.2 million that's being requested by department there is an estimated \$8 million available for those requests that would be funded by the general fund, and then there's \$7 million that would be available from other funding sources such as federal, state grants, charges for services such as utilities, Clerk's fees, Assessor fees and GRT that would fund that other \$7 million in fixed asset requests.

The next slide just breaks down by funding source and then by the type of fixed asset being requested.

And finally, our next steps is to develop the interim budget for presentation to the Board on May 26th at which we will ask for approval of that interim budget, and then we will submit the interim budget to DFA by June 1st. And then after that we will be working on capital project budget study session. Again, we'll take a look at any additional adjustments we need to make to the budget, most likely we'll involve the updated salary analysis to ensure that we have the most updated information for salaries, benefits and insurances, and any additional carryover requests that the departments may have due to having problems with supply chain issues. So they haven't been able to move projects forward. So we'll be working with them to try to add that budget into their budget request for next year, and when we do present that information we will again provide the Board with a reconciliation of the interim budget amounts to what was adjusted to be representative of the final budget.

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

CHAIR HAMILTON: And that was a lot. Thank you so much. We do have some questions. Commissioner Hansen and then Commissioner Hughes.

COMMISSIONER HANSEN: Thank you, Director Herrera, that was concise and to the point and I really appreciate you going over the compensation study. I think that it's really good for us to understand all of those aspects of how it affects different employees and how beneficial this actually can be for them. So I really appreciate that. We're almost at a \$200 million budget. Maybe we'll get there.

MS. HERRERA: Madam Chair, Commissioner Hansen, yes. It's a large

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dollar amount.

COMMISSIONER HANSEN: So I look forward to seeing you on May 26th and thank you once again. Thank you, Madam Chair.

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

COMMISSIONER HUGHES: Thank you. I just have a question about the adjusted department requests of \$197,946, etc. Does that include everything? Does that include the COLAs? The comp/class, the fact that the County is going to pay more for health insurance? Is that basically all in or are there still things we need to add into that?

MS. HERRERA: Chair Hamilton, Commissioner Hughes, as of right now that's everything. That would include everything. So from the original budget requests from the departments that equal the \$193 million, we would – if the Board approved all those recommendations, the \$199 million would be what that would represent. If all 24 positions that the departments have indicated that they'd be willing to hold vacant, that they don't need them, they're not essential positions, then it would result in \$197 million.

COMMISSIONER HUGHES: Okay. It looks like either way we're estimating \$199 million in revenues, so we're okay either way.

MS. HERRERA: Slightly. The one thing that I want – thank you for bringing that up. Going back to the revenue slide real quick, the one thing that we will do for the next presentation is we will actually try to match recurring revenues to recurring expenditures. So the original presentation that we provided the Board back on I think April 12th was we had shown GRT and hold harmless just as two single lines. And then the second presentation that we brought to the Board, we actually broke out that GRT from operational GRT versus non-operational. And the non-operational is related to our capital outlay GRT and our first one-eighth GRT which is used for maintenance and project costs. So those two GRTs actually aren't – we cannot use those two increments for operational needs. So we ended up breaking them apart and showing GRT into four components – GRT operational, GRT non-operational/capital, and then the hold harmless operational and the hold harmless non-operational/capital.

So what we'll do in the next presentation is separate the non-operational amounts so that we can match them to the non-operational expenditures and the operational revenues to support the operational expenditures. So while it looks like we do have sufficient revenues, some of those revenues, the GRT capital outlay for sure cannot be used to support that \$199 million that we're proposing as of today what the interim budget would represent.

So to balance the budget we would have to use budgeted cash or our unrestricted fund balance to balance the budget.

COMMISSIONER HUGHES: Okay, so now it sounds not quite so good.

MS. HERRERA: No, it will definitely show – historically the County has always used budgeted cash to balance its budget. So after we take all of our reserves and segregate them out, then we have that portion that's unrestricted, right? Or unreserved, is the classification, I think. I'm sorry: unassigned. And that amount is what we use to balance the budget and historically we've always used about \$20 million from the general fund to support the additional expenditures that our projected revenues don't support. Or it looks like just to be able to provide the Board with a balanced budget.

But in the next presentation we'll be able to show, like the debt service – so the debt service property tax will be matched with the debt service expenditures. So those two should net out to zero. And then the operational portions of our revenue which should be everything up there with the exception of the GRT non-operational/capital and the ARPA money – because the ARPA money, the Board has set aside \$12 million of the ARPA funds for revenue replacement, \$6 million that we're recognizing right now in fiscal year 22 and then the other \$6 million in fiscal year 23. After 23, that other \$6 million won't be available for us to budget for. But the rest of those revenue lines, up on the screen should – are considered operational revenues.

So if we take out about – it would be about \$28 million in GRT, so about \$34 million that would be considered non-operational revenue.

Now, also to keep in mind, some of the – we'll end up most likely using additional budgeted cash. As I mentioned, we'll be working with departments to carry over some budget into the next year because the projects that they're having a hard time moving forward because of the supply chain issues, any of that money that falls to cash this year – any of that money that's not spent will fall to cash and that's the cash that we'll use to rebudget next year. So that won't be a drain on the resources that we planned for fiscal year 24. Those budgeted amounts will have their own funding source that won't use up what we're projecting as operational revenue for fiscal year 23.

So it may look bad but it's not. We can definitely walk through the budget the last couple years, couple six years if you'd like to show how we balance the budget after we project the revenues and then compare it to what we have for expenditures, and then what's left over that we have to use cash for.

COMMISSIONER HUGHES: Thanks for that explanation. I did understand that, believe it or not. At least I think I did. That was great. You answered questions I didn't even know I had, so I appreciate it. That's all I have for now, Madam Chair.

CHAIR HAMILTON: Excellent. That was actually useful for all of us. Thank you. Are there any other questions for the Director?

COMMISSIONER GARCIA: Yes. Madam Chair, I have some questions.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Great presentation. Thank you for the hires and thank you for giving the five percent which is tons more than the City puts in for insurance, so that's actually almost a raise in itself, other than the raises that we're giving to other employees. Thank you for the new hires. Is Projects getting any new hires?

MS. HERRERA: Madam Chair, Commissioner Garcia, I believe you asked if Projects had requested any new positions? Right?

COMMISSIONER GARCIA: Yes.

MS. HERRERA: No, they did not. Director Giron, I don't know if you have anything you want to say. I don't know how many staff we have in Projects right now.

COMMISSIONER GARCIA: Maybe we can talk with Gary Giron about that in the future. I do know during the COVID, when the COVID came about we actually created a big savings account if you want to call it, and we thought that the figures were going to go down, but they actually went opposite; they actually went up.

And I know that the Assessor's Office brought in almost like a billion dollars more in valuations, so it actually reversed. So we do have money in our budget and so it will be coming in soon, as soon as all that stuff is done. But I think we did good in the budget for Santa Fe County. I think we actually are a lot better than the City of Santa Fe and we're probably the best city in New Mexico. Thank you for your presentation.

CHAIR HAMILTON: Thanks, Commissioner Garcia. We do have Director Giron who is going to give a little bit of additional information on the question about FTE requests.

GARY GIRON (Public Works Director): Madam Chair, Commissioner, we have not made any additional requests for any of our Projects staff.

COMMISSIONER GARCIA: [asks about maintenance staff]

MR. GIRON: Madam Chair, Commissioner, we have not asked for additional staff for maintenance either but we are working this year to establish a calculation so that we can use the number of square feet that we are managing inside of County buildings and in open space so that we can start to derive the number of staff that we will need to be able to staff all of those operations. And we expect that that will come in next year's request.

COMMISSIONER GARCIA: Okay, and then do we have a mid-year budget where if they decided to ask for more, if anybody wanted some changes, we can do that during the mid-year budget review, right?

MANAGER SHAFFER: Madam Chair, Commissioners, we generally don't entertain mid-year FTE requests unless there is a change to revenue. So in other words, we have a revenue stream coming on line that might support the FTE request mid-year. There are a variety of reasons for that, one being otherwise everybody would try and jump ahead of things and do it at mid-year rather than as part of the normal budget process.

Relative to FTE requests, I think it's fair to say that Countywide, the focus is on filling the positions we have rather than creating new FTEs. I believe it's the case in Public Works, both in the Projects Division as well as elsewhere is that there are multiple vacancies and the compensation packages that are being presented are efforts to try to recruit and retain for those positions, and so again, that's an effort that exists Countywide is to fill the positions we have rather than ask for new positions that we fear would remain vacant. So I hope that answers your questions, Commissioner Garcia.

MR. GIRON: And Madam Chair, Commissioner, if I could also add is that County Manager Shaffer is correct that that is the approach. We have close to a 30 percent vacancy rate, 40 percent in some of our areas. So our focus right now is on trying to address those vacancies and fill the positions that we already have.

COMMISSIONER GARCIA: Okay. Great. Thank you, gentlemen.

CHAIR HAMILTON: Thank you. Thank you, Commissioner Garcia. Are there any other questions for Director Herrera with regard to the budget?

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Commissioner Roybal.

COMMISSIONER ROYBAL: I want to say thank you to my fellow peers on the Commission for bringing up the great questions. I was curious. I know that the City has had some significant raises, especially for their emergency responders, and so I

was curious if we had any idea how that would affect our firefighters and our deputies at all if we've looked at that yet.

MANAGER SHAFFER: Madam Chair, Commissioner Roybal, I think we always try to be mindful of what the market is providing relative to wages, especially in highly competitive areas. We counterbalance that with the desire not to overestimate our recurring revenue or budget all of those potentially recurring dollars so as to provide some resiliency if our revenue estimates don't materialize where we hope that they would be and making that a little cryptic, most folks are anticipating a recession in the next one to two years and so there's a lot of downside risk in some of the revenue projections. And so what we're presenting to the Board we hope is a balanced package that will help us be competitive but also not put us in a place where any downturn in revenue leads us immediately looking to freeze more positions, potentially take other drastic actions to bring our recurring expenditures in line with recurring revenue.

So I hope that addresses your question. Obviously there is a concern there, but at the same time we're trying to present the Board with a balanced package that we're comfortable that we can afford in the short-, mid- and long term. Did you have anything you wanted to add to that, Yvonne?

MS. HERRERA: Chair Hamilton, Manager Shaffer, no. Just I think given what we're presenting to the Board, being a total amount, I don't know if we've ever – I don't know if the County has ever done two COLAs in a single fiscal year. In total it's 4.5 percent, which is relatively I think generous for the employee. It definitely shows that we value them. We want them to stay with the County.

In addition, we're addressing, through the class and comp study we're also addressing making sure that what we are paying employee is at market value. And I think for the most part we are. We do have those anomalies of those individuals who are under the minimum within their new pay range and we'll address the compaction, which will bring employees who need to be brought up to their appropriate placement. I think all those efforts that we're presenting to the Board are really important and I hope that employees can see that as our way of showing how valuable they are to us and we'll continue to try to do that in the future to keep quality people working for the County and again, in keeping all that in mind with making sure that we present something that's fiscally responsible to the Board that we know that we can support and we know that we can continue providing the services that we need to to the citizens of the county and doing it well.

COMMISSIONER ROYBAL: Thank you. And I appreciate it. It's one of those things you worry about because we do have such great employees and we just want to make sure we take care of them. So thank you.

CHAIR HAMILTON: Excellent. Thank you, Commissioner Roybal and thanks for the additional information, Yvonne and Mr. Shaffer. Are there additional questions on this? Commissioner Hughes.

COMMISSIONER HUGHES: I'm just wondering what it is you want direction on. Or is that coming next?

MS. HERRERA: Chair Hamilton, Commissioner Hughes, if there's anything in addition that the Board may want to add or adjust, what we'll do now is starting tomorrow we'll go back and we'll reconcile everything with the expectation that

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the Board will approve all of the items that we're proposing, make any adjustments that we need to make in terms of specifically with those positions that departments – working with departments to make sure that those positions truly won't be needed for next year, making any additional adjustments for any capital related items.

We did meet last week to try to find additional funding sources for some of the projects that we know the prices for those projects have risen because of inflation. So we want to make sure that we fund those so they can continue to move forward. So that's additional changes that you may see in the presentation.

If there's anything with what we presented today that you'd want changed or removed or anything added, we continue to take those suggestions now and work through those for the next presentation.

COMMISSIONER HUGHES: Thank you. Well, I wouldn't take anything away and I would just echo Commissioner Roybal's comments that we definitely want to take care of our employees as best we can and if we find any more money we should put it toward them.

MS. HERRERA: Madam Chair, Commissioner Hughes, if I can find a money tree, I will definitely find that money tree and grow it big and tall, and an orchard of them. Right?

CHAIR HAMILTON: Great. Thank you very much.

COMMISSIONER GARCIA: Madam Chair, I have a couple of things but I'll talk with Yvonne and Manager Shaffer tomorrow.

CHAIR HAMILTON: That sounds great. Thank you, Commissioner Garcia. Thank you very much, Director Herrera.

8. MATTERS OF PUBLIC CONCERN

CHAIR HAMILTON: I just wanted to reiterate that we had moved these items so that now that Matters of Public Concern is in closer proximity to the items under #10. Many of the public comments are directly related to the items that appear under that item. So I actually have quite a number of people who've signed up to talk and we've organized and I want to thank Sara Smith and Daniel Fresquez and the other liaisons for having organized this so well for us today.

We have basically sort of a few people who have requested to speak under some miscellaneous topics. I'm going to attend to those first. Then we have a number of people who wish to speak to the Caja del Rio resolution, which we'll do next, and then the plastic bag resolution which we'll come to last. Given that we have several people who want to speak I'm going to ask that everybody stick to a three-minute time limit, and also as we usually do, ask people to be concise and to minimize redundancy. We really, really appreciate everybody's input. It's very important to get that, but to the extent possible, if we can minimize redundancy and indicate agreement with previous comments and then add new information, that's going to optimize our time spent on this.

So we're going to go right to public comment. The first person I have listed, and I truly appreciate if I butcher somebody's name – Christopher Tenerowicz. If you're on, you had signed up wanting to speak about the community youth and Youth Corps. If you're on, if you could unmute yourself and I see we have the timer up. Christopher, are

you available?

DANIEL FRESQUEZ (Media Specialist): Madam Chair, I do not see Christopher on line. However, there are a few phone calls. If you're calling in, please press star 6 to unmute.

CHAIR HAMILTON: Christopher, are you on your phone? If so, if you could unmute by hitting star 6. I'm going to move along and we can always come back if Christopher comes on. The next speaker was Tonya Westrick. Are you available? Daniel, do you see Tonya on?

MR. FRESQUEZ: Madam Chair, I do not see Tonya online.

CHAIR HAMILTON: Okay. So similarly, Tonya, if you're a call-in on your cell phone can you hit star 6 to unmute yourself?

Okay, we're going to move along and we can certainly come back to people if they join us in a little while. Our next requested speaker is Dolores Baca. Dolores, can you unmute yourself and speak to us? Do you see Dolores on?

MR. FRESQUEZ: Madam Chair, I do not see Dolores Baca online.

CHAIR HAMILTON: Okay, Dolores, if you're a caller, if you can hit star 6 to unmute yourself. Okay, I'm going to move along to the fourth person in this category, and I apologize for any name-butchering once again. James Povijua.

JAMES POVIJUA: Madam Chair, thank you. I am just here as an observer but I do know that there are quite a few community members who are here to speak on the Caja resolution. Thank you.

CHAIR HAMILTON: Okay. I thought you were signed up to speak. Thanks so much. So that would take us to the group of people who want to speak to the Caja del Rio resolution. First we have Garrett VeneKlasen.

GARRETT VENEKLASEN (via Webex): Good afternoon, Madam Chair and Commissioners. Garrett VeneKlasen, born and raised in Santa Fe. Grew up cutting firewood and hunting and fishing the Rio Grande around the Caja. I'm with New Mexico Wild and this is just a remarkable place, arguably culturally. Probably the most dynamic cultural sort of epicenter in all of the Americas. It's got incredible pueblo resources and cultures and the Hispano communities around it. I mean this is an heirloom of Santa Fe of the highest order and we just appreciate you all considering this resolution and this is a work in progress. We'd love to involve the community more. We're going to have lots of public meetings and would love to take you all out on a field trip as well as people listing to this. If people want to go on a field trip out to the Caja we'd love to take them out there. So please consider supporting this resolution and thanks for your consideration.

CHAIR HAMILTON: Thank you so much, Garrett. It's good to see you and we appreciate your comments. That would take us to William Mee. William, are you on?

WILLIAM MEE (via Webex): Yes, I am, Madam Chair. And I just want to say that Dolores Baca is from La Bajada so I think she was going to speak also but she must have dropped off. Agua Fria Village ancestral common lands are the Caja del Rio land grant and we used it for harvesting piñon, cutting wood, livestock grazing, hunting and gathering herbs. When in the 1700s the area was offered in a land grant to the Ortiz family, the Ortiz family put in a provision that the local people could continue to access the area for resources and so Agua Fria Village continued to do that.

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In our Agua Fria history projects we did a number of oral history interviews on video and one topic was always going to the Mesa, the name residents have given the Caja del Rio. The Caja del Rio land grant is just west of our village and is often erroneously called the Buckman Mesa with reference to that train station of the same name that was for the Chili Line railroad.

Over the years we've had some conflicts with the Forest Service and the US Bureau of Land Management and I think part of the problem is that they're so understaffed and many times the Forest Service superintendent has come from maybe Washington State where their average rainfall is 300 inches a year, and they come into the job and they'll start asking questions like, what is an acequia? And by the time the locals train them they retire and the cycle continues.

So we're hopeful that with New Mexico Wild's help that we'll be able to really have a stewardship process that the local people will get in and really help to manage that area. We're already doing it with the community cleanups that Garrett has organized and my wife's cousin, Julian Gonzales, and we have a good time when we go out there to the Mesa. Julian was out there cooking chicharrones when Senator Ben Ray Lujan came. People really respect the area. Thank you.

CHAIR HAMILTON: Excellent. Thank you so much, Mr. Mee. Next we have Deidre Monroe. Deidre, are you available?

DEIRDRE MUNROE (via Webex): Yes, I am. Thank you for the opportunity to speak. I'll stay in my three minutes. But I'd like to introduce myself to folks who might not know me. I am an equestrian as well as a hiker and I've done a lot of things outdoors. But I'm a real supporter of recreation in our area, the economic benefits it can bring and the health benefits that it can bring to people of all backgrounds. I have worked in the Caja as a New Mexico State trails advocate for the American Endurance Run Conference. Also, I'm a member of the Governor's Recreational Trails Advisory Board and I'm going to focus on equestrians, but I want – I guess I want to give people the flavor of the collaborations and the good relationships that we have in the Caja and that we can build on and need to build on, because we can do it to the benefit of all.

I want to say hi to Julian there. I see him out in the Caja [inaudible] But equestrians in particular are special recreational stewards. We're collaborators. We've been that way for 20 years. Personally, I have encouraged and tried to educate people about what's out there, what possibilities there are for recreation, and how important it is to collaborate with all of the other folks who've been on the landscape, frankly, a lot longer than I have. We've got the Grazing Association. We've got the Hispanic community. We have cultural resources out there.

So I want you to know that the equestrians will remain active out there and will continue to do what we've done, which is to bring in grants to help build appropriate infrastructure and I look forward to being part of that process. But I would offer, and I've spoken to Commissioner Hansen about this, I did put together ideas that I call a Caja game plan that we've floated around the Grazing Association, New Mexico Wild, that documents numerous long-term and short-term projects in the Caja that can benefit a lot of people. So another section of the Camino Real, improving of our water infrastructure, trails, there's all sorts of information that's ready for us to act on as monies are available.

So, yes. It's time for federal protection. It's time for more policing. We've got to

address dumping and uncontrolled shooting and the equestrians will always be out there supporting this process.

CHAIR HAMILTON: Thank you very much. That takes us to Andrew Black.

ANDREW BLACK (via Webex): Yes. My name is Reverend Andrew Black. I'm a pastor at First Presbyterian Church of Santa Fe. I was born and raised here in Santa Fe. Also the founder of Earthkeepers, so working with different spiritual leaders in New Mexico and across the county on conservation issues and I also work for the National Wildlife Federation doing public lands work. One of the things I wanted to start with us just how the Caja del Rio is a place of great prayer and healing. I've worked with Brophy Toledo who is on this meeting and he's a medicine man from Jemez Pueblo and we come together across different spiritual traditions, working with rabbis, working with other pastors and recognizing how important the Caja is as a sacred area.

I've also worked with a lot of different military veterans and their spouses who've experienced significant trauma from war. I've seen how the Caja is a really important place for them and it's a beautiful landscape that creates an enormous sense of opportunity for them to feel their feelings, to be able to process their experiences and to be able to find a sense of healing. I also work with a lot of youth who have undergone trauma and emotional and physical and sexual abuse and one of the places that we work with these youth is taking them to the Caja as a place of healing, a place for them to center themselves and to kind of re-engage.

It's amazing when you take youth who have literally the world on their shoulders out to a place like the Caja del Rio and you see them start to smile and to engage in community and to have fun and myself and Jesse Deubel with the New Mexico Wildlife Federation took a group of youth out there just a couple summers ago to do exactly that and it was just incredible to see how the Caja really is a place of healing and it's a significant place that I think we need to protect and I'm grateful that this resolution tries to do that.

Other things I want to mention is just if you listen to the Caja it will tell you a sacred story of the interconnectedness of land, water, wildlife and people since time immemorial. The Caja is literally a place of great journeying that what began as a wildlife game trail became a pueblo footpath, became El Camino Real de Tierra Adentro and one of the world's longest trade routes running from Mexico City to Ohkay Owingeh. And ultimately, as you all know, the same paths became part of Route 66, seeking towards western expansion.

Really, I always talk about the Caja and I'm out there probably three or four days a week as Julian Gonzales and other folks on this call can attest. Really, the Caja I think speaks to the identity of the American Southwest but also really the broader American identity. So in protecting a place like the Caja, it's not just about New Mexico and the Land of Enchantment or the City or County of Santa Fe, but it's really about protecting a national treasure that has incredible wildlife, is an important wildlife corridor, but it really speaks to the cultural interconnectedness between the land, the water and the wildlife and the people of New Mexico. So that's part of the reason I'm really excited to be engaging with some of the different folks that are on this call and working with different pueblo leaders and Hispanic leaders and faith leaders and veterans to protect the

Caja because I think it's a really important place that speaks to this identity and in that way we need to do what we can to make sure that it's safeguarded for future generations, because it is so important.

CHAIR HAMILTON: Fabulous. Thank you so much, Mr. Black. Next we have Brophy Toledo.

MR. BLACK: I think he had to step off.

CHAIR HAMILTON: We can try to come back to him. That takes us to Harry Eberts. Harry, are you on? Mr. Eberts, if you're available, if you could unmute yourself and give us your comments. We'll move on. I think we have Andrew Black listed twice unless there's a second one of you. So that would take us to Julian Gonzales.

JULIAN GONZALES (via Webex): Chair, Commissioners, and all my friends that were able to speak today, good afternoon. I really don't like to speak emotionally because of the disaster going on in our state, but now, more than ever we're seeing how management of our vital lands are going to definitely need to be looked at and through your traditional communities, your pueblos, your recreational organizations and just a plethora of people that have their hand in the Caja, now is more time than any because where are we going to get that firewood from for all the people that heat their homes this year? They can look at the Caja. That's a great place to grab some fuel wood because we sure as heck can't get it from the Pecos Wilderness. That's a place to get it now.

They're going to need a lot of healing, a lot of heart feeling and Santa Fe's playground, do we want to see it pull up in flames. I'm just looking at the smoke off the side of the highway. I'm sorry.

But anyways, I'm a veteran of 30 years and god bless my wife and my family for dealing with me and all the issues that I had when I got back, but I left it there on the Caja, and that land absorbs that kind of stuff. And it gets rid of it and it makes you a better person. I don't know how and why but I'm also a stakeholder as a permittee with cattle on the Caja del Rio. It's a place that feeds – I've already butchered this year ten – I'll just have livestock, that has value in La Cienega and for some people there in Santa Fe. It's giving back and I'd like to leave this with you guys. When you get something from your neighbor or from god, like water or the land, like wood and stuff, you give back whatever you've received in better condition than you received it. And that's one thing that I just want to let everyone know.

The next seven generations are going to want to hang out there, Santa Fe, and they ain't going to have a place if we keep building the way we're going or if we keep putting roads and pavement and concrete, we ain't going to feed that family in La Cienega anymore. In Eldorado, or those people that love that nice, beautiful grass-fed rib-eye down range. So thank you, Commissioners, for taking a look at this and reading it through and I appreciate all that you do for the county and what you'll probably do for the Caja in the future. Have a good evening.

CHAIR HAMILTON: Thank you so much, Mr. Gonzales. That takes us to Carmichael Dominguez. Welcome.

CARMICHAEL DOMINGUEZ (via Webex): I was going to say, it's so nice to speak to you on this side of the dais, but I'll say it's nice to speak to you on this side of the computer screen. It's a little bit different.

Thank you, Madam Chair, members of the Commission. I just want to say that in my opinion, after considering many, many resolutions in my lifetime, this one is pretty simple. There is no fiscal impact to the County. There is no tax increase that the County has to consider. There's no development request so you don't have to worry about water or traffic patterns or building heights or any of the other stuff that Commissioners deal with with regards to development requests.

This in my mind really just simply asks that the Commission support efforts to protect the Caja del Rio because of its historical, cultural and ecological importance, just to name a few. You've heard a little bit of something from people here this afternoon about what the Caja means to them and the history, and there are many, many, many more stories to talk about. So you might ask yourself, why do we need to protect this landscape? It's because this community really, really cherishes its history its rich history, its diverse cultures and preserving its heritage.

So we've saved this landscape not necessarily for today but for tomorrow's children. We want to save this landscape for the future of the things that make this community so special and it's a part of that landscape. And so I would just really encourage you to consider supporting this resolution. I know that there are plenty of people onboard right now who could answer pretty much any question that you might have, if you have any.

And then finally, just for your information, there is a similar resolution being considered by the City of Santa Fe. Thank you very much.

CHAIR HAMILTON: Excellent. Thank you so much, Carmichael. That would take us to Alexandra Merlino.

ALEXANDRA MERLINO (via Webex): Hi, Madam Chair and Commissioners. Thank you for your time this afternoon. My name is Alexandra Merlino. I'm with the Partnership for Responsible Business. We're a statewide organization and we're based here in Santa Fe where I'm a resident. Today I want to talk to you about business and conservation. The Caja is a national destination for outdoor rec enthusiasts, sportswomen, sportsmen, mountain bikers, climbers, hiking, equestrian. And as the outdoor recreation industry grows in New Mexico this is really a key to unlock what we have here in Santa Fe.

There was an op-ed in the *New Mexican* this morning and I read it while I was thinking about what I wanted to say here today. We, the owners of Santa Fe Mountain Adventure, Sue and George Mally, were so succinct in talking about the importance of the Caja to local business and reminding us that businesses are made of individuals who make up communities. So I'm going to read from that op-ed.

What can we as individuals and businesses do to speak up for the land and cultural history that is the foundation of our community? Our hope is that we all step up and commit to protecting our environment, not only because it's the right thing to do but because it's an investment in the long-term stability of our communities. We started our business in 2008 with the goal of sharing our love of New Mexico and the outdoors with others. We genuinely hope that through interactions with us and with the natural world the visitors to these places will walk away with a deeper appreciation for these special and magical places. How else can we commit to protecting our natural world? As a corporate strategy, conservation is the best way to future-proof your business. It means

operationalizing with an ever present commitment to where you work and the people you work with. These values speak volumes to what is important to a company and resonates with your consumer base regardless of the industry. As business owners we have an obligation to espouse conservation as a value.

My time is up. I just want to reiterate that as business owners, we have an obligation to espouse conservation as a value, and we need to protect the magical place that is the Caja del Rio. Thank you, thank you, for introducing this resolution and for protecting this magical part of New Mexico. Thank you so much.

CHAIR HAMILTON: Thank you very much for your comments. That would take us to Julia Bernal.

JULIA BERNAL (via Webex): Thank you, Madam Chair and Commissioners. My name is Julia Bernal. I'm from Sandia Pueblo and I'm the executive director for Pueblo Action Alliance. I'm still a resident of Sandia Pueblo but I've been an active tribal member in advocating for the protection of cultural landscapes like the Greater Chaco landscape and the Caja del Rio. These landscapes are interconnected as cultural corridors to all the pueblos who utilize these regional for cultural integrity but also their survival since time immemorial.

The area is very important to us and still remains important to this day. As you know and many know on this call there are many remnants of pueblo culture, whether that's petroglyphs or groundwater catchment systems, ancient roads, and of course the modern living culture pueblo people still live within the area. Even though many non-indigenous folks enjoy the petroglyphs and see them as historic sites they still play a very important role in sending our prayers today. The Caja still remains a significant area to pueblo people who have lived in reciprocity with this landscape, and it's broken not only mine but many of my pueblo relatives' hearts knowing that our cultural resources have been destroyed and desecrated and we really do believe that that's a direct threat to our youth who have a birthright to enjoy what our ancestors left behind for us.

A large part of the Pueblo Action Alliance is empowering pueblo youth and educating them on how to engage civically with public processes like this. And so I ask that this Commission be a strong voice for those protections. I also understand that this region is multi-jurisdictional but local governance at the county level like the Commissioners really do represent the communities who live within the landscape and can and should set precedents for better and more equitable land management that reflects the stakeholders of the region. So with that, thank you, Commissioners, for the opportunity to speak today and for introducing this resolution and I encourage you all to vote yes. And of course thank you to our pueblo leadership who have been strong advocates in landscape protection like for the Caja and Chaco. So thank you.

CHAIR HAMILTON: Thank you so much, Julia. That would take us to Brian Gonzales.

BRIAN GONZALES (via Webex): Brian Gonzalez. I'm co-owner with the Grand Prix Santa Fe, also known as HIPICO Santa Fe, on the south side of town. I also own property in Las Dos, adjacent to the North Calabazas, and I'm like many who have already spoke. My heritage goes back over 400 years. And so the importance of the Caja to my heritage, my family – currently my boys who grew up much like I did experiencing what the Caja has to offer, both spiritually, educationally, and historically.

And I don't want to repeat what's already been said because it's really been pretty clear thus far. I just would like to add to it that as the population continues to change in this part of the world the importance of taking responsibility for the gifts that we have, the natural gifts.

So coming in to manage from a place of, oh, simple as erosion control, policing, the building of trails that have gone in the Caja and respect for the land and for those that came before, my family, for example, and the gifts that they left in land, both physically and then from a spiritual standpoint is something that can't be replaced. And so I find it extremely important to support what has been, what is today, and the hope for what it will be in the future. And so I just simply want to share my support and the support of those that come to visit us in this town as we continue to have the experience with the Caja and what it has to offer. Thank you, Madam Commissioner very much, Madam Chair, and all the other Commissioners. Thank you all.

CHAIR HAMILTON: Thank you so much. Really appreciate it. That would take us to Glenn Schiffbauer.

GLENN SCHIFFBAUER (via Webex): Madam Chair and Commissioners, my name is Glenn Schiffbauer. I am the executive director for the Santa Fe Green Chamber of Commerce, and also the CEO of the Next Generation Water Summit. Our membership, obviously, is geared towards sustainability and protection of the air, water, and all land, and our small businesses are very focused on those things. As you can imagine – and thank you for your proclamation for Small Business Week – our businesses appreciate any sort of diversification of an economy.

The Green Chambers in New Mexico, Santa Fe Green Chamber and Las Cruces Green Chamber, working in partnership with many organizations, but the Partnership for Responsible Businesses who we are closely tied to, thought about how protected land is a viable, long-term investment for communities, and toward that end we worked on getting the Rio Grande del Norte National Monument designation as well as the Organ Mountain Desert Peaks National Monument designation. And the millions of dollars that have been created by that protection and by that publicity for those pieces of land were immensely valuable to the communities that were near them. And now that the State of New Mexico has a Department of Outdoor Recreation I think the opportunities are endless for small businesses, especially those that are in the industry.

So I want to express our support for this resolution. We think that not only is it the right thing to do to protect that land and the culture and the history that's there, but we also think that the economic diversification opportunities for the state and for our area are very valuable. Thank you for your time.

CHAIR HAMILTON: Excellent. Thank you so much for your comments. That takes us to Ray Trejo.

RAY TREJO (via Webex): [poor audio quality] I'm on the road, so I apologize. Madam Chair, Commissioners, my name is Ray Trejo and I work for the New Mexico Wildlife Federation. I want to let you know that we, the New Mexico Wildlife Federation support this resolution for many reasons. First of all, the Native American culture within [inaudible] I just want to emphasize that. I know that Andrew Black mentioned earlier that he had taken children out to the Caja and I'd just like to reiterate as a past educator of 20 [inaudible] one of the most amazing that we talked about

[inaudible] When we got there the kids absolutely put their phones away.

For me as a parent, grandparent, that was music to my ears. Anyway, I just wanted to let folks know that there's a lot to be learned outside the classroom. The Caja also serves as a main migration staging area for wildlife. Currently I believe that that will serve as a safe haven for our wildlife now [inaudible] Anyway, I just wanted to say that we stand in support, the New Mexico Wildlife Federation, there is a lot [inaudible]

CHAIR HAMILTON: I think we just lost you, Mr. Trejo.

MR. TREJO: I just wanted to say that the Caja deserve protection. I want to thank you [inaudible]

CHAIR HAMILTON: Excellent. Thank you very much for your comments. I believe that is everybody that wanted to speak with respect to the Caja del Rio resolution. We go now to Sarah Pierpont, who wanted to speak to the plastic ban resolution. Sarah, are you on?

SARAH PIERPONT (via Webex): I am. I am the executive director of the New Mexico Recycling Coalition and I wanted to thank the County Commission and Chairwoman for letting us speak tonight. I am a strong supporter of the organization of the New Mexico Recycling Coalition is a strong supporter of the ordinance to study limiting the use of single-use plastics in the county.

We are a statewide, member-supported non-profit and we work closely with recycling but we also work closely with reducing and reusing, and all of these aspects tie into the reduction of single use plastics, whether it's source reduction – not having to deal with the problem before it's put into the system or the waste stream by eliminating it, or when you put those bags into the recycling bin, they are the number one contaminant for recycling in our country.

Those plastic bags in the recycling bin get mixed in the equipment and they require the recycling facility to shut down operations and clear out that material so their machines work well and to keep their workers safe. So those on the front end, on the source reduction, and on the back end, the recycling process, it's really best to remove single-use plastic bags and polystyrene. Polystyrene, also known as expanded foam or Styrofoam, is not recyclable anywhere in our state. It also breaks down and turns into microplastics.

And so it's sort of like the analogy of if you ran into your bathroom and the water was overflowing in the tub, and the water faucet was on, would the first thing you do be to grab a mop to clean up the water, or to turn off the faucet? And in that analogy, the turning off the faucet is reducing the amount of single-use plastics in our environment and in our communities in the first place. This study will help bring the county one step closer to achieving that goal, and so I strongly support and encourage you all to support this ordinance. Thank you.

CHAIR HAMILTON: Excellent. Thank you so much, Sarah. Do we have Karen Sweeney?

KAREN SWEENEY (via Webex): Yes. Thank you, Chair Hamilton and Commissioners. I'm also speaking in support of this resolution. I'm a member of Eldorado 285 Recycles, which was formed ten years ago to improve recycling opportunities in our area. We recently created a new project, Beyond Plastics Santa Fe, which is part of the Beyond Plastics nationwide network to increase awareness of the

significant health and environmental fall-out of plastics.

To support that effort, in just the last week we obtained 268 petition signatures from members of the public who enthusiastically support the County's effort to consider reduction of single-use plastic. The signatures are from Eldorado, the 285 Corridor, and the city. We hope you will move forward with this resolution. We can no longer afford the convenience of throw-away. Thank you.

CHAIR HAMILTON: Excellent. Thank you so much, Karen. Do we have Gary Stoller?

GARY STOLLER (via Webex): Yes. Thank you, Madam Chair and Commissioners. I'm also a member of Beyond Plastics Santa Fe, a project of Eldorado 285 Recycles, and we're a local volunteer organization affiliated with the national organization. Four of us actually have competed – I guess with Sarah, five – have completed a seven-week course in Bennington College which provided a very deep dive into the dangers of and the remedies for plastic pollution.

As a local group we're enthusiastic about this resolution and we pledge to work side by side with the County to ease the stress on County staffing, possible staffing shortages. We also have access to the nationwide organization whose mission is to end the plastic pollution crisis by educating the media, policymakers, and the public on advocating for legislation and encourage business to eliminate single-use plastics.

As a national affiliate, we can provide access to considerable experience and expertise in this field from the national organization to help move this initiative forward. So I urge you to please support this resolution and thank you very much.

CHAIR HAMILTON: Excellent. Thank you so much for your comments, Gary. And that would take us finally to Carly Perkins.

CARLY PERKINS (via Webex): Hi, everyone, Madam Chair, Commissioners, friends, neighbors. I'm Carly Perkins. I'm also a member of the newly formed Beyond Plastics Santa Fe. I wanted to speak in support of this bill because the momentary convenience that we get from single use plastics are not worth their long-term environmental and health effects. Our communities are filled with pollution and we are all ill from consuming a credit card's worth of plastic every week.

There's enormous support for reducing single-use plastic right now. As Karen said, almost 300 people here locally signed a petition in support of reducing plastics and three out of four people worldwide want them to be banned as soon as possible. I believe it's well within our power to find good alternatives that support our community and I hope we can collectively move forward in that direction. So thank you everyone for considering this resolution.

CHAIR HAMILTON: Thank you very much, Carly. So I really appreciate everybody's comments. We are in general public comments so I just want to double-check. Is there anybody else here from the public who wishes to speak at this time?

MR. FRESQUEZ: Madam Chair, we have Edward Webb that signed up through the chat feature on Webex.

CHAIR HAMILTON: Okay. If you could unmute yourself we'd love to hear from you.

EDWARD WEBB (Sheriff's Office via Webex): Madam Chair, County Commission, my name's Edward Webb or Eddie Webb. I'm a sergeant with the Santa Fe

County Sheriff's Office and I'm the head of the Santa Fe County Deputy Sheriffs Association. So I just wanted to take a couple minutes. I know Commissioner Roybal kind of brought it up earlier but to let you guys know about a kind of an impending situation regarding some staffing issues that we're having and some significant raises that the City of Santa Fe Police are going to be getting, as well as the New Mexico State Police.

Albuquerque police and Rio Rancho police departments are, as you guys all know, are our main competition for law enforcement officers and so I just want to tell you guys, currently, we're down about 20 positions, which is about 20 percent of our staffing for sworn deputies. Our animal control officers are completely depleted; we have no animal control supervisor, no animal control secretary, and they're down about, I believe three officers, leaving only two officers to patrol the entire Santa Fe County area.

The money that we talked about earlier during the Finance presentation, how much money is being made available for vehicles and different projects like that, and I just wanted to point out that there is a lot of money being put towards these vehicles and things of that nature but if you go to the Sheriff's Office there's a lot of vehicles that are just sitting vacant because there's no officers to actually drive them.

And so after speaking with union personnel, come July 1st when these raises go into effect for Santa Fe Police and State Police and the other agencies that I mentioned, we're looking at losing an additional 10 to 15 members of our agency. And so what those raises look like is that our deputies who are in the field right now are again working extremely understaffed will also be approximately \$3 to \$5 an hour below their counterparts at these other agencies.

And so I just want to let you guys know this impending crisis that I think is right on the horizon for us coming July, and I ask that if you guys can – I know you guys are shaped from the budget, to look at making some allocations to salary that would keep us competitive. I know that the Commission has always been a really large supporter of our first responders, and not only does this apply to the Sheriff's Office but in speaking with the Fire Department, they were already behind the City before these raises and our firefighters are about to fall way behind their counterparts at the City of Santa Fe, and it just leads to a situation where we're training people to go work for them.

I know I'm out of time but I just thank you guys for listening to me and hope that we can get someone to address this issue. Thank you.

CHAIR HAMILTON: Thank you so much. Is there anybody else present who would like to speak during Matters from the Public? Hearing none, I'm going to close Matter of Public Concern.

10. MATTERS FROM COUNTY COMMISSIONERS AND OTHER ELECTED OFFICIALS

- A. Resolution No. 2022-030, a Resolution Supporting the Permanent Preservation of the Caja del Rio Cultural Landscape & Wildlife Area**
[Exhibit 2: Proposed Cultural Heritage Area Map]

CHAIR HAMILTON: I'll go to Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. I'm slightly

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overwhelmed by all of the amazing speakers who came out to support his important resolution. I am honored to the Caja del Rio in my district, along with Commissioner Garcia and Commissioner Roybal. We all share a part of this important special area. The Caja del Rio is located on 106,000 acres of Bureau of Land Management and US Forest Service public land in north central New Mexico and whose boundaries stretch from Santa Fe County's northwest boundaries of the Rio Grande to the southern and western boundaries of the La Bajada encampment, Santa Fe River and Cañada Ancha.

The Caja del Rio contains two dynamic watersheds, both of which have critical cultural, hydrological, ecological, agricultural and economic significance. The Caja del Rio is one of the most remarkable natural landscapes in the American Southwest with cactus forests, birds ranging from burrowing owls to bald eagles, herds of deer and elk, black bears and cougars. The Caja del Rio has been a critical habitat to wildlife for millennia and is utilized as a migratory corridor, breeding grounds, and an area of relocation during wildfires and changing climate.

Preserving the Caja del Rio historic and cultural context is critical for sustaining Santa Fe County's rich cultural heritage and vibrant communities. We are blessed to collectively share the Caja del Rio Plateau that has been established by Native Americans and is recognized by various pueblo traditions and leadership as a significant and religious and cultural property to include pueblo ancestors' built housing structures, petroglyphs and other cultural resources.

The Caja del Rio also contains a major historical significant travel corridor along the national historic trail of the El Camino Real de Tierra Adentro, where various petroglyphs and archaeological sites are found, and where the main travel corridor of the El Camino Real de Tierra Adentro, also the Caja del Rio transforms to become famous for its iconic stretches of New Mexico Highway 1 and ultimately Route 66.

The New Mexico Heritage Preservation Alliance has listed the Caja del Rio as one of the most endangered places in New Mexico with threats of the Caja del Rio land, water, wildlife and cultural and archeological antiquities including petroglyph defacement, vandalism, illegal shooting, poaching and more, along with the threats from the Los Alamos National Laboratory proposed to run a major transmission line and fiber optic line cutting across the Caja del Rio landscape for the development of a major highway to be created through the area, which must be stopped. This permanent protection of the Caja del Rio will help New Mexico reach the 30 X 30 goals of America the Beautiful, initiate the State's 30 X 30 executive order 2021-052 and focus on protecting biodiversity and conservation 30 percent of lands and waters by 2030.

The attached resolution asserts the Santa Fe County Board of Commissioners' support among other things a responsible collaboration, co-management and co-stewardship of the Caja del Rio landscape among responsible federal agencies, local governments of traditional Hispano communities and sovereign tribal nations for the permanent protection and long-time preservation of these precious natural and cultural landscapes.

Commissioner Hansen and Commissioner Garcia respectfully request that the Board of County Commissioners support and approve this resolution. I have been in love with the Caja del Rio most of my living time in Santa Fe going out to the Rio Grande on the Buckman Road, early on before the Buckman Direct Diversion was there. I have

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rafted on the Rio Grande along the Caja del Rio and it is one of the most spectacular, beautiful places in New Mexico, along with Diablo Canyon and I did give Daniel a map of the proposed cultural sites because I want to make sure that people understand that the 30 X 30 and America the Beautiful are both voluntary programs and that no private land is being taken to create this preserve, that this preserve is being created with already federal existing land. So I think that is really important for people to remember as conservation is so important.

I would love to read this resolution into the record.

CHAIR HAMILTON: Go ahead. I assume it's different from what you just read.

COMMISSIONER HANSEN: Yes. It's longer.

CHAIR HAMILTON: By all means.

COMMISSIONER HANSEN: I think I should read it. If I start to repeat myself from my previous I will skip. But here is a picture that I wanted to share with everybody of the proposed cultural area, and it shows the outline and the green is Forest Service land and the yellow is BLM land and it shows the length and vastness of it.

[The Resolution is provided as published]

Whereas, Santa Fe County has an incredible array of public lands that encompass a stunning wealth of landscapes that are enjoyed by residents and non-residents alike. The national public lands model is a remarkable asset for both Santa Fe County and New Mexico; and

Whereas, the Caja del Rio is located on 106,883 acres of the Bureau of Land Management and US Forest Service public lands in north-central New Mexico and is considered one of America's most iconic landscapes and an area of profound cultural, historical, archeological, and ecological significance; and

Whereas, the Caja del Rio is a landscape of dramatic topography whose geological processes stem from the Rio Grande rift and whose boundaries stretch from Santa Fe County's northwestern boundary of the Rio Grande to the southern and western boundaries of the La Bajada Escarpment, Santa Fe River, and Cañada Ancha; and

Whereas, the Caja del Rio contains two dynamic watersheds – the Santa Fe River Canyon and the Rio Grande corridor from Buckman to Cochiti Lake – and both watersheds have critical cultural, hydrological, ecological, agricultural, and economic significance; and

Whereas, the Caja del Rio is one of the most remarkable natural landscapes in the American Southwest with cactus forests, birds ranging from burrowing owls to bald eagles, herds of deer and elk, and black bears and cougars; and

Whereas, the Caja del Rio has been a critical habitat to wildlife for millennia and a wide variety of bird and animal species continue to use the area as a migratory corridor, breeding grounds and an area of relocation during wildfires and changing climates; and

Whereas, in connecting various mountain ranges and wildlife habitats, the Caja del Rio acts as a lynchpin of wildlife connectivity and is essential for maintaining wildlife movement throughout the Upper Rio Grande; and

Whereas, preserving the Caja del Rio's historic and cultural context is critical for sustaining Santa Fe County's rich and diverse cultures, traditions, heritage, and the vibrant community we are blessed to collectively share; and

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Whereas, the Caja del Rio Plateau has been inhabited by Native and Indigenous communities since time immemorial; and

Whereas, the Caja del Rio is recognized by various Pueblos' traditional leadership as a significant region of cultural properties where Pueblo ancestors built housing structures, ceremonial kivas, roads, irrigation infrastructure, petroglyphs, and other cultural resources; and

Whereas, the Caja del Rio contains a dense concentration of thousands of sacred sites, structures, petroglyphs, irrigation systems, and other cultural resources; and

Whereas, the pueblos maintain an ongoing connection and use of the Caja del Rio landscape and its cultural resources, and sacred sites through story, song, pilgrimage, and prayer, and preserving the landscape's historic and cultural context is critical for ongoing cultural religious access and use; and

Whereas, the Caja del Rio landscape has a revelatory, sacred, and communal pueblo connection. This communal connection brings memory back to be a conduit of self-understanding that we are all one earth people who with the four-legged, winged, finned, pollinators and aquatic micro-invertebrates are together connected as one in the sacred web of life. This communal connection then also extends to the traditional local Hispanic community and the broader Santa Fe community who also see the landscape as spiritual and sacred; and

Whereas, the Caja del Rio also represents the key landscape demarcation between what the Spanish colonial world termed the Rio Abajo and Rio Arriba regions of New Mexico and where the people of Santa Fe County's Traditional Hispano villages maintain deep ties and living roots in the Caja del Rio cultural landscape as "Ejido," communal, through perpetuation and practice of traditional uses of flora and fauna and by pilgrimage and prayer; and

Whereas, Santa Fe County's Caja del Rio Hispano communities, including Jacona, Agua Fria, La Cieneguilla, La Cienega, and La Bajada, remain deeply connected to the Caja del Rio and act as living repositories of traditional ecological and cultural knowledge of the area; and

Whereas, Santa Fe County recognizes the importance of traditional livestock production on the Caja del Rio Plateau and supports continued responsible range management as has been conducted through the cooperation of cattle growers and livestock permittees, traditional merced and acequia communities as political subdivisions of New Mexico, and federal agencies; and

Whereas, portions of the Caja del Rio have tremendous potential for sustainable outdoor recreation and to create jobs and enhance local economies so long as these regulated activities do not adversely impact the cultural, hydrological, and ecological resources of the landscape. Santa Fe County recognizes the importance of multi-use recreational access and has designated Santa Fe County as a regional and international equestrian destination that has a substantial economic impact to the County, Resolution 2015-38; and

Whereas, the Caja del Rio is still used by the Pueblo Nations and traditional Hispano communities to exercise traditional land use values including: hunting, fishing, grazing, wood gathering, piñon harvesting, herb and plant gathering, sacred pilgrimage, and the historic community use of the land in other traditional ways; and

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Whereas, the Caja del Rio also contains a major and historically significant travel corridor along the National Historic Trail of El Camino Real de Tierra Adentro, an important trade route that ran from Mexico City to the Pueblo of Ohkay Owingeh, New Mexico, from 1598 to 1881; and

Whereas, various petroglyphs and archeological sites found along El Camino Real de Tierra Adentro and throughout the Caja del Rio speak to the arrival, presence, history, culture and influence of the Spanish in the area; and

Whereas, residents and spiritual leaders throughout Santa Fe County and the United States recognize the sacred value of the Caja del Rio and utilize the area as a place of prayer, silence, solitude, worship and sacred pilgrimage; and

Whereas, in the early 1900s the main travel corridor of El Camino Real de Tierra Adentro along the Caja del Rio transformed to become famous for its iconic stretches of New Mexico Highway 1 and ultimately Route 66; and

Whereas, the Caja del Rio also serves as a critical landscape in creating a historical, cultural, ecological, and eco-tourism corridor connecting to Bandelier National Monument and the adjacent sites of Kasha-Katuwe Tent Rocks National Monument, El Rancho de los Golondrinas and the Leonora Curtin Wetland Preserve; and

Whereas, the New Mexico Heritage Preservation Alliance has listed the Caja del Rio as one of the “most endangered places” in New Mexico; and

Whereas, there are many significant threats to the Caja del Rio’s land, water, wildlife, and cultural and archeological antiquities including, but not limited to: petroglyph defacement, vandalism, and theft, illegal shooting and poaching of wildlife and livestock, illegal dumping, theft of stock tanks, unlawful off-highway vehicle, OHV, usage and habitat fragmentation from illegal roads, unmanaged/unlawful recreation, and recent sales of federal lands by the BLM for other public purposes; and

Whereas, the Caja del Rio’s cultural and wildlife resources remain under significant threat from the Los Alamos National Labs’ proposals to run a major transmission line and fiber optic line cutting across the Caja del Rio landscape as well as the proposal for the development of a major highway to be created through the area; and

Whereas, the federal agencies with jurisdiction over the area have provided insufficient management and resources to patrol, monitor, and protect the many antiquities within the Caja del Rio; and

Whereas, traditional land use permittees wish to work collaboratively with the federal agencies and ask these agencies to recognize the historical and cultural significance of traditional uses within New Mexico’s Hispano communities and honor such uses in perpetuity; and

Whereas, Pueblo Nations with a deep connection to the Caja del Rio would like for the federal government to provide the protections needed to preserve and protect traditional Native sacred sites as well as maintain pueblo access and co-stewardship of these sites; and

Whereas, the Caja del Rio should become an important experiential learning classroom for the area’s surrounding youth and a place to teach children the cultural, historical, ecological, geological, hydrological, and biological aspects of this remarkable landscape; and

Whereas, the permanent protection of the Caja del Rio will help New Mexico

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reach the 30 X 30 goals of the America the Beautiful initiative and the State's 30 X 30 Executive Order 2021-052 focused on protecting biodiversity and conserving 30% of lands and waters by 2030; and

Whereas, the America the Beautiful initiative encourages locally led and voluntary efforts to conserve, connect, and restore lands, waters, and wildlife upon which we all depend, and the Caja del Rio protection efforts are locally driven and led, characterized by community collaboration, and support the priorities of Tribal Nations, while also engaging other local stakeholders.

Now therefore be it resolved, that the Board of County Commissioners of Santa Fe County hereby:

1. Supports the permanent protection, long-term preservation, and responsible stewardship of the Caja del Rio landscape;
2. Supports the collaboration, co-management, and co-stewardship of the Caja del Rio among responsible federal agencies, the local governments of traditional Hispano communities, and sovereign tribal nations for the permanent protection and preservation of this precious natural and cultural landscape;
3. Supports all efforts to empower Pueblo Nations and traditional Hispano communities in performing meaningful cultural interpretation, environmental education, and historical preservation of this treasured landscape;
4. Supports co-stewardship and responsible management of wildlife and the wild environs of the Caja del Rio Plateau, for the benefit of the public today, and for future generations;
5. Supports the continuation and sustainment of traditional uses of the Caja del Rio including hunting, fishing, grazing, wood gathering, piñon harvesting, herb and plant gathering, sacred pilgrimage, and the historic community use of the land in other traditional ways; and
6. Opposes new development and construction of highways, power transmission lines, or other infrastructure encroachments on the landscape of the Caja del Rio.

Be it further resolved, that the Board of County Commissioners of Santa Fe County hereby requests that the President of the United States and the US Congress initiate the process to bring permanent protections to the Caja del Rio.

Be it further resolved, that the Board of County Commissioners of Santa Fe County requests that the County Manager forward this resolution to the US Secretary of the Interior, the Bureau of Land Management Director, the US Forest Service National Director, New Mexico Senators and Representatives in Congress, and the New Mexico Governor, State Senators and Representatives in the New Mexico Legislature representing Santa Fe County, New Mexico Counties executive board of directors, and other elected officials representing political subdivisions wholly or partially within the boundaries of Santa Fe County.

I want to thank Garrett VeneKlasen. I want to thank Sara Smith and Brittany Montoya for their work on helping provide this resolution and I would like to move to approve and adopt this resolution on the 10th day of May.

COMMISSIONER GARCIA: Madam Chair, I'd like to second it for discussion.

CHAIR HAMILTON: Yes, Commissioner Garcia.

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COMMISSIONER GARCIA: I would just like to thank all the speakers that spoke. They pretty much said everything I was going to say and they touched base on every single thing and nobody was pretty much repetitive. And I'd just thank them all for speaking and being involved in the Caja del Rio. Just a couple of things, before I-25 was even actually even thought of there was State Road 1, which is actually when the Model-T car – with that picture some Model-T cars were going through the La Bajada area as well as the Cochiti area which is a great picture.

The other thing is with the Kasha-Katawe Tent Rocks, that was actually the last national monument that President Bill Clinton signed in November before he left office, which is kind of cool, I thought. And special thanks to Garrett VeneKlasen and I know I'm going to leave people out. Julian, the chicharrones were excellent and the food that you make. We've had several meetings there as the Commissioner mentioned. The Boys and Girls Clubs have been there. Senator Ben Ray almost got bit by a rattlesnake when he was there. William Mee is involved in that. Councilor Carmichael Dominguez and I know a few other people that are definitely involved in that that I'm going to leave out, but I would just like to thank everybody that's involved. I had a lot to say but the resolution says it all, and like I mentioned earlier, all the individuals that spoke did an excellent job and pretty much said what I was going to say but the Caja del Rio is a very important piece of property.

The Commissioner and I share that border line that is Caja del Rio, the County road. That's all I had to say. But thank you to everybody that's involved and thank you for myself and well as the Commissioner bringing this over.

CHAIR HAMILTON: Excellent. Thank you so much, Commissioner Garcia. Commissioner Hansen, you did already make a motion, right?

COMMISSIONER HANSEN: Made a motion and Commissioner Garcia seconded.

CHAIR HAMILTON: I thought so. Under discussion. Commissioner Roybal.

COMMISSIONER ROYBAL: Yes, I just want to thank Commissioner Hansen and Commissioner Garcia for bringing this resolution forward. This is something that as Julian Gonzales and others talked about is just the preservation of our historical land grants in the area. I really appreciate it and I just want to show my support as well. I think we have some other land grants in our communities that I think something like this would be really good to bring forward as well, so I just want to thank the Commissioners once again.

CHAIR HAMILTON: Excellent.

COMMISSIONER GARCIA: One other thing, Madam Chair.

CHAIR HAMILTON: Commissioner Garcia, hang on a minute. Commissioner Hughes.

COMMISSIONER HUGHES: Yes, I also want to just express support of this idea. I think preserving the Caja del Rio is an important action if we can encourage the federal government to move in that direction, that's what we've got to do.

CHAIR HAMILTON: Excellent. Thanks so much. Commissioner Garcia, did you have something else?

COMMISSIONER GARCIA: An interesting thing was Commissioner

Roybal was going to a meeting out there that we had. We've had several gatherings out there and he actually googled Caja del Rio and instead of taking him down 285 and 599 it took him all the way the back way and through the Caja del Rio, which was interesting.

COMMISSIONER ROYBAL: It was a really great drive, very scenic. I think I drove at last 35, 40 miles on a dirt road, and I still got there almost on time. I was just hoping I would run out of gas.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I also want to thank my fellow Commissioners and all of our federal delegation because I do believe that Senator Heinrich and Senator Lujan and Representative Theresa Leger Fernandez believe wholeheartedly in protecting the Caja del Rio and protecting the beautiful landscape of New Mexico and I look forward to working with them on seeing this come to fruition.

CHAIR HAMILTON: Excellent. Thank you so much. So we do have a motion and a second, if there's no further discussion.

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

B. Resolution No. 2022-031, a Resolution Directing the County Manager to Establish a Working Group to Analyze and Make Recommendations Concerning an Educational Program and Possible Ordinance Discouraging the Use of Various Single-Use Plastic and Polystyrene Products in Santa Fe County; Urging the US Congress to Enact Senate Bill 984; and, Should the US Congress Fail to Act, Urging the New Mexico Legislature to Enact a Statewide Ban on Single-Use Plastic and Polystyrene Products

CHAIR HAMILTON: This is brought forward by Commissioners Hansen and Hughes and I guess I'll go to Commissioner Hansen first.

COMMISSIONER HANSEN: I'm going to defer since I have been reading and speaking, I'm going to defer to Commissioner Hughes and then I will join in.

CHAIR HAMILTON: Excellent. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I think this is a very important resolution. I'm happy to bring it forward. I think we have perfect evidence outside today of the destruction of our environment and climate change. Plastics are a part of that and we want to figure out how we can live with a lot less plastic in our lives. Just a couple of statistics that are kind of in this resolution that I think are interesting. The average lifespan of a plastic bag given out at the grocery store is 12 minutes, from start to finish. And pertinent to our worries about climate change and our burning forests, the plastic industries emissions today are the equivalent of about 189 coal-fired power plants but it's increasing every year.

So we need to start moving in the other direction. This resolution asks the County Manager to set up a working group of County employees, volunteers from the community as well as the businesses we need to partner with to start working on how we're going to address this through education and eventually possible regulation.

And so I just want to mention that I do have the 268 signatures that Karen

Sweeney delivered to me last night and what people signed – this is very short – said, We the undersigned support the reduction of single-use plastics in Santa Fe County. The City of Santa Fe passed a plastic bag ban in 2014. The program remains a successful effort. We urge the Santa Fe County Commission to adopt an ordinance including a bag ban and reduction of other single-use plastics such as Styrofoam and carry-out containers.

And I don't think we need to read this resolution unless somebody wants me to.

CHAIR HAMILTON: I think that's fine. Everybody can read it unless you have a strong feeling. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. Thank you, Commissioner Hughes. I am honored to be able to sponsor this resolution with you. People seem to forget that plastic comes from oil and it's a serious part of the degradation of our environment, and so we really need to ban as much plastic as we can. I know that we are overly dependent on it, but to reduce and come up with new solutions is really important to me. I think we can all think outside of the box and come up with bigger and better ideas of how to package our food, how to put our food in containers when we go to the store. I really try and reuse my plastic bags as many times as possible, reuse any plastic containers I have and wash all my plastic bags. And I encourage everyone else to do that, but also encourage you to reduce your use. So thank you.

CHAIR HAMILTON: Thank you. Is there other discussion among Commissioners? Any questions?

COMMISSIONER HUGHES: Well, I'll go ahead and make a motion to adopt this resolution setting up the working group to work on reducing our use of plastic.

COMMISSIONER HANSEN: Second.

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

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

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

CHAIR HAMILTON: Do you want to start, Commissioner Hansen?

COMMISSIONER HANSEN: So I feel negligent in the fact that two people have sent me support of the Caja del Rio and the first one is former Governor Mark Mitchell of Tesuque Pueblo, and he says, Commissioner Hansen, I was trying to log on for the Caja del Rio resolution. I want to thank you all for the support of the protection of the Caja.

And then also one of our dear fellow peers, County Commissioner Max Trujillo sent me a note also that on behalf of HECHO, Hispanics Enjoying Camping, Hunting and Outdoors, I sincerely ask the County Commission to support the resolution to protect this special area. So I just didn't want to leave them out and I was grateful that Commissioner Trujillo, in the middle of dealing with this huge fire took the time to write and to support this resolution.

So thank you, Commissioner Trujillo. Thank you, former governor of the All

Pueblo Council, Mark Mitchell. So I want to thank both of them.

I want to also announce that there is a bike swap on May 15th from 9:00 am to 12:30. It's in the Better Day Coffee parking lot next to the Solano Center. So, buy, sell, trade. Kids' bikes, adults' bikes, bike clothing, accessories. It is also Bike Month, so I wanted everyone to know that. It's something I have supported for many, many years and very important.

I had the pleasure of attending Bienvenidos, a welcoming booth on the plaza that opened at the First National Bank on Thursday. It was a great event. In the past they have received lodgers tax and so I'm hoping that we can figure out a way to get them on the lodgers tax schedule. I know that is something that we have supported in the past. We gave them \$2,000 I think right before the pandemic and then we lost that. But they promote so many areas in the county, like Rancho Las Golondrinas to Bishop's Lodge to all the pueblos, so I think it would be a benefit for us and especially through the lodgers tax to help them.

In the last couple of days, at the request of a number of my constituents I have been in touch with Debbie Kress, who is the US Forest Service Director. I did mention at our last County Commission meeting that I requested them to come and give a presentation and talk to us about the Santa Fe Mountain Landscape Resiliency Project, which comments are due on May 13th. I have standing and so does this Board. The entire Board has standing for the Santa Fe Mountain Landscape Resiliency Project and I will be sending comments. Debbie Kress, Director of the US Forest Service said that she could come and do a presentation on June 14th, and so I would like to encourage them to do that. I think it is important for the public to hear from the Forest Service, especially in the midst of this incredibly heavy wildfire season.

The other thing that constituents have requested of me is that we go to a State 3 of forest closure. I have mentioned that to her and to the State Forester, Laura McCarthy. I believe they are working on doing something like that. It takes processes, a lot of connections and intricacies of different people who use the forest who have to be taken into consideration before we go to Stage 3. We are now in State 2 and there are only three stages. So there's one, two, and three, and we're in the second highest stage. So I think it is important for people to recognize that and we do have another resolution coming up to ban the sale of fireworks.

I did mention that I testified at the Clean Car Rule, which passed and I was happy to do that, and I also had the honor of attending La Familia's gala for their 50-year celebration which was a wonderful event and they have rebranded themselves as La Familia Health. And they do so many great things for our community. I am honored that Santa Fe County is a partner in helping to provide indigent services to so many community members. I think they serve like 16,000 members of our community. It's an amazing amount of people that they provide services to and I'm sure there's something I have left out but I will leave it there at the moment, because I'd like to leave on that really positive note of having La Familia, such a wonderful organization in our community. Thank you so much.

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

COMMISSIONER HUGHES: Thank you, Madam Chair. Just a couple

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things. One is that we had a really good day, Earth Day planting event out in the Valle Vista Boys & Girls Club repurposing a space that had been just abandoned and neglected for years, and so what will hopefully become a little community park. And it was especially fun because the marimba band from the Academy for Technology and the Classics showed up and played for us while we were planting. And it was just lovely. And they were actually really good. So it was fun.

As was mentioned earlier, we're going to have a townhall about fire preparation tomorrow. That's between District 4 and District 5 at the Arroyo Hondo fire department, I think.

CHAIR HAMILTON: Yes, Hondo Volunteers, Station 2.

COMMISSIONER HUGHES: Station 2. Okay. I'll learn all this good stuff. The only other thing I wanted to mention is I will be meeting on Saturday with the Rancho Viejo Homeowners Association to address some of their concerns and hear from them about all the development that's going on around them. They're very interested of course because the dirt is flying out there.

So thank you, Madam Chair. That's it for me.

CHAIR HAMILTON: Excellent. Thank you, Commissioner Hughes.
Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. I just wanted to circle back around to the fires in the state and I know that right now we have a lot of homeowners that are displaced from Mora and Las Vegas and now the fires are getting pretty bad in the Jemez area as well. And like I said, I did attend a meeting at Santa Clara that we had a lot of our state officials. But I just want to thank all the local governments for the way they've come together to take care of our fellow citizens in the state and I think that we've pooled resources together to work with the communities that have these huge impacts in the area because of these fires. So I just wanted to say that.

And also just recognize staff because I talked to Debbie Romero. She's the DFA Cabinet Secretary, and she was saying that they needed some meals for some of the locals, some of the displaced people that are coming from Mora and Las Vegas that are staying in some of the hotels and so I called staff and we were able to start taking more meals to these individuals and delivering them. So I think it meant a lot, and also just recognize Ms. Romero and also Teresa Casados. I think all of us know here as well as she worked for the County and now she's New Mexico Health Cabinet Secretary. Both of them were at this meeting and they're doing a great job in representing the state and also working with these individuals, so I just wanted to recognize them and also staff for all the hard work and dedication that we've helped with during this time of need from some of these surrounding communities. So I just wanted to bring that up and state that on the record. Thank you.

CHAIR HAMILTON: Excellent. Thank you so much, Commissioner Roybal. Commissioner Garcia, do you have anything under Matters from Commissioners? I think we have temporarily lost him.

I just wanted to say for District 4, just a couple of Saturdays ago we did our Earth Day plantings in the Arroyo Hondo trailhead area. It was incredibly well attended. It was very successful. It was a great choice of places to work because so many in the district use that area and they're very committed to it. And the combination of our Sustainability

group and our new Volunteer Coordinator did an outstanding job of both preparing for and running that whole activity. So that was really very much appreciated and amazingly, that event managed to sneak in on a really lovely morning between two horrible smoky days. So that was actually very nice.

We've mentioned so many things about the fire but I wanted to make special mention of the Glorieta Camps area up near the Village of Glorieta in my district. They're going to great efforts to contribute their facilities that lend themselves so well to supporting people evacuating with all their lodging facilities and what not. So I wanted to thank them in particular, and our Fire Department, in particular, Assistant Chief Vigil, for doing so much work there and both an operations center and an evacuation center.

And Commissioner Hughes already mentioned the townhall tomorrow, but given how many people in both District 5 and District 4 are really interested and concerned about this we're grateful this is happening tomorrow evening and welcome everybody. It will be, as Commissioner Hughes said, at Hondo fire station 2 starting at 5:30. So if there are no other matters that take us to Matters from Other Elected Officials.

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

CHAIR HAMILTON: I think I'll start with our County Clerk.

KATHARINE CLARK (County Clerk): Thank you, Madam Chair. As you may know, today was the first day of early voting in the Clerk's Office. We are open today until June 4th weekdays during business hours, 8:00 to 5:00, except for Memorial Day, which is May 30th, and on Saturday, June 4th. What we call expanded early voting centers won't open until the 21st. Today is also the last day to register online using nmvote.org. But this year we have same-day voter registration in the primary for those who are not major parties. Major parties in New Mexico are Libertarians, Republicans and Democrats, so they will not be able to change parties, but they can update their addresses using same-day voter registration. But if you are a minor party – Green Party or any other party, Independent, or an unregistered voter you can register for the primary, choose a major party and vote that ballot for this primary election. That is a new law this year that has gone into effect, and in our county we will have same-day registration wherever a poll is open.

We will also have at every polling location a place to drop your absentee ballot. So far we have about 1,500 applications and I will emphasize that the mail is very slow. It is also very backed up because of the fires, so if you're considering voting absentee please, please go to nmvote.org and submit your absentee application. We're processing those all the time.

And the other thing is that during the fire season we have seen a lot of extreme examples of buildings going up really quickly. Young's Hotel down in Cuba went in about five hours. It shut down 126 and US 550. At the same time half of Santa Rosa was evacuated yesterday because of a grass fire, so at any time voting can change. We've been assisting San Miguel, so we've been helping them essentially store tabulators and use some of our spare tabulators and help them certify. We don't do the certification but

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we're providing space for it so we've actually rented two pods to sit outside of our warehouse so that we have space to assist our other counties that have been affected.

Mora County has to have a polling place and so they have moved their polling place to Wagon Mound. And San Miguel is still in Las Vegas for now, but we also know that Sandoval and Los Alamos are having issues, so we're on a daily briefing with emergency response and where we can vote may change at any time, depending on what's going on in fire weather. So while we have our plans to move forward with our polling sites, I would encourage voters to vote early this year because the fire season is quite bad. And if we need to close a polling site or we need to assist our fellow counties we will do whatever we can. So I'm hoping everyone takes fire season very seriously, but also that it is election season and the election does not stop for any disaster as the Supreme Court declared during COVID so we have to do what we can to make sure we get out the vote. Thank you.

CHAIR HAMILTON: Excellent. Thank you so much. I don't know – are there any other elected officials on the Webex who would like to speak to the constituents during Matters from Elected Officials. Daniel, can you tell me whether you see anybody? Our Treasurer or Sheriff or anybody online who would might want to speak?

MR. FRESQUEZ: Madam Chair, I do see Treasurer Manzanares is online.

CHAIR HAMILTON: Treasurer Manzanares, if you can to speak, just chime in. If not, that's great. Either way. Okay. So I guess I will close Matters from Other Elected Officials.

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 Administrative Adjudicatory Proceedings, Including Those on the Agenda Tonight for Public Hearing, as Allowed by Section 10-15-1(H)(3) NMSA 1978; Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Between the Board of County Commissioners and Collective Bargaining Units, as Allowed by Section 10-15-1(H)(5); Discussion of Contents of Competitive Sealed Proposals Pursuant to the Procurement Code During Contract Negotiations as Allowed by Section 10-15-1(H)(6); Threatened or Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(7) NMSA 1978; and, Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1(H)(8) NMSA 1978, including:**

1. ***NM Coalition of Public Safety Officers and Santa Fe County Deputy Sheriff's Ass'n. v. Santa Fe County, PELRB No. 133-21***

CHAIR HAMILTON: I'll go to Rachel Brown.

RACHEL BROWN (Deputy County Attorney): Madam Chair, Commissioners, I'd ask that we go into executive session pursuant to Section 10-15-1(H)(7) of the New Mexico Statutes to discuss pending or threatened litigation and

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specifically NM Coalition of Public Safety Officers and Santa Fe County Deputy Sheriff's Association versus Santa Fe County, PELRB No. 133-21.

CHAIR HAMILTON: Thank you so much. I just wanted to let everybody know that we expect executive session to be very short. That is why we are conducting it prior to starting the public hearings even though I recognize fully and really appreciate that everybody is waiting for several public hearings. We respect your time and I respect the fact that you're standing by but this is going to be very, very quick. And I believe it would coincide well with the need for a short break in any case. So I would entertain a motion to go into executive session.

COMMISSIONER ROYBAL: Madam Chair, I move that we go into executive session for the items that were itemized by our County Attorney, Ms. Rachel Brown.

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: Thank you. I have a motion and a second. Can I have a roll call, please.

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

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

[The Commission met in executive session from 6:37 to 6:54.]

CHAIR HAMILTON: We're back from executive session. It is 6:54 and I would entertain a motion to come out of executive session.

COMMISSIONER HANSEN: So moved, Madam Chair.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: Thank you. I have a motion to come out of executive session, assuring that the only things discussed were those things mentioned at the very beginning of the session and no decisions were made.

The motion passed by unanimous [4-0] voice vote. [Commissioner Garcia was excused from the remainder of the meeting.]

12. PUBLIC HEARINGS

- A. Resolution No. 2022-032, a Resolution to Proclaim Extreme or Severe Drought Conditions within Santa Fe County and to Ban the Sale and Use of Certain Fireworks in the Unincorporated Portions of the County and Within Wildlands in the County**

CHAIR HAMILTON: So we have our Fire Marshal, Jaome Blay.

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Welcome.

JAOME BLAY (Assistant Fire Chief): Thank you, Madam Chair, Commissioners. Again, first of all, I'd like to thank the Legal team for the County for helping putting together a thorough package for this resolution.

Santa Fe County Fire Department is requesting approval of a resolution proclaiming extreme or severe drought conditions within Santa Fe County and to ban the sale and use of certain fireworks in the unincorporated portions of the county and within wildlands in the county. On April 25th of this year Governor Lujan Grisham issued executive order 2022-22 urging municipal and county governments to consider a fireworks ban. On April 26th Santa Fe County adopted emergency Ordinance 2022-02 declaring hazardous fire conditions and imposing restrictions on open fires, smoking and other ignition sources. On April 23rd the New Mexico State Forestry banned the use of fireworks citing abnormally warm temperatures, low humidity, high winds and the abundance of dry fuel material increasing the chances of fire incidence.

The United State Bureau of Land Management enacted a fire prevention order prohibiting fireworks and exploding targets. The State of New Mexico Energy, Minerals and Natural Resources Department, Forestry Division, announced restrictions on fireworks, smoking, campfires and open fires in New Mexico. They also urge coordination with other jurisdictions including counties to ensure that appropriate protections are in place to protect New Mexico as fire danger and wildfires increase.

As of April 22nd, we are experiencing several wildfires including Hermit's Peak fire, the McBride fire, the Nogal Canyon fire, the Calf Canyon fire, the Cook's fire and the Big Hole fire. County fire resources are committed to existing fires which could diminish the capacity to respond to new fires, and current drought indices published by the United States National Integrated Drought Information System in the United States Forest Service indicates extreme or severe drought conditions.

An immediate and present danger of range fires, brush fires, grass fires, forest fires and structure fires exist within Santa Fe County due to persistent drought. Current fire conditions such as low humidity, dry weather, wind and fire fuel moisture content have resulted in conditions of extreme risk of fires. Given the circumstances, the probability of ignition of materials and the spread of poses a severe threat to persons and property. The health, safety and welfare of citizens are in danger as a result of such conditions.

New Mexico State Statute provides that the Board of County Commissioners of the County of Santa Fe may declare that extreme or severe drought conditions exist and proclaim certain restrictions on the sale and use of fireworks for 30 days. The resolution may be reissued if severe drought conditions warrant it. With that I stand for questions.

CHAIR HAMILTON: Thank you so much, Fire Marshal. Are there questions or comments? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you very much, Jaome, Madam Chair. Is this ban effective on tribal land?

ASST. CHIEF BLAY: Madam Chair, Commissioner Hansen, is this ban effective – I'm sorry. I lost the last part.

CHAIR HAMILTON: Would it apply to tribal lands?

ASST. CHIEF BLAY: Madam Chair, Commissioner Hansen, it's only

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applicable to unincorporated areas of Santa Fe County.

COMMISSIONER HANSEN: So the pueblos would have to do this themselves?

ASST. CHIEF BLAY: That is correct.

COMMISSIONER HANSEN: So once we pass this, can we send this resolution to them so that they know what we have done?

ASST. CHIEF BLAY: Madam Chair, Commissioner Hansen, absolutely. We will do the same distribution information through social media, schools, tribal lands. We would contact Hvtce Miller and hopefully he'll be able to distribute it to the four governors.

COMMISSIONER HANSEN: Okay. And with that I will move to approve.

COMMISSIONER HUGHES: Second.

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

MANAGER SHAFFER: It is a public hearing, Madam Chair.

COMMISSIONER HANSEN: I'll withdraw my motion.

CHAIR HAMILTON: Thank you, and thank you, Manager Shaffer. But is there further discussion before we do the public hearing? Seeing none at the moment I'll go ahead and open the public hearing. Is there anybody present or on the Webex who would like to speak to this matter? Daniel, can you tell me if you see anybody on line who may want to speak at this hearing?

MR. FRESQUEZ: Madam Chair, I'm not seeing anybody on Webex indicating that they'd like to speak during this item.

CHAIR HAMILTON: Excellent. Thank you so much. So I'm going to go ahead and close the public hearing portion of this and move forward. Are there questions or comments, or I'd entertain a motion again.

COMMISSIONER HANSEN: Madam Chair, I move to approve.

COMMISSIONER HUGHES: And I'll second again.

CHAIR HAMILTON: Thank you. Now I have an official motion and a second. I just wanted to comment or maybe question. This is going to be good for 30 days. It's remarkably early for having to do something like this, and so I trust that you guys – I fully trust that you will track this because I don't think anybody expects this to ameliorate in 30 days, by early mid-June'

ASST. CHIEF BLAY: Madam Chair, you will see me on June 14th for the BCC meeting.

CHAIR HAMILTON: Excellent. Thank you. So seeing no further discussion, I have a motion and a second.

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

12. **B. Ordinance No. 2022-03, an Ordinance Enacting a Santa Fe County Code of Conduct; Repealing Ordinance Nos. 2010-12 and 2011-9**
 [Exhibit 3: Updated Ordinance Text]

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MICHAEL ROSANBALM: Madam Chair, this is Vice Chair Rosanbalm. I'd like to introduce this. Madam Chair, Commissioners, for what seems a long and at times arduous effort, the Ethics Board is very pleased to see the proposed Code of Conduct Ordinance before a public hearing as authorized in the 12th of April BCC meeting. The ordinance clearly states the ethical guidelines and best practices to follow for honesty, integrity and professionalism for Santa Fe elected officials, appointed officials, employees and volunteers, improves clarity, eliminates ambiguity and subjectivity, and ensures the complaint and resolution process is clear for both complainant and respondent.

Specifically details are very well laid out in the general summary. As the hearing draws to a close and before any motions are made I ask to be recognized by the Chair for some closing remarks. And with that, the Ethics Board stands for any questions.

CHAIR HAMILTON: Thank you very much. Before we go to other public input are there questions or comments? Commissioner Hansen.

COMMISSIONER HANSEN: Yes, I requested that County Attorney Estevan Sanchez speak about the "anything of value."

CHAIR HAMILTON: Thank you. Welcome.

ESTEVAN SANCHEZ (Assistant County Attorney): Madam Chairperson and Commissioners, I've been asked to present on one portion of the amended Code of Conduct. That is the portion dealing specifically with the anything of value definition as it is amended. Before I do that I just wanted to point out that you've been provided with a red line copy of the Code of Conduct. There were some changes that were made today. They're not substantive. Those changes consist only of the fixing of a typographical error and also the capitalization of the defined terms in the body of the ordinance.

So moving on to the anything of value definition, anything of value is contained in Section 4, paragraph D of the amended ordinance. This definition affects several different places within the Santa Fe Code of Conduct Ordinance. First, what is probably most pertinent is how it affects restricted donors and what kind of gifts, if any can be made to elected officials, appointed officials, employees and volunteers. So the first thing I wanted to state is that under New Mexico State Statutes and criminal law, bribes are always prohibited and that's how it's defined in New Mexico law. To go beyond that, most gifts from restricted donors – and I'll explain who are restricted donors in this ordinance – are prohibited except for admission at public events valued at less than \$100 from a certain subgroup of restricted donors.

Gifts from restricted donors include admission at public events are prohibited all together for a different subgroup of restricted donors. So restricted donors are generally people, businesses or other entities that are doing business or contracting with the County, that desire to contract with the County or do business, or that are regulated by the County, have an application pending before the County, or whose interest may be affected by the County.

The class of restricted donor who cannot make any gifts to any of those four categories are parties to administrative adjudicatory proceedings, entities regulated by the County, persons who contract with the County to provide financial services involving the investment of public money or issuance of bonds for public projects, or persons actively

seeking contracts with the County during the procurement process. So whenever one of those four groups, whether it's an elected official like yourselves, an employee, an appointed official, or a volunteer, is being offered a gift, the first thing they have to analyze is the identity of the gift-giver and take into consideration that the facts could change, whether a particular gift-giver can give gifts to one of those people.

So for instance, if a non-profit entity had a land use application before the County, that would change if a gift could be provided by that entity.

So lastly, I wanted to raise that the Ethics Commission is able to provide advisory opinions, so whenever a question comes up for an elected official, an appointed official, employee or volunteer, they can look to the Ethics Commission to provide them with guidance as to whether a particular gift would be prohibited or not.

In general, if an elected official, volunteer, appointed official, or employee wanted to accept a gift and it's not a restricted donor, the Code of Conduct would not prohibit that. So with that I would stand for any questions on that particular portion of our Code of Conduct.

CHAIR HAMILTON: Yes, I actually have a question. Since this pertains to volunteers as well, volunteer Fire Departments as districts – not as individuals but as the districts – get donations from constituents all the time. That's a long-standing thing, they're donating and things are used for functions at the fire department. Does that become prohibited under this?

MR. SANCHEZ: I don't believe it would. What I'm talking about here is something they would accept in an individual capacity, not something they would accept on behalf of the Fire Department but that's how I understand it.

CHAIR HAMILTON: Thank you. Are there other questions? Yes, Commissioner Hansen.

COMMISSIONER HANSEN: You have hear in your summary but I would like you to talk about: In sum, in analyzing gifts to elected officials, and then for example – so I'd like you to talk about that paragraph. For example, a non-profit organization.

CHAIR HAMILTON: Is this in the memo?

COMMISSIONER HANSEN: No, this is a private memo to me.

CHAIR HAMILTON: Oh, okay. Thank you. Got it.

MR. SANCHEZ: Madam Chairperson, Commissioner Hansen, can you repeat that? I couldn't hear the last thing that you said.

COMMISSIONER HANSEN: I would like you to, in the memo that you sent to me of anything of value, I would like you to expand on the last two paragraphs, especially the second to the last paragraph.

MR. SANCHEZ: Thank you. Madam Chairperson and Commissioner Hansen, in particular, an example that could be made is that a non-profit organization who is not a restricted donor, so it's not somebody currently doing business with the County, not attempting to do business with the County, not having something before the County for consideration, could give gift to elected officials, appointed officials, employees or volunteers. Tickets to a public event would be an example, regardless of the value of the event. If, however, there was something pending before the County for that non-profit organization and is a public event and they're not in that category of restricted

donors who cannot give anything, then they would be restricted to \$100 towards that public event. If that makes sense.

COMMISSIONER HANSEN: No, that doesn't make sense, because that's not what I agreed to.

MR. SANCHEZ: Okay.

COMMISSIONER HANSEN: So you're telling me that I can't go to a public gala that costs \$200 as a representative of a County? As the representative from a County?

MR. SANCHEZ: Madam Chairperson, Commissioner Hansen, no, what I'm saying is as long as the non-profit is not a restricted donor the type of which cannot give any gift to an employee, an elected official, an appointed official or volunteer. So that would be under the category of an entity, a person or a business that is a party to an administrative adjudicatory proceeding is an entity regulated by the County, persons who contract with the County to provide financial services, persons actively seeking contracts with the County during the procurement process. So it would only be that narrow category that you wouldn't be able to receive anything from that entity and if they were part of a larger group of restricted donors that includes parties to administrative adjudicatory proceedings, entities regulated by the County, persons who contract with the County – sorry. Let me go back a little bit.

One of the larger groups that is currently doing business with the County, desires to do business with the County, is regulated by the County, or has an application pending before the County, then you could still receive a gift from that larger group, but it would be limited to \$100. So all of this is – what I'm saying is it's only if they're a restricted donor and it's only if they're a particular type of restricted donor that you can't receive anything.

COMMISSIONER HANSEN: Is that clear?

CHAIR HAMILTON: As Mississippi. The fact that there are three groups, I'm clear on, but the membership in the two different restricted groups I'm not totally clear on. You can treat this like a math joke. If you say it louder, maybe it will go on. Maybe if you just repeat the two. Now that I know that there are three categories, unrestricted and two types of restricted, if you don't mind repeating the membership in the two groups I'd appreciate it.

MR. SANCHEZ: Madam Chair, I definitely would not mind that and I mixed two of them together the last time I said it, so I understand why there's confusion. So the first group, like you stated, unrestricted, not doing any business with the County, any kind of gift would be received from that group. The second group, restricted donors, doing business with the County or contracting with the County, desiring to contract or do business with the County, regulated by the County, or has an application pending before the County, or whose interest may be affected by the County. So that's the group in which a gift such as a ticket to a public event could be provided, but only up to \$100.

Then the next group, which is restricted donors, who cannot make any type of gifts are parties to an administrative adjudicatory proceeding, entities regulated by the County, persons who contract with the County to provide financial services to provide services involving the investment of public money or issuance of bonds for public projects, or persons actively seeking contracts with the County during the procurement

process.

CHAIR HAMILTON: Okay. So if I'm not mistaken, I thought I heard entities regulated by the County in both groups. So are there subcategories?

MR. SANCHEZ: Madam Chairperson, there is not.

CHAIR HAMILTON: But regulated is in both restricted groups.

COMMISSIONER HANSEN: And if I may Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: So if you are attending an event as a representative of Santa Fe County in your position as a Commissioner, then you are not violating the rule of anything of value. Is that correct?

MR. SANCHEZ: Madam Chairperson and Commissioner Hansen, no, I would not characterize it like that. I would say it would depend on who the person was who was giving the gift, the entity, and what their status was as far as if they were doing business with the County or if they're providing financial services to the County in the two lists I just provided.

CHAIR HAMILTON: So it seems to me that if somebody says we're doing an opening and we want the County to come speak, anybody from the County who would go and speak at that would have to consider the value of the event.

MR. SANCHEZ: Madam Chairperson, I think that's correct. If the tickets that were provided to the employee, volunteer, appointed official or elected official – well, first if it was an entity that was doing business with the County at the time, they would have to consider where it falls within those categories, and secondarily how much it costs to determine whether they could attend it or not. And there probably will be situations in which people would have to seek those advisory opinions from the Ethics Board to determine –

COMMISSIONER HANSEN: So doing business with the County means – does that mean that we are giving them funds? Let's say we have in the CONNECT program – I'll just use La Familia as an example. They are a client; we provide services to them. We reimburse them for services.

MR. SANCHEZ: Madam Chairperson, Commissioner Hansen, we don't define doing business with the County in the Code of Conduct, that particular term. Just off the top of my head I would think that, yes, that would categorize them as doing business with the County, in which case you could receive tickets up to \$100 or food and beverages up to \$100 and attend one of their events. However, if they were in the more restricted category, which it doesn't sound like they would be from what you've said today, then you would not be able to receive a gift such as tickets to a public event.

COMMISSIONER HANSEN: So I have had an issue with the less than \$100, unless the person is organizing. I'm at the point where I think we should strike that, because \$100 is really not what events cost these days. I'm in anything of value. And since this is our Code of Conduct that we are agreeing to as Commissioners, I think it is upon us to decide what we want in this Code of Conduct. This is under D and we would just strike valued at less than \$100, and leave that blank. Because we're already restricted.

MR. SANCHEZ: Madam Chairperson, Commissioner Hansen, one point I would make is that there's also the Government Conduct Act and our Code of Conduct

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cannot be less stringent than the Government Conduct Act.

CHAIR HAMILTON: And what does that specify?

MR. SANCHEZ: For one, in particular, it specifies that any gifts or tickets or food or beverages from a financial services provider cannot be over \$100, so that portion in particular is already written into our definition of anything of value at the last two sentences, where you can read, particularly Section 13.1.91, I believe –

COMMISSIONER HANSEN: So from any financial services, that's already written into the Code of Conduct. So it would need to be in here under anything of value.

MR. SANCHEZ: That would have to remain in at least \$100. And then I believe, offhand, that the Government Conduct Act would also require that the limit be no more than \$200 but I'd have to check that.

COMMISSIONER HANSEN: It's \$250.

MR. SANCHEZ: \$250, Madam Chairperson, Commissioner Hansen, I believe that's correct.

CHAIR HAMILTON: The \$250 is what the state regulation is? That's what we're talking about, right?

COMMISSIONER HANSEN: Yes.

CHAIR HAMILTON: To be perfectly honest, I thought that was the direction this was going, because I think this becomes a quibble for details that doesn't speak to the intent of having an Ethics Code. If in the example Commissioner Hansen gave, she was asked to speak at the opening of the La Familia building and to speak at a commemorative event and somebody comes and say, well, what the truth is, you didn't have to pay for that event. You had to go speak, but if you were to value that event, the food for each individual is worth \$107.57. That's just like – we're talking about wanting to prevent real graft, not that level of trivial activity. And so I don't know how to resolve this but frankly in the spirit of this, I think being consistent with the state makes a lot more sense. I thought that's what we were working toward achieving and we don't seem to have achieved that.

COMMISSIONER HANSEN: I agree with you completely, and that's why I would like to take out, and I would make a motion to take out item D at less than \$100, because also, at the same event, City Councilors were there. Our Representative Theresa Leger Fernandez was there. And so you're telling me that as a County Commissioner I'm not allowed to go to these events?

CHAIR HAMILTON: If I understood you correctly, just taking the \$100 out here, is it elsewhere in the regulation where it needs to be with respect to people giving us financial advice. Where it needs to be in, those two numbers that would make it consistent so that we're not less stringent than the state law, I think that's what I'm not clear on. So I don't know if I could vote on your motion because I think we need to know how we could make the change so it was consistent with those two values. Nothing over \$100 for financial advisors and nothing over \$250.

MS. BROWN: Madam Chair, I think I'm hearing the Commission or yourself and Commissioner Hansen say that you'd like to delete valued at less than \$100?

COMMISSIONER HANSEN: It's also in 13.1, in another place for the financial services.

CHAIR HAMILTON: Attorney Brown, I was saying that as long as it was consistent with Estevan's point that it has to be consistent – it can't be less stringent than state law, so I don't think anybody's arguing that. So that as long as we retained nothing of value over \$250 for the one restricted group and nothing over \$100 for financial advisors. Or whatever's appropriate.

COMMISSIONER HUGHES: Madam Chair,.

CHAIR HAMILTON: Yes, Commissioner Hughes. I think that to be consistent with state law would be better to change it to valued at less than \$250, because otherwise I don't think everything is covered elsewhere. I think there does need to be – the other way to go with this would be to really describe the entertainment and meals – I've seen it described some places as that can be consumed in a day. Because if we just took it out an event could be a golf trip to Hawaii for ten days. And that's clearly not what we're wanting to do.

CHAIR HAMILTON: You're right. Agreed.

COMMISSIONER HUGHES: So it's got to be limited somehow and the easiest way would be, if we're not happy with \$100 would be to raise it to \$250.

COMMISSIONER HANSEN: Right. Because \$250 was what state law says.

COMMISSIONER HUGHES: And that would be – I think our attorneys could, correct me if I'm wrong, but I think that would be consistent with the state then.

CHAIR HAMILTON: Mr. Shaffer.

MANAGER SHAFFER: If I could, just to be clear, with the change, if I could, Madam Chair and Commissioners. If you raise the value to \$250 you would still be left with a set of restricted donors that couldn't make any gift, just on the change that we're discussing, and I think that was the intent. So it is consistent with state law, because even if you raised it to \$250, a financial services firm could not provide you anything.

CHAIR HAMILTON: Yes.

COMMISSIONER HANSEN: Exactly.

MANAGER SHAFFER: A party to an adjudication couldn't provide their judges anything, and so they still do work in tandem. And so I think raising it to \$250, and I would defer to Mr. Sanchez and Ms. Brown, would still be consistent with state law because that group of, again, hyper-restricted donors, if you will, couldn't make any donation.

COMMISSIONER HANSEN: That's good to hear, and then I guess that would only, Mr. Sanchez, my question about that one group was in both.

MR. SANCHEZ: Madam Chairperson, yes. Are you talking about particularly the group of financial services?

COMMISSIONER HANSEN: No, no, no, no. When you read the two groups back to me, because I'm in the flat area of my learning curve, when you reread them I think there was a group – it was not the financial advisors –

MR. SANCHEZ: Madam Chairperson, are you referring to the entities regulated by the County?

CHAIR HAMILTON: Regulated. Thank you very much. I thought I heard you say it in both groups. So if that's the way it's written into this particular ordinance. I

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think we'd have to fix that.

MR. SANCHEZ: Madam Chairperson, I think that's the way that it's written in this ordinance. If you wanted entities regulated by the County to be only in the less restrictive group I think we'd have to change some of the language in different sections of the ordinance.

CHAIR HAMILTON: Well, if they're in both groups though, how do you know where they fall? We can't have them in both groups, can we?

MR. SANCHEZ: Madam Chairperson, I think, yes, if we think about it like a math problem like you were saying earlier, that means they're just in the most restrictive group. Because once they're in the most restrictive group no gift can be given.

CHAIR HAMILTON: Okay. I understand.

MS. BROWN: Madam Chair, maybe I can clarify it.

CHAIR HAMILTON: I would like it if you could.

MS. BROWN: So there's the big bucket of people who are restricted, which includes everybody, limited restriction. There's a little bucket of people who are highly restricted, prohibited. That includes the regulated group.

CHAIR HAMILTON: So they belong there and it's not a problem that they're in both places?

MS. BROWN: Right. The big bucket should be identical to the little bucket with additional people.

CHAIR HAMILTON: Okay. Thank you for that clarification.

COMMISSIONER HANSEN: So, Madam Chair. So let's say a non-profit that has no business with the County, is doing nothing. They are just a non-profit out here in Santa Fe, having an event and they want to invite City Councilors, County Commissioners, state representatives. Are we allowed to go?

MR. SANCHEZ: Madam Chair and Commissioner Hansen, yes. If they're one of the unrestricted groups then they wouldn't be restricted.

COMMISSIONER HANSEN: Okay. They can't spend more than \$250 anyhow.

COMMISSIONER HUGHES: I think someone who does no business with the County, they can give you anything, right?

COMMISSIONER HANSEN: No, they can't.

COMMISSIONER HUGHES: You might have to report it but I think you can accept a gift.

MR. SANCHEZ: Madam Chair and Commissioner Hansen and Commissioner Hughes, so if somebody's in an unrestricted group, then the limits of \$250, or \$100 for financial services, would not apply. Any gift could be given to the elected official, appointed official, employee or volunteer.

CHAIR HAMILTON: It's a separate issue if any gifts are received you have to report it on your COI form.

MR. SANCHEZ: Madam Chair, I think it could be a gift you receive in your personal capacity and it's just not a part of this Code of Conduct if it's an unrestricted group.

MR. ROSANBALM: Madam Chair, may I speak please.

CHAIR HAMILTON: We're going to conduct a public meeting. Are you

vice chair? I'm sorry. I didn't recognize your voice. You made the presentation. Yes. I'm sorry. Go ahead.

MR. ROSANBALM: Okay. Yes. I would just like to point out I don't agree at all with what the attorney is saying. The second sentence in anything of value we defined as anything of value from anybody that's not restricted – so you've got the restrictions below, but out intent was for anything of value, from anybody else to be within a certain – less than a certain value, and that was \$100, which we compromised on in discussions with the County Attorney speaking for Commissioner Hansen. The existing ordinance has restrictions of \$25 and \$50. So you're lessening – if you change this at all, even as it's written right now, you're lessening what the current requirements are.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I believe that we're working, and all of us on this Commission have consistently wanted to match state law. I think that's what we are trying to attempt to do.

MR. ROSANBALM: Madam Chair, if I have a chance to speak I would again – the state got a model Code of Ethics in 2020, and in that they said that if agencies, in this case the County, adopt their own codes they can be more restrictive than the state. And that's what we chose to be. We wanted to set an example for county residents and public servants therein. I'll point out that Doña Ana and Sandoval counties have a \$25 limit on such gifts. So this is not an unprecedented thing. If Santa Fe can basically wipe the slate clean for any kind of gift and be able to accept anything of value from anybody that's on the unrestricted list doesn't make any sense to us on the Ethics Committee.

CHAIR HAMILTON: Okay. On that note I think everybody can mull this over and we can come back around it because we can hold the public hearing and the go from there and then we can make this decision and see what recommendations we want to move forward with. So I'm going to open public hearing. Is there anybody present on Webex who would like to speak to this matter? I don't think it's going to be much of a time.

MR. FRESQUEZ: It looks like Gregory Coplans is trying to speak.

GREGORY COPLANS (via Webex): Madam Chair, I'd like to say a few words. I'm a member of the Ethics Board. My name is Greg Coplans. With regard to anything of value, the intent behind this clause is to prevent undue influence and undue influence occurs when a party – I'll give a simple example. A party that's contracting with the County, say, or is proposing to contract with the County wants to entertain a Commissioner or a County official with the intent of influencing the official in their favor. I know that the state law says \$250. The state law was passed in 2008. The world of compliance has moved on since then.

I think that as Commissioners one has to look at this very cautiously because in one sense, it's arguable that you're going to have a conflict of interest in deciding what your own limit should be. So this is something that needs to be very, very carefully reviewed. My personal view is that the number shouldn't be \$100. It should be a smaller number than \$100, but I think \$100 is not that unreasonable. So I would urge you not to

change that number in any way. Thank you.

CHAIR HAMILTON: Thank you very much. Is there anybody else on the Webex who cares to speak in this public hearing? Madam Clerk.

CLERK CLARK: Madam Chair, I would like to ask some technical questions if that's okay. So I do have to hire poll workers every election and the constitution says there has to be a certain division of party, so by definition they have to – they are chosen by the party that they're members of, because we have to have party balance. Do you feel that this Code of Ethics creates a problem for me as the County Clerk choosing poll workers based on their party membership, which is what I need to do?

MR. SANCHEZ: Madam Chair and Madam Clerk, I'm not sure which section of the Code you think would conflict –

CLERK CLARK: It's not the Code; it's the state constitution. I'll find you the reference.

MS. BROWN: Madam Chair, if I could just – for temporary poll workers there's no conflict.

CLERK CLARK: I didn't read anything here about temporary, so that's why I am concerned that we are not carving out – like the disclosure issues, the not being able to do business with the County for a year for people who are poll workers. They work one day, but they are considered County employees right now in our hiring process. So I'm a little concerned about this idea of partisanship when their roll is specifically to represent a party when they're making decisions on the Election Board.

MANAGER SHAFFER: If I could, Madam Chair. Temporary poll workers who are hired for a single day, they don't have to fill out the form because you have ten days to do so. So by the time their deadline to fill out a disclosure form has come, it's already passed because they're no longer on our payroll. So I don't think it's an actual issue for such temporary poll workers. My understanding from our HR Director is that this has not been an issue. For temporary workers who work longer for one day, they have been filling out the forms. They were hired for elections, so I don't think it's raised a particular difficulty.

CLERK CLARK: They currently are not filling out the forms. We pared down the hiring packet so that they didn't have to do 40 pages, that they could do nine. The concern I have is that I'm hiring them specifically because they are members of a party and my reading of this means that I may be in violation of this Code of Ethics by doing so, even though I shall appoint poll workers based on their party membership.

MANAGER SHAFFER: Madam Clerk, Madam Chair, nothing prohibits anyone from being hired. I think you're talking about the disclosure form. Is there something that prohibits a partisan from being hired? I guess perhaps we could refocus the discussion relative to what it is that you're concerned about.

CLERK CLARK: "All actions, decisions and votes on matters relating to the County government shall be made on their merits. Decisions shall be made objectively, without party or partisanship considerations." I am considering party when I hire poll workers.

MR. SANCHEZ: Madam Chair, if it provides some assistance, this is Section 5, Non-Partisanship of the Code of Conduct.

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MANAGER SHAFFER: Thank you. I think if state law requires it, it would trump anything to the contrary in the Code of Conduct. That is the point.

CLERK CLARK: I don't want to open myself up to Ethics Code complaints simply because I'm trying to do my duty as the County Clerk. I have to hire 300 people, many of whom – all of whom I hire based on their party membership. My concern is that if we hire someone for a day or the three weeks during the election that all of these other things apply, like they can't do business with the County. There's all this disclosure. I mean, it's been very challenging to hire poll workers simply because we have to vaccinate all of them now, so I'm very concerned about not being able to meet my obligation when we make it harder to be hired for just three weeks.

MANAGER SHAFFER: Understood. And as I said, if you go through each of those, if the Board would like to make it express that if state law requires partisanship to be taken into account, that that doesn't violate the Code of Conduct, that's certainly something we could help draft. I don't think it's necessary but we can do it to ameliorate those concerns.

Secondly, with regard to the disclosure forms, as I said, for those who are hired for one day, I don't believe they would have an obligation to file it because their deadline would pass before their no longer on the board. But we can draft that as well. So we'll take direction from the Board as to anything you'd like us to draft to address those issues. Though again, I think as a practical matter we are taken care of.

CHAIR HAMILTON: We're still in the public hearing. Well, that gives us something else to consider. Was that your question?

CLERK CLARK: I'm worried about poll workers are being asked to do quite a bit for very little work and I am statutorily obligated to hire them and I have to hire them based on their party membership.

CHAIR HAMILTON: Totally. Okay. So is there anybody else here or on the Webex who wants to speak to this matter? Okay, so I'm going to go ahead and close public comment.

MR. ROSANBALM: Madam Chair, may I make some closing remarks before you make any motions?

CHAIR HAMILTON: We're not going to make motions yet. I'm still – given the comment about gifts some anybody, so we have Ethics Board people who are saying this applies to gifts from anybody, and we have our County Attorney who is saying there are three different groups, and I just –I hate to admit but I'm finding this to be a conflict that I'm not figuring out.

MR. SANCHEZ: Madam Chair, I think the reading of the Ethics Board would then limit the gifts that the chairpeople receive in their daily lives from friends or family members if there was anyone that a gift could be received from. It's not how I read the definition as we wrote it, anything of value. And I think it has to be somebody who has some kind of interest in the County government in one way or another in that large group that I read out. Otherwise, I'm not sure how we would restrict gifts received in a personal capacity.

CHAIR HAMILTON: That statement makes sense to me. There's no question everybody is interested in putting limits – this is me individually speaking. Influence peddling. Right. There are distinctions between the common functions of doing

ribbon-cuttings and what not and influence peddling and the devil is always in the details. So that – I'm just trying to couch what we're trying to discuss here as how to set this at a reasonable level that gives a reasonable ethical standard but without catching people up in trivialities.

And honestly, I appreciate both our County Manager's and our County Attorney's comments on the Clerk's concerns but I'm wondering what an appropriate process would be if we need to add some language to ameliorate those concerns, albeit it may not be necessary but to err on the side of caution. Would that require postponing this one more month so that we can deal with that wording?

MR. SANCHEZ: Madam Chair, I think the change could be made relatively simple, but I guess I defer to the County Attorney on that.

CHAIR HAMILTON: Okay. County Attorney.

MS. BROWN: Madam Chair, one approach to this – well, there are multiple approaches, but you could move on to other business while we attempt to draft language that addresses the Clerk's concerns. You could table this until a future meeting so that we could provide you with some proposed language. Those are two –

CHAIR HAMILTON: Does staff have a preference? Do the Commissioners have a preference? Commissioner Hughes.

COMMISSIONER HUGHES: Madam Chair, I think that it's simple enough that if we were to do the other public hearing and then come back, we could probably – it seems like we've all got this in our head now, it would be nice to finish it tonight. That's my own personality; I like to get things done.

CHAIR HAMILTON: Okay. so we've already completed the public hearing on this. Can we just – so how do I officially postpone this and go to the next public hearing and come back? Just suspend operations on this?

MS. BROWN: Yes. Move on to the next item. We will bring back draft language.

CHAIR HAMILTON: Okay. Mr. Rosanbalm, you wanted to speak and then I will suspend for a short period of time.

MR. ROSANBALM: Yes, Madam Chair. Thank you very much. We haven't in any capacity considered this Code of Conduct, once adopted established the minimum standards that we're expecting from public servants. It's nothing if it's not employed as a cord-cutting document which all should be fully with, which in itself implies trading these elements of Code of Conduct for all of our public servants. That's also been emphasized with the state's Ethics Commission as the new recommendations for when we make our own policy at the County level. Basically, it's recommending that we have initial training, and this is in-depth, customized training for Santa Fe County on our Code of Conduct, and that we have at least biennially, and we would recommend annually, another hour or two course on ethics, so that people have ethics on their mind in every decision they make, instead of just the Code of Conduct right now, when you first sign on there's a bunch of things you do, you're shown the Code of Conduct, you sign, yes, I'll read – I've read it and I'll comply. That's the last you ever see of it.

And that's not what we want. We want to see the Code of Conduct be on everyone's mind in every decision they make. So I'd recommend that we as a County implement a training program. I think if you want it might be a good idea for us to work

with the County Manager on exactly how to make that happen.

CHAIR HAMILTON: Okay. Thank you very much for that.

MR. ROSANBALM: Thank you.

CHAIR HAMILTON: Thank you, Mr. Sanchez. We will come back to this. We're going to just temporarily suspend this and move on to the other public hearings and we will come back.

13. PUBLIC HEARINGS

- A. **Case # 20-5113 Vista de Sangre Subdivision Request for 3rd Time Extension. El Llano Company Inc., Applicant, Requests a Third Time Extension on a Previously Imposed Condition by the Board of County Commissioners (BCC) on the Final Plat Approval for the Vista de Sangres Subdivision, Which Required the Final Plat for Phase 1 to be Recorded within 60 Days After the BCC's Approval. The Applicant was Already Granted Two 90-Day Time Extensions from the BCC but is Now Requesting an Additional 90 Days to Record the Final Plat for Phase 1. The Site is Located North of the NM 599 Frontage Road at the Intersection of Caja del Oro Grant Road within Section 31, Township 17 North, Range 9 East (Commission District 2)**

CHAIR HAMILTON: I'm going to go right to Vicki Lucero to provide us with the details.

VICKI LUCERO (Building & Development Services Manager): Thank you, Madam Chair. El Llano Company, Inc., applicant, requests a third time extension on a previously imposed condition by the BCC on the final plat approval for the Vista de Sangres Subdivision, which required the final plat for Phase 1 to be recorded within 60 days after the BCC's approval. The applicant was already granted two 90-Day time extensions from the BCC but is now requesting an additional 90 days to record the final plat for Phase 1. The site is located north of the NM 599 Frontage Road at the intersection of Caja del Oro Grant Road within Section 31, Township 17 North, Range 9 East, Commission District 2.

On May 11, 2021, the BCC granted approval of a Conceptual Plan for a 23-lot subdivision with preliminary and final plat approval for Phases 1 and 2. Prior to the BCC's action on the subdivision application, Santa Fe County and El Llano Company, Inc. had entered into a settlement agreement and release of claims in an attempt to resolve a dispute regarding the legality of the previously recorded subdivision plat. One of the stipulations of the settlement agreement, was that El Llano shall record the final plat for Phase 1 within 60 days after the Board's approval. The final order conditionally approving the application was recorded on July 28, 2021 and included a condition of approval consistent with the 60-day recording requirement. Therefore the final plat for Phase 1 should have been recorded by September 28, 2021.

On October 26, 2021, a request from the applicant was presented to the BCC for a 90-day time extension to record the final plat for Phase 1 in order to allow them additional time to secure signatures from all of the eight current lot owners. The BCC granted their request for a time extension and allowed them until December 8, 2021 to

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record the final plat.

The applicant was unable to record the plat by December 8, 2021 and requested an additional 90 days. The request for a second time extension was presented to the BCC for consideration on February 8, 2022. The BCC granted the extension until March 28, 2022 for the final plat for Phase 1 to be recorded.

During the process of obtaining County signatures on the final plat there was a question that arose under the unique circumstances of this development regarding the requirement for property taxes to be paid for the lots as they currently exist prior to the recordation of the new plat, which resulted in a delay in obtaining the necessary signatures, and the final plat was unable to be recorded by March 28th. The property tax issue has since been resolved. All necessary County signatures have been obtained and all utility signatures have been obtained with the exception of Lumen Technologies, Inc., formerly known as Century Link.

Pending the last utility signature the plat will be ready to record if the BCC's decision is to grant the subject request for a 90-day time extension.

Recommendation: The applicant has been working with County staff to obtain the necessary signatures. With the exception of Lumen Technologies, all required signatures have been obtained. Once that signature is obtained, the plat will be ready for recordation. Therefore, staff recommends approval of the request for an additional 90 days to record the final plat for Phase 1, subject to the condition listed in the staff report. Madam Chair, may I enter that condition into the record?

CHAIR HAMILTON: Yes.

[The condition is as follows:]

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

MS. LUCERO: This would allow them until June 24th to record the final plat for Phase 1. And I stand for any questions.

CHAIR HAMILTON: Thank you. So how many days is it going to take to get that last signature?

MS. LUCERO: Madam Chair, I know the agent is on the line and he has been trying to communicate and get a response from Lumen Technologies but he has been unsuccessful. From my last communications with him he's been unsuccessful to get a response at this time. So they're still working on it. It's hard to tell how long that could take.

CHAIR HAMILTON: Okay. If he's on the line, would the applicant care to make a statement at this point? This is a good time to go there.

SCOTT HOEFT (via Webex): Sure. My name is Scott Hoeft, and we've been working with Lumen Technologies. Their process is a little bit more structured than the other utilities. The other utilities signed within a week. Lumen is much more of a process we have to go through. We've made submittals and we've been trying to work with them to get the signature and it's just a little more cumbersome.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: So, Scott, what's your estimate of time?

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MR. HOEFT: Our hope is within the next couple of weeks.

COMMISSIONER HANSEN: And why do you have that hope?

MR. HOEFT: Well, because I've put in about five or six emails to the group at Lumen and I'm not getting a response. I've requested a phone call. We've requested a video conference, and it's my hope that once this hearing is through that I will let them know that we had to get an extension due to this issue and that we really need to wrap this issue up. Their questions came – it appears that they didn't quite understand the circumstances and what we were doing, which is essentially re-recording a plat. And so they were asking very basic questions as if the subject property was brand new, when in fact obviously it's not. And so I just really need to get a fellow by the name of Doug Dale on the phone and talk with him and explain the circumstances. And my hope is that he'll understand and he will go out and sign.

Again, the other three utilities signed within a week. They understood the circumstances and they moved quickly.

MS. BROWN: Madam Chair, if Mr. Hoeft is going to continue to discuss with you, you might want to have him sworn.

CHAIR HAMILTON: Oh, well, thank you very much.

[Duly sworn, Scott Hoeft testified as follows:]

MR. HOEFT: My name is Scott Hoeft. My address is 48 Paseo Aragon, Santa Fe, New Mexico, 87506, and I testify that I am under oath.

COMMISSIONER HANSEN: Ms. Lucero, I'm going to ask you, have you spoken with this gentleman from Century Link? Are they out of state? And I'm asking you this, Scott. What is their objection or hesitancy or why are they not signing?

MS. LUCERO: Madam Chair, Commissioner Hansen, I have not spoken with anyone from Lumen Technologies. Usually the applicants obtain all the utility signatures before we obtain the County signatures.

COMMISSIONER HANSEN: Scott.

MR. HOEFT: Yes, Commissioner.

COMMISSIONER HANSEN: So what – they don't seem to understand? Are they out of state? Is this person available? It's frustrating to me. I'm frustrated. I think my other Commissioners are frustrated by this also, that we have bent over backwards to work on this project with you and it's frustrating that we are waiting for one signature. And I'm sure you probably are frustrated also.

MR. HOEFT: Absolutely, Commissioner. Yes, we are. It's my sense, Commissioner, that their process is a little more structured. It goes into a portal. You need to get a reply, and I'm probably on a list with numerous people. The other agencies, the other utilities, you can walk in. You can talk with the fellow. You can explain what's going on. With Lumen you have to go through their online portal and I can't quite tell if anybody's back there or not. And so I sent in probably five emails in the last two weeks and I'm not getting any replies.

COMMISSIONER HANSEN: So this company used to be Century Link?

MR. HOEFT: That is correct. For reference, I have worked with this company before and I have found that it is always the longest one, and it's due to their process. The other utilities are much quicker.

COMMISSIONER HANSEN: So if we give you this extension do you

think you can finish in the next 90 days?

MR. HOEFT: Yes, Commissioner. That is our intent. Absolutely.

COMMISSIONER HANSEN: I know you have been working on this and I do feel for your pain. I do feel for you having to deal with a corporation who does not have a front or a face or all you have to do is deal with a portal. That is unfortunate. I think we have to go to public hearing, so I won't make any motion yet.

CHAIR HAMILTON: So I do have a question just before I go to public hearing. Vicki, are there negative impacts on people in this subdivision? This was all supposed to rectify a difficult situation. Are there negative impacts for doing an extension, on people who already live there. And Mr. Hoeft, I'm sure you might have a partial answer to that. I'd like to go to Vicki first. It's a very general question but are there downsides to the people who are living there. And I guess the corollary is suppose this signature is never forthcoming, does it throw all of this to where this can't be completed? Then what happens?

MS. LUCERO: Madam Chair, as far as impacts to the current lot owners, I think obviously, this is to rectify the situation of them not owning legal lots of record. So until this gets recorded they can't move forward with obtaining permits on their properties, potentially maybe even selling their lots. So this does have an impact on them. If it doesn't get recorded I think the extension would benefit both them and the applicants and the County to resolve the situation.

I've never seen a case where we haven't gotten a utility signature on a plat, other than the issues with easement vacations and that sort of thing, but I would imagine if that doesn't happen we would have to see if there's another remedy for that situation.

CHAIR HAMILTON: Okay. Thank you very much. I'm sure there's other questions but I'd like to go to a public hearing. Is there anybody here or on the Webex who would like to speak to this matter? Daniel, do you see anybody on Webex who may want to speak in this hearing?

MR. FRESQUEZ: Madam Chair, I'm not seeing anything that would indicate anybody would like to speak.

CHAIR HAMILTON: Okay. Great. I appreciate it. I'll just ask one more time. Is there anybody on who wants to speak to this matter? Hearing none, I'll close the public hearing. Are there further questions or discussions on this? If not, what's the pleasure of the Board?

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I move to approve the extension of the Vista de Sangres Subdivision for the third time.

COMMISSIONER HUGHES: Second.

COMMISSIONER HANSEN: With conditions.

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

COMMISSIONER HUGHES: The second includes the conditions.

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

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

13. B. Findings of Fact in the Matter of Case # 20-5113 Vista de Sangre Subdivision Request for 3rd Time Extension

CHAIR HAMILTON: I don't know why it was separated but I imagine Vicki is going to explain it to us.

MS. LUCERO: Madam Chair, Commissioners, so this is basically a typical final order that would come to the BCC under the Consent Agenda, but because we were just hearing the case tonight, in an effort to be able to try to expedite the plat, we decided to bring the final order at the same time, assuming that the Board would – if the Board were to go with our recommendation.

CHAIR HAMILTON: So for clarity, we gave the time extension, we can do a final order even though they haven't recorded the plat? We can do it now?

MS. LUCERO: Madam Chair, so this would be a final order in regards to the decision that the Board made to grant them the time extension. So this basically –

CHAIR HAMILTON: Okay. Does anybody have questions? I assume I have to do a public hearing on this as well. So I'm going to open public hearing. Is there anybody present who wants to speak to this matter? Daniel, I'm sure you're going to say there's nobody there because I imagine there's still nobody there. But can you tell me if there's anybody who could potentially want to speak at this public hearing?

MR. FRESQUEZ: Madam Chair, I do not see any indication of anybody wanting to speak during this matter.

CHAIR HAMILTON: Thank you very much, Daniel. So I'm going to go ahead and close the public hearing. Are there any questions from the Board? Any discussion, or what's the pleasure of the Board?

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I move to accept the findings of fact in the matter of Case 20-5113, Vista de Sangre request for the third time extension.

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

COMMISSIONER HUGHES: Second.

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

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

13. C. CASE# 22-5020 Tierra Que Canta Preliminary & Final Plat. Rembe Las Campanas. TABLED

12. B. Ordinance No. 2022-03, an Ordinance Enacting a Santa Fe County

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Code of Conduct; Repealing Ordinance Nos. 2010-12 and 2011-9
[Exhibit 3: Updated Ordinance Text] (cont.)

CHAIR HAMILTON: This takes us back to 12. B, the Ethics Ordinance. Do we have anything?

MS. BROWN: Madam Chair, you'll have something in just a minute. Estevan is just going to print a couple of final versions. And as we're waiting for him to come back you'll see that there will be changes proposed, redlined, to the Section 18. B, having to do with temporary election workers, and the financial disclosure provisions.

CHAIR HAMILTON: Related to those workers? The financial disclosure for those workers?

MS. BROWN: Correct. Exempting those workers. As related to the language to come out. I'll point out that those revisions are something that don't necessarily need to be included, because I think that state law trumps anything that we're doing in our Code of Ethics. But there is nothing improper about having that clarification in the ordinance.

You'll also see a revision in Section 5, having to do with non-partisanship and clarifying, again, not necessarily necessary, but clarifying that we are exempting decisions to hire employees where partisan political affiliation is required by state statute.

CHAIR HAMILTON: Okay.

MS. BROWN: And you'll see a revision in Section 4. D, Anything of value, relining so that the \$100 is replaced by \$250.

CHAIR HAMILTON: Okay.

MS. BROWN: Currently, we do have provisions that require financial disclosure statements within ten days of hire and we don't have an exemption for poll workers within the non-partisan provision, and we have been hiring poll workers for many years under this ordinance because it has not been interpreted as applying to those temporary workers.

CHAIR HAMILTON: I understand that. In fact I was going to mention that. On the other hand I personally have no objection to including something more specific that clarifies it for the Clerk's Office. That will be up to everybody else as well.

MS. BROWN: Mr. Sanchez should be back in a moment with that redlined document to share with you. I just wanted to give you a preview of what he'll be bringing you.

CHAIR HAMILTON: Appreciate it. So we'll wait till he comes back. And just for everybody, we have two or three minutes to wait for the revisions to come through. Just for the public who may be listening in, we are still in session. We are just waiting. [10 minutes elapsed]

Okay, we have received the revised language and I guess for the record, Attorney Brown – you gave us a preview. Do you want to say something about what's here?

MS. BROWN: I did, and Mr. Sanchez will be right back. He was just correcting a typographical error in your final version. He'll be right back out to summarize the revisions again for you and take any questions you may have.

CHAIR HAMILTON: Very good. Thank you very much. We'll wait for just a moment for him.

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Okay, we have Mr. Sanchez back. If you could give us a summary of what we're looking at.

MR. SANCHEZ: Madam Chair, the first revision is in Section 4, paragraph D., Anything of value, and that is in the definition that the amount was changed from \$100 to \$250.

The second change is in Section 5, Non-partisanship, and it's to address Madam Clerk's concerns regarding temporary poll workers, and it changes the section to not apply to volunteers who are required by state statute to be a member of a partisan political party.

And lastly, and there's a typo in the version you have. We've fixed that for this final version, is in Section 18, Disclosure. In particular the changes in paragraph E, exempting temporary election workers from the requirement of filing a conflict of interest and financial disclosure statement.

CHAIR HAMILTON: Okay. Great. Thank you. So are there comments or questions from any Commissioners, or what is the pleasure of the Board?

MR. ROSANBALM: Madam Chair.

COMMISSIONER HUGHES: Madam Chair, for purposes of continuing our discussion, if I could make a motion to approve the ordinance enacting a Santa Fe Code of Conduct repealing ordinance numbers 2010-12 and 2011-19, and adopting the version that has been presented to us by the County Attorney which includes, I think, the earlier grammatical corrections, as well as the changes that Mr. Sanchez has presented to us.

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

COMMISSIONER HANSEN: I'll second it.

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

MR. ROSANBALM: Yes, ma'am. May I speak?

COMMISSIONER HANSEN: No.

CHAIR HAMILTON: I think after the motion and the second, the discussion is among the Commissioners. Is that true?

MS. BROWN: Madam Chair, you can move forward with your vote or take the public – you can return to hearing comment if that were your desire, but generally once there's a motion made you're simply acting and discussing among yourselves.

CHAIR HAMILTON: Okay, but out of respect, Mr. Rosanbalm, I'll give you a short comment.

MR. ROSANBALM: Yes, ma'am. I just want to make the point that we may be an advisory board; we are also an adjudicatory board. You are asking us to defend and enforce a standard that at least half of the Ethics Board members totally disagree with, and I would suggest that to a county resident who is mean income is about \$650 a week, that a \$250 limit and the appearance of impropriety is unavoidable. Our hope was to establish a standard that would set us above other counties, and this change to me has dropped us to the bottom.

CHAIR HAMILTON: Thank you for your comment. That's distressing but I think a lot of aspects were taken under consideration.

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CAROL THOMPSON (via Webex): Madam Chair.

CHAIR HAMILTON: I don't know whose voice I'm listening to.

MS. THOMPSON: I'm Chairman Thompson. May I interject?

COMMISSIONER HUGHES: She's the chair of the Ethics Board.

CHAIR HAMILTON: Oh, you're the chair. Okay. Yes, thank you, Ms.

Thompson.

MS. THOMPSON: Madam Chair and County Commissioners, I do respect what Mr. Rosanbalm and Mr. Coplans have expressed here as far as our Ethics Board but I still have a voice, even though we're a three-member board at the moment, where I was a dissenting vote. And I just want to go on record that I was in favor of following state law, and understanding when Mr. Rosanbalm was making his comment just now but I just wanted it to be known that that was not my consensus at all.

CHAIR HAMILTON: Thank you, Ms. Thompson. Really appreciate it.

MR. COPLANS: May I please make a comment since the other two board members have already?

CHAIR HAMILTON: Okay.

MR. COPLANS: My comment is this. I have a long history of working in the area of ethical conduct and I have published an article to that effect and I totally disagree with the views expressed by the board chair and she's entitled to her point of view. I don't have an issue with that, but we have to consider that not only do you need to do the right thing but you need to be seen to be doing the right thing. And when you change a value like this from \$100 to \$250 it looks like you're doing something in your own interest. I'm not suggesting that you are. I'm just suggesting to you that there is a look. And I would strongly recommend that you retain the \$100 value. Thank you. That's all I have to say.

CHAIR HAMILTON: Thank you. I would go on record under discussion as saying that the lead motivation on this is to be consistent with state law, and I think everybody on this board is of the strong opinion that ethical conduct is absolutely expected from County elected officials and employees and volunteers. So there is a motion and a second on the table.

The motion to approve the Ethics Ordinance passed by unanimous [4-0] roll call vote as follows:

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

CHAIR HAMILTON: Commissioner Hughes.

COMMISSIONER HUGHES: Yes. Thank you, everybody, for all the work on this. I just wanted to say that I think there is so much improvement in this ordinance, I think it's unfortunate that we focused on one section we disagreed on but of course that's what we would talk about. But I think this is still a very strong ordinance

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and it will serve us well for the next, hopefully, ten years, like the last one. Thank you.
CHAIR HAMILTON: Thank you very much.

14. CONCLUDING BUSINESS

A. Announcements

CHAIR HAMILTON: Are there any announcements or anything before adjournment?

COMMISSIONER HANSEN: Madam Chair, I want to remind people that on May 21st at Camino de Jacobo we're having our Earth Day planting events. The public housing in District 2 on Camino Jacobo.

CHAIR HAMILTON: Excellent. Thank you so much. Are there any other announcements?

B. Adjournment

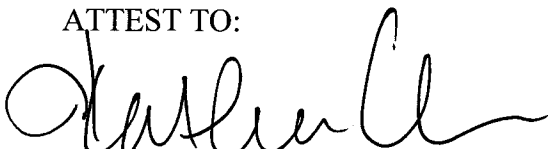
Upon motion by Commissioner Roybal and second by Commissioner Hansen, and with no further business to come before this body, Chair Hamilton declared this meeting adjourned at 8:32 p.m.



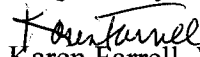
Approved by:


Anna Hamilton, Chair
Board of County Commissioners

ATTEST TO:


KATHARINE E. CLARK
SANTA FE COUNTY CLERK

Respectfully submitted:


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

SFC CLERK RECORDED 06/20/2022



SANTA FE COUNTY

FY 2023 REVISED Budget Requests & REVISED Preliminary Projections

SFC CLERK RECORDED 06/20/2022

FY 2023 BUDGET TIMELINE

✓ **March 2022**

- ✓ Mar/10 - Mar/23 – BUDGET HEARINGS

• **April 2022**

- ✓ Apr/12 – BUDGET STUDY SESSION
- ✓ Apr/26 – BUDGET STUDY SESSION

• **May 2021 – TENTATIVE Based on April meetings**

- May/10 – Update
- May/26 – SPECIAL BCC MEETING TO APPROVE OF INTERIM BUDGET

• **June 2021**

- Jun/1 – INTERIM BUDGET DUE TO DFA
- Jun/14 – ALL OTHER BUDGET ITEMS (E.g., Capital Budget, P.O. Rollovers)
- Jun/27 – BCC APPROVAL OF FINAL BUDGET

• **July 2021**

- Jul/31 – 4th QTR REPORT DUE TO DFA – needed as part of the final budget submission
- Jul/31 – FINAL BUDGET DUE TO DFA

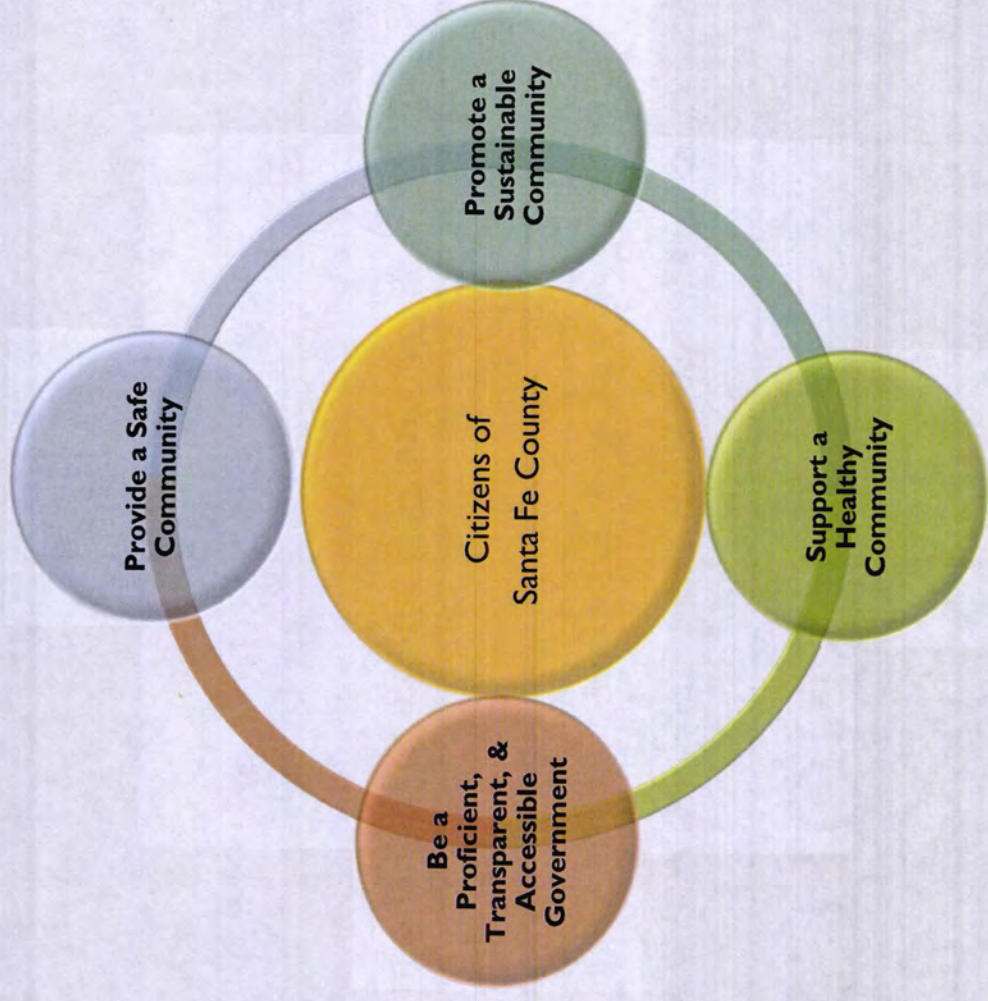
POPULATION GOALS

- **RESOLUTION NO. 2011-024**

Results Based Accountability or Another
Form of Objective Based Budgeting

- **RESOLUTION NO. 2015-127**

Included Resolution No. 2011-024 and
added the population goals for the current
and future budget processes



REVENUE & EXPENSE PROJECTIONS

Overall Projections for FY 2022 & FY 2023

- **Revenues Include:**
 - FY 2022 – Year-to-Date as of April 30, 2022
 - FY 2022 – June 30, 2022, calculated based on prior 10 months & 5-year history
 - FY 2023 – Estimated using a 5-year history
 - ARPA budget and actuals have been adjusted to reflect the revenue that will be recognized when expended
- **Expenditures Include:**
 - FY 2022 – Year-to-Date as of April 30, 2022
 - FY 2022 – June 30, 2022, calculated based on prior 10 months & 5-year history
 - FY 2023 – Department Operational and Fixed Asset Requests
 - Transfers have been removed; while transfers provide support for operations accounted for in other funds (i.e. Corrections, RECC, Road funds), they are not considered operational outflows

FY 2022 REVENUES

REVENUE TYPE	FY19 YTD @ 4/30	FY20 YTD @ 4/30	FY21 YTD @ 4/30	FY22 BUDGET	FY22 YTD @ 4/30	FY 2022 AS % OF FY19 REVENUES	% RECEIVED OF FY22 BUDGET
General Property Tax	\$ 35,194,130	\$ 38,223,397	\$ 36,904,816	\$ 52,603,590	\$ 40,173,474	114.1%	76.4%
Debt Service Property Tax	10,124,112	11,032,738	10,990,204	18,346,674	12,173,277	120.2%	66.4%
Valuation Fund	1,063,212	1,155,159	1,135,258	1,547,127	1,251,772	117.7%	80.9%
Payments in Lieu of Taxes	-	18,789	-	810,189	-	0.0%	0.0%
GRT - Operational	29,638,371	32,380,942	27,123,596	39,932,404	42,157,663	142.2%	105.6%
GRT - Non-Op & Capital	18,316,576	19,531,463	8,421,640	19,145,733	23,973,278	130.9%	125.2%
HHD - Operational	1,588,841	1,819,729	1,131,876	1,421,155	1,086,929	68.4%	76.5%
HHD - Non-Op & Capital	1,335,421	1,534,002	319,587	1,190,894	934,118	69.9%	78.4%
Other Taxes & Assessments	1,608,027	1,849,545	1,546,581	1,815,000	1,585,658	98.6%	87.4%
Lodger's Tax	432,621	473,238	317,806	465,798	984,512	227.6%	211.4%
Ambulance Billing	1,436,848	1,064,567	1,954,610	1,500,000	1,632,766	113.6%	108.9%
Care of Prisoners	4,066,014	3,687,054	2,408,050	2,650,000	2,511,020	61.8%	94.8%
Utility Charges	4,647,404	5,363,693	5,786,137	8,059,439	6,432,585	138.4%	79.8%
Employee Health Premiums	7,408,907	7,471,424	6,723,480	10,606,101	7,592,741	102.5%	71.6%
Low Rent Housing	419,100	508,009	446,888	518,505	526,120	125.5%	101.5%
Other Charges for Services	2,192,594	2,358,768	2,161,453	1,908,225	2,229,794	101.7%	116.9%
Licenses, Permits, and Fees	678,253	891,000	909,683	875,487	997,998	147.1%	114.0%
Fines & Forfeitures	232,382	181,239	178,164	189,606	129,199	55.6%	68.1%
Grants	5,618,958	6,125,403	6,459,954	12,004,865	7,692,563	136.9%	64.1%
CARES Act	-	-	14,306,627	-	-	N/A	N/A
APRA	-	-	-	9,203,036	6,133,774	N/A	66.6%
Interagency & Subsidies	3,272,324	2,854,481	2,081,824	2,077,564	964,836	29.5%	46.4%
Miscellaneous Revenue	1,824,936	477,797	689,015	628,602	2,099,640	115.1%	334.0%
Investment Income	4,800,189	4,548,178	1,813,214	2,128,000	1,421,188	29.6%	66.8%
Total Recurring Revenue	\$135,899,237	\$149,350,919	\$139,810,463	\$188,127,994	\$164,684,905	121.2%	86.8%

FY 2022 EXPENDITURES

EXPENDITURE TYPE	FY19 ACTUALS @ 4/30	FY20 ACTUALS @ 4/30	FY21 ACTUALS @ 4/30	FY22 BUDGET	FY22 ACTUALS @ 4/30	% SPENT OF FY22 BUDGET
County Manager Department	\$ 9,940,274	\$ 9,952,536	\$ 12,006,461	\$ 15,956,754	\$ 12,556,822	78.7%
Adult Detention Center	16,043,481	16,254,350	12,007,892	22,643,027	12,725,023	56.2%
RECC	2,700,172	3,034,444	2,557,792	4,339,172	2,299,407	53.0%
Fire Department	11,490,998	12,224,190	9,356,128	18,341,428	12,034,118	65.6%
Community Services Department	7,957,675	8,222,745	8,065,439	16,008,959	8,605,101	53.8%
Community Development Department	-	-	-	7,850,329	4,156,043	52.9%
Growth Management Department	10,699,585	10,870,996	9,764,067	8,771,197	3,640,812	41.5%
Public Works Department	9,791,993	9,747,143	8,524,582	15,778,023	8,615,816	54.6%
Utilities Enterprise	2,790,222	1,603,278	1,738,647	7,750,289	3,320,614	42.8%
Housing Enterprise	642,754	619,283	609,535	1,076,971	591,428	54.9%
Self-Insurance	7,362,933	8,261,470	6,546,588	10,609,101	8,028,980	75.7%
SFC Assessor	2,579,379	2,688,148	2,530,957	3,906,117	2,716,654	69.5%
SFC Clerk	1,717,758	1,549,520	1,931,711	3,485,571	1,771,195	50.8%
SFC Probate	32,912	32,756	32,053	42,819	34,291	80.1%
SFC Sheriff	10,077,486	9,969,868	6,359,117	14,663,219	10,054,304	68.6%
SFC Treasurer	922,087	945,323	755,408	1,312,038	909,466	69.3%
2020 CARES Act	-	-	14,093,933	-	-	0.0%
2021 American Rescue Plan	-	-	-	9,203,036	6,133,774	66.6%
Capital Outlay	7,293,479	8,072,353	6,825,634	15,712,014	2,816,692	17.9%
Debt Service	19,575,789	20,885,568	18,537,709	28,814,386	22,463,274	78.0%
Total Expenditures	\$ 121,618,977	\$ 124,933,971	\$ 122,243,653	\$ 206,264,450	\$ 123,473,814	59.9%

FY 2022 REVENUES – 6/30

REVENUE TYPE	FY19 ACTUALS @ 6/30	FY20 ACTUALS @ 6/30	FY21 ACTUALS @ 6/30	FY22 BUDGET	FY22 PROJECTED @ 6/30	FY 2022 AS A % OF FY19 REVENUES	% RECEIVED OF FY22 BUDGET
General Property Tax	\$ 52,024,385	\$ 53,929,309	\$ 54,406,387	\$ 52,603,590	\$ 54,500,538	104.8%	103.6%
Debt Service Property Tax	15,054,269	15,728,302	16,332,996	18,346,674	17,452,474	115.9%	95.1%
Valuation Fund	1,578,150	1,641,703	1,667,447	1,547,127	1,952,548	123.7%	126.2%
Payments in Lieu of Taxes	793,795	824,238	820,311	810,189	-	0.0%	0.0%
GRT - Operational	35,176,522	36,697,612	37,657,553	39,932,404	49,437,673	140.5%	123.8%
GRT - Non-Op & Capital	21,996,813	22,005,104	22,144,544	19,145,733	28,567,154	129.9%	149.2%
HHD - Operational	1,462,555	2,118,305	1,666,650	1,421,155	1,863,310	127.4%	131.1%
HHD - Non-Op & Capital	1,222,954	1,783,082	1,419,450	1,190,894	1,601,343	130.9%	134.5%
Other Taxes & Assessments	2,141,763	2,171,497	2,112,301	1,815,000	1,902,790	88.8%	104.8%
Lodger's Tax	534,108	460,328	593,674	465,798	1,181,414	221.2%	253.6%
Ambulance Billing	1,457,028	1,323,855	1,630,487	1,500,000	1,959,319	134.5%	130.6%
Care of Prisoners	5,190,047	3,832,408	3,668,508	3,100,000	2,630,835	50.7%	84.9%
Utility Charges	5,899,467	6,349,701	6,963,339	8,059,439	7,719,102	130.8%	95.8%
Employee Health Premiums	8,897,342	8,957,349	9,103,310	10,606,101	9,111,289	102.4%	85.9%
Low Rent Housing	584,491	587,720	598,581	518,505	631,344	108.0%	121.8%
Other Charges for Services	2,645,681	2,676,771	2,909,575	1,908,225	2,675,753	101.1%	140.2%
Licenses, Permits, and Fees	880,806	1,078,009	1,188,335	875,487	1,197,598	136.0%	136.8%
Fines & Forfeitures	281,148	239,401	155,356	189,606	155,039	55.1%	81.8%
Grants	4,268,047	8,045,750	8,707,106	12,004,865	9,231,076	216.3%	76.9%
CARES Act	-	-	14,306,627	-	-	N/A	N/A
APRA	-	-	-	9,203,036	7,833,774	N/A	85.1%
Interagency & Subsidies	3,971,476	3,779,913	2,362,956	2,077,564	1,157,803	29.2%	55.7%
Miscellaneous Revenue	1,952,821	515,635	783,620	628,602	2,246,726	115.1%	357.4%
Investment Income	4,591,346	4,311,203	2,980,013	2,128,000	1,705,426	37.1%	80.1%
Total Recurring Revenue	\$172,605,037	\$179,645,915	\$184,099,428	\$186,077,995	\$206,714,328	119.8%	108.8%

FY 2022 EXPENDITURES – 6/30

EXPENDITURE TYPE	FY19 ACTUALS @ 6/30	FY20 ACTUALS @ 6/30	FY21 ACTUALS @ 6/30	FY22 BUDGET	PROJECTED FY22 @ 6/30	% SPENT OF FY22 BUDGET
County Manager Department	\$ 12,732,512	\$ 12,507,765	\$ 12,815,234	\$ 15,956,754	\$ 15,068,186	94.4%
Adult Detention Center	20,318,521	20,277,848	16,421,368	22,643,027	15,270,028	67.4%
RECC	3,406,014	3,760,809	3,220,416	4,339,172	2,759,288	63.6%
Fire Department	14,802,902	15,525,395	13,151,368	18,341,428	14,440,942	78.7%
Community Services Department	11,450,141	11,779,947	11,630,909	16,008,959	10,326,121	64.5%
Community Development Department	-	-	4,173,158	7,850,329	4,987,252	63.5%
Growth Management Department	8,226,865	7,801,369	8,448,143	8,771,197	4,368,974	49.8%
Public Works Department	13,493,166	13,285,925	12,028,349	15,778,023	10,338,979	65.5%
Utilities Enterprise	7,132,267	7,389,660	6,993,033	7,750,289	3,984,737	51.4%
Housing Enterprise	814,774	807,465	829,783	1,076,971	709,714	65.9%
Self-Insurance	9,019,822	9,585,486	8,292,785	10,609,101	9,634,776	90.8%
SFC Assessor	3,291,725	3,380,757	3,289,422	3,906,117	3,259,985	83.5%
SFC Clerk	1,946,696	2,142,504	2,417,215	3,485,571	2,125,434	61.0%
SFC Probate	42,301	41,926	41,320	42,819	41,149	96.1%
SFC Sheriff	13,019,822	12,862,262	9,628,814	14,663,219	12,065,165	82.3%
SFC Treasurer	1,167,741	1,155,914	963,883	1,312,038	1,091,359	83.2%
2020 CARES Act	-	-	12,386,726	-	-	N/A
2021 American Rescue Plan	-	-	-	9,203,036	7,833,774	85.1%
Capital Outlay	4,058,086	9,337,807	5,975,894	15,712,014	3,380,030	21.5%
Debt Service	24,297,661	26,842,664	29,457,294	28,814,386	28,814,386	100.0%
Total Expenditures	\$ 149,221,016	\$ 158,485,503	\$ 162,165,114	\$ 206,264,450	\$ 150,500,279	73.0%

FY 2023 PROJECTED REVENUES

REVENUE TYPE	FY19 ACTUALS @ 6/30	FY20 ACTUALS @ 6/30	FY21 ACTUALS @ 6/30	FY22 BUDGET	FY22 PROJECTED @ 6/30	PRELIMINARY BUDGET FY 23
General Property Tax	\$ 52,024,385	\$ 53,929,309	\$ 54,406,387	\$ 52,603,590	\$ 54,500,538	\$ 55,904,801
Debt Service Property Tax	15,054,269	15,728,302	16,332,996	18,346,674	17,452,474	16,189,997
Valuation Fund	1,578,150	1,641,703	1,667,447	1,547,127	1,952,548	1,952,548
Payments in Lieu of Taxes	793,795	824,238	820,311	810,189	-	800,000
GRT - Operational	35,176,522	36,697,612	37,657,553	39,932,404	49,437,673	44,941,071
GRT - Non-Op & Capital	21,996,813	22,005,104	22,144,544	19,145,733	28,567,154	26,355,225
HHD - Operational	1,462,555	2,118,305	1,666,650	1,421,155	1,863,310	1,732,879
HHD - Non-Op & Capital	1,222,954	1,783,082	1,419,450	1,190,894	1,601,343	1,489,250
Other Taxes & Assessments	2,141,763	2,171,497	2,112,301	1,815,000	1,902,790	2,065,000
Lodger's Tax	534,108	460,328	593,674	465,798	1,181,414	1,092,936
Ambulance Billing	1,457,028	1,323,855	1,630,487	1,500,000	1,959,319	1,600,000
Care of Prisoners	5,190,047	3,832,408	3,668,508	3,100,000	2,630,835	2,328,348
Utility Charges	5,899,467	6,349,701	6,963,339	8,059,439	7,719,102	8,059,439
Employee Health Premiums	8,897,342	8,957,349	9,103,310	10,606,101	9,111,289	9,686,046
Low Rent Housing	584,491	587,720	598,581	518,505	631,344	592,761
Other Charges for Services	2,645,681	2,676,771	2,909,575	1,908,225	2,675,753	2,477,272
Licenses, Permits, and Fees	880,806	1,078,009	1,188,335	875,487	1,197,598	1,118,820
Fines & Forfeitures	281,148	239,401	155,356	189,606	155,039	175,000
Grants	4,268,047	8,045,750	8,707,106	12,004,865	9,231,076	10,957,144
CARES Act	-	-	14,306,627	-	-	-
APRA	-	-	-	9,203,036	7,833,774	6,000,000
Interagency & Subsidies	3,971,476	3,779,913	2,362,956	2,077,564	1,157,803	971,231
Miscellaneous Revenue	1,952,821	515,635	783,620	628,602	2,246,726	440,750
Investment Income	4,591,346	4,311,203	2,980,913	3,128,000	1,705,426	2,228,000
Total Recurring Revenue	\$172,605,014	\$179,057,195	\$194,179,126	\$190,077,994	\$206,714,328	\$ 199,158,518

FY 2023 PROJECTED REVENUES RECONCILIATION

**PRELIMINARY
BUDGET FY23**
\$ 184,618,593

TOTAL ESTIMATED REVENUE 4/12/2022

199,158,518

TOTAL ESTIMATED REVENUE 4/26/2022

\$ 14,539,925

TOTAL ADJUSTMENTS

ADJUSTED REVENUE ESTIMATES:

General Property Tax Revenue	\$ 3,904,263
Gross Receipts Tax Revenue - Operational	1,731,547
Gross Receipts Tax Revenue - Non-operational	1,096,126
Hold Harmless Distribution - Operational	150,287
Hold Harmless Distribution - Non-operational	129,095
PILT	300,000
Other Taxes & Assessments	250,000
Other Charges for Services	500,000
APRA	6,000,000
Housing Grants	(21,393)
Investment Income	500,000

\$ 14,539,925

TOTAL ADJUSTMENTS

FY 2023 DEPARTMENT BUDGET REQUESTS

EXPENDITURE TYPE	FY19 ACTUALS @ 6/30	FY20 ACTUALS @ 6/30	FY21 ACTUALS @ 6/30	FY22 BUDGET	PROJECTED FY22 @ 6/30	PRELIMINARY (DEPARTMENT REQUESTS) BUDGET FY23
County Manager Department	\$ 12,732,512	\$ 12,507,765	\$ 12,815,234	\$ 15,956,754	\$ 15,068,186	\$ 16,571,182
Adult Detention Center	20,318,521	20,277,848	16,421,368	22,643,027	15,270,028	24,390,966
RECC	3,406,014	3,760,809	3,220,416	4,339,172	2,759,288	4,862,084
Fire Department	14,802,902	15,525,395	13,151,368	18,341,428	14,440,942	17,942,520
Community Services Department	11,450,141	11,779,947	11,630,909	16,008,959	10,326,121	11,565,755
Community Development Department	-	-	4,173,158	7,850,329	4,987,252	6,670,303
Growth Management Department	8,226,865	7,801,369	8,448,143	8,771,197	4,368,974	4,410,337
Public Works Department	13,493,166	13,285,925	12,028,349	15,778,023	10,338,979	16,865,031
Utilities Enterprise	7,132,267	7,389,660	6,993,033	7,750,289	3,984,737	7,790,246
Housing Enterprise	814,774	807,465	829,783	1,076,971	709,714	1,120,356
Self-Insurance	9,019,822	9,585,486	8,292,785	10,609,101	9,634,776	10,609,101
SFC Assessor	3,291,725	3,380,757	3,289,422	3,906,117	3,259,985	4,264,223
SFC Clerk	1,946,696	2,142,504	2,417,215	3,485,571	2,125,434	3,085,609
SFC Probate	42,301	41,926	41,320	42,819	41,149	42,953
SFC Sheriff	13,019,822	12,862,262	9,628,814	14,663,219	12,065,165	15,048,343
SFC Treasurer	1,167,741	1,155,914	963,883	1,312,038	1,091,359	1,360,103
2020 CARES Act	-	-	12,386,726	-	-	-
2021 American Rescue Plan	-	-	-	9,203,036	7,633,774	6,000,000
Capital Outlay	4,058,086	9,337,807	5,975,894	15,712,014	3,380,030	14,248,166
Debt Service	24,297,661	26,842,664	29,457,294	28,814,386	28,814,386	26,883,330
Total Expenditures	\$ 149,221,016	\$ 158,485,503	\$ 162,165,114	\$ 206,264,450	\$ 150,300,279	\$ 193,730,608

FY 2023 EMPLOYEE COMPENSATION OPTIONS

- **COLA – July 2, 2022**

- 3% for all employees

- **\$15 Hourly Rate – 36 Employees**

- AFSCME 1782 & Non-union Employees

- **Class & Comp Study**

- Cost Impact to Raise Salaries to Minimum (raise identified non union public safety positions to the applicable minimum hourly rate on the revised pay ranges)

- **61 Employees**

\$203,512

- Cost for Compression (salary compression is insufficient distinction in pay between non union public safety employees despite differences in skills, experience, performance, seniority, or tenure – compression methodology is being re-evaluated)

- Compression Distribution (est.)

\$1,250,000

TOTAL COST

\$2,136,992

Note: Estimated costs include new and reclassified FTE requests as well as probationary employees.

FY 2023 EMPLOYEE COMPENSATION OPTIONS

TOTAL COST

- **COLA – January 1, 2023** **\$1,096,754 CY 23 / \$548,377 FY 23**
 - 1.5% for all employees
- **PERA Contribution Increase**
 - Laws 2020, Chapter 11 +0.5% Employer & Employee Contributions (1 of 4 increases) -
Employer Increased Contributions **\$387,089 - \$500,000**

Note: Estimated costs include new and reclassified FTE requests as well as probationary employees.

2202/02/06 RECORDED 062022 SEC CLERK

COLA OPTIONS

Cost of Living Adjustments

3% July 2022 1.5% January 2023

AFSCME 1782-Blue Collar	\$560,718	\$285,833
AFSCME 1413-Corrections	\$237,987	\$122,597
AFSCME 1413-Medical	\$45,616	\$23,479
New Mexico Coalition of Public Safety Officers-RECC	\$68,252	\$35,157
New Mexico Coalition of Public Safety Officers-Sheriff	\$228,900	\$117,886
International Association of Firefighters	\$762,995	\$398,246
Non-Union Employees	<u>\$232,524</u>	<u>\$113,556</u>
TOTAL	\$2,136,992	\$1,096,754

Note: Estimated costs include new and reclassified FTE requests as well as probationary employees.

FY 2023 EMPLOYEE COMPENSATION OPTIONS

TOTAL COST

- **Medical, Dental, Vision Premium Increase**
 - Condense 4 Tiers to 3 Tiers
 - Tier 1 – 20% (Employee) / 80% (County) – Annual Salary = <\$35,000
 - Tier 2 – 25% / 75% – Annual Salary = > \$35,001 - \$75,000
 - Tier 3 – 30% / 70% – Annual Salary = >\$75,001
 - 5% Increase on January 1, 2023 for the County & Employees
- **County – Net Increase** **\$789,726 CY 23 / \$294,863 FY 23**
- **Employee – Net Savings** **(\$228,238) CY 23 / (\$114,119) FY 23**
- Amounts calculated above differ from the amounts provided by Gallagher due to inclusion of the COLAs, \$15 hrly rate increase, and Class & Comp adjustments

FY 2023 EMPLOYEE COMPENSATION OPTIONS

TOTAL COST

• **Employee Impact for FY 2023**

• <u>Employee Earning \$14.00/hrly, Tier 1 / Revised Tier 1 Employee + Family</u>	
• Gross wages impact from \$15 hrly rate increase, COLAs	\$2,305
• Insurance premium increase*	<u>(\$108)</u>
• Combined impact of wage increases and insurance increase	\$2,197
• <u>Employee Earning \$14.69/hrly, Tier 1 / Revised Tier 1 Employee + 1</u>	
• Gross wages impact from COLAs	\$1,153
• Insurance premium savings*	<u>\$397</u>
• Combined impact of wage increases and insurance savings	\$1,550
• <u>Employee Earning \$19.41/hrly, Tier 2 / Revised Tier 2 Employee + Child</u>	
• Gross wages impact from COLAs	\$1,523
• Insurance premium increase*	<u>(\$47)</u>
• Combined impact of wage increases and insurance increase	\$1,476

* CY 2023 impact would be double this amount.

FY 2023 EMPLOYEE COMPENSATION OPTIONS

TOTAL COST

Employee Impact for FY 2023	
• Employee Earning \$20.98/hrly, Tier 3 / Revised Tier 2 Employee + Family	
• Gross wages impact from COLAs	\$2,305
• Insurance premium savings*	<u>\$429</u>
• Combined impact of wage increases and insurance savings	\$2,734
• Employee Earning \$38.93/hrly, Tier 3 / Revised Tier 3 Employee + Children	
• Gross wages impact from COLAs	\$3,055
• Insurance premium increase*	<u>(\$99)</u>
• Combined impact of wage increases and insurance increase	\$2,956
• Employee Earning \$40.76/hrly, Tier 4 / Revised Tier 3 Employee + Children	
• Gross wages impact from COLAs	\$3,199
• Insurance premium savings*	<u>\$287</u>
• Combined impact of wage increases and insurance savings	\$3,486

* CY 2023 impact would be double this amount if approved

FY 2023 NEW FTE & RECLASSIFICATIONS



SANTA FE COUNTY

Santa Fe County - Five Year Capital Plan - FTE Requests Summary

ID	Department	Division	Position Title	Number of FTE(s)	Hourly Rate	FTE Status	Position Exist HR Class & Comp Plan	Total Cost
TBD	County Manager	Information Technology	IT Generalist - Reclassification of Clerk Recorder position	1	23.0000	Classified	No	\$ 23,268
County Manager								
1402	Community Development	Sustainability	Sustainability Specialist-1	1	22.0000	Classified	No	\$ -
Community Development								
2285	Community Services	GSD Admin	Contract Manager	1	20.0000	Classified	No	\$ -
2266	Community Services	Teen Court	Teen Court Manager	1	24.0000	Term	Yes	\$ -
Community Services								
3333	County Clerk	Bureau of Elections	Street File Manager - Reclassification of Clerk Recorder position	1	20.0000	Classified	No	\$ -
2224	County Clerk	County Clerk	Intern	2	15.0000	Temp	Yes	\$ -
3229	County Clerk	County Clerk	Elections & Records Security Administrator/Programmer	1	25.0000	Classified	No	\$ -
County Clerk								
3400	Fire	Emergency Management Division	Communication, Alerts, and Warning Officer	1	0.0000	Classified	No	\$ 26,528
3403	Fire	EMS Training Division	EMS Quality Assurance Lieutenant	1	0.0000	Classified	No	\$ -
2296	Fire	Fire Admin	Reclassification of Captain of Recruitment and Retention	1	0.0000	Classified	Yes	\$ -
3395	Fire	Fire admin/Operations/Training	Reclassification of Training Captains x 3	3	0.0000	Classified	Yes	\$ -
2408	Fire	Fire admin/Operations/Training	Engineer of Training	1	0.0000	Classified	No	\$ -
TBD	Fire	Fire admin	Deputy Fire Chief	1	40.6763	Classified	No	\$ 250,796
Fire								
3311	Growth Management	Administration	Deputy Growth Management Department Director	1	45.0000	Classified	No	\$ -
2284	Growth Management	Building and Development Services	Development Review Customer Service Assistant	1	21.1900	Classified	No	\$ -
3389	Growth Management	Building and Development Services	Development Review Specialist	1	21.1800	Classified	Yes	\$ -
3390	Growth Management	Building and Development Services	Development Review Specialist Senior	1	24.0000	Classified	Yes	\$ -
2291	Growth Management	Building and Development Services	Code Enforcement Inspector Senior	1	22.0000	Classified	Yes	\$ -
1223	Growth Management	Open Space	Open Space Interpretive Ranger	1	25.5000	Classified	No	\$ -
2426	Growth Management	Planning	Senior Planner	1	20.0000	Classified	No	\$ -
Growth Management								
				3				272,140
Total				11				\$ 572,732

FY 2023 NEW FTE & RECLASSIFICATIONS

REQUESTS FOR CLASSIFIED OR RECLASSIFICATION:

New FTE:

PSD/Fire 3.0

GMD 3.0

Reclassifications:

CMO/IT 1.0

Clerk's Office 1.0

PSD/Fire 3.0

TOTAL FTE 11.0

SOURCES

General Fund: \$ 322,008

EMS & 2nd 1/8 GRT: 196,586

TOTAL \$ 518,594

FY 2023 DEPARTMENT BUDGET RECONCILIATION

	PRELIMINARY
	BUDGET FY23
TOTAL ESTIMATED DEPARTMENT REQUESTS 4/26/2022	\$ 193,730,608

ADJUSTED EXPENDITURE ESTIMATES:

Compensation Packages Being Recommended

3% COLA countywide July 2, 2022

Hourly Rate Increase to \$15

Class & Comp Study

Cost Impact to Minimum

Compression Distribution

1.5% COLA countywide January 1, 2023

PERA Contribution Increase July 1, 2022

FTE Reclassifications or New Requests

5% Insurance Premium Increase & Tier Change

2,136,992

50,848

203,512

1,250,000

548,377

500,000

572,732

394,863

TOTAL COMPENSATION PACKAGES

5,657,324

ADJUSTED DEPARTMENT REQUESTS 5/10/2022

\$ 199,387,932

Department Proposed Vacancies (24 Positions)

(1,441,635)

ADJUSTED DEPARTMENT REQUESTS 5/10/2022

\$ 197,946,297

DEPARTMENT FY23 FIXED ASSET REQUEST



SANTA FE COUNTY
Santa Fe County -
Five Year Capital Plan -
Fixed Asset Requests

DEPARTMENT	TOTAL COST
Community Development	\$ 13,643
Corrections	237,800
County Assessor	442,192
County Clerk	138,000
County Manager	460,388
Fire	5,920,993
Growth Management	395,774
Housing	41,448
Public Works	2,590,247
RECC	888,000
Sheriff	3,119,681
Total - 17	\$ 14,248,166

- Includes IT recommendations for IT related requests.
- Includes VURB recommendations on vehicle and equipment requests.
- Estimated General Fund Salary Savings, \$8,082,885
- Other Sources of Funding (Federal & State Grants, Charges of Services, GRT), \$7,059,754

DEPARTMENT FY23 FIXED ASSET REQUEST



SANTA FE COUNTY
Santa Fe County -
Five Year Capital Plan -
Fixed Asset Requests

FUNDING SOURCE	TOTAL COST
General Fund	\$ 7,188,412
Clerks Fees	53,000
Federal Grants	41,448
Gross Receipts Tax	1,539,399
Property Tax Administration Fees	303,088
State Grants	4,393,594
Utilities Charges for Services	729,225
Total - 17	\$ 14,248,166



SANTA FE COUNTY
Santa Fe County -
Five Year Capital Plan -
Fixed Asset Requests

CATEGORY	COUNT	TOTAL COST
Equipment & Furniture	111	\$ 4,085,327
IT Related	37	1,904,832
Vehicle	26	7,843,364
Other	6	414,643
Total - 17		\$ 14,248,166

NEXT STEPS

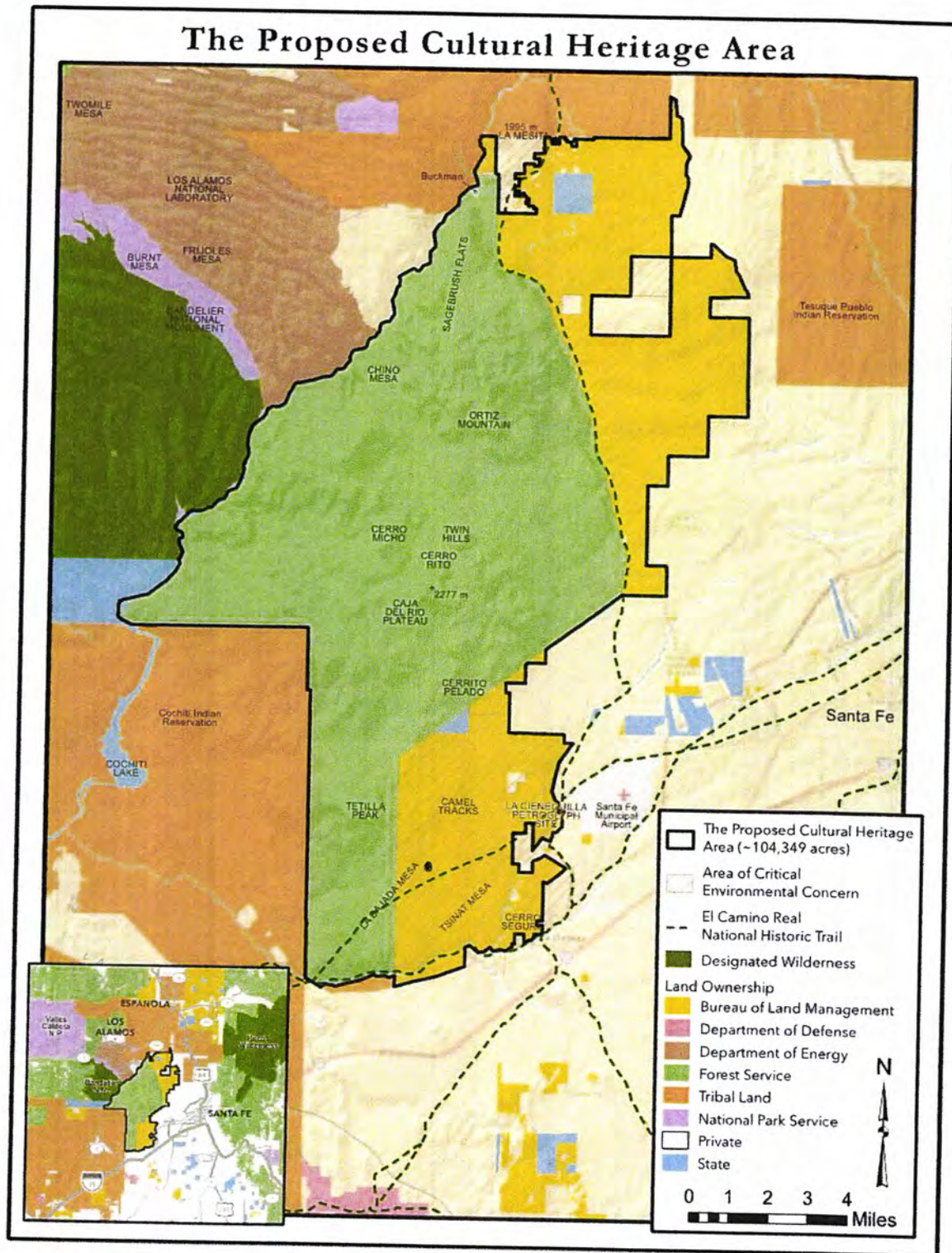
- Develop the interim FY 2023 budget.
- Approval of interim budget at May 26, 2022, Special BCC Meeting.
- Submission of FY 2023 Interim Budget to DFA by June 1, 2022.
- Capital Project Budget Study Session - TBD.

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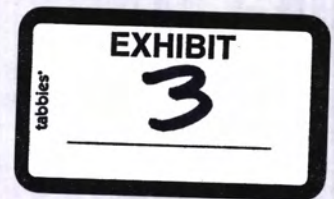
EXHIBIT

2

The Proposed Cultural Heritage Area



SFC CLERK RECORDED 06/20/2022



THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

ORDINANCE NO. 2022- ____

AN ORDINANCE ENACTING A SANTA FE COUNTY CODE OF CONDUCT;
REPEALING ORDINANCE NOS. 2010-12 AND 2011-9

BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY:

SECTION 1. SHORT TITLE.

This Ordinance may be cited as the "Santa Fe County Code of Conduct."

SECTION 2. DECLARATION OF POLICY.

The proper and effective exercise of the democratic process and of democratic government requires that **Elected Officials, Appointed Officials, Employees and Volunteers** of Santa Fe County government be independent, impartial and responsible to the people; that decisions of the government and development of policy are made fairly, legally and as the result of a fair and open process; that public office or the pursuit of public office should not be used for personal gain or influence; and that the public have and maintain confidence in the integrity of government. To assist in attaining these goals, this Ordinance establishes a code of conduct and establishes minimum standards of ethical behavior for all Elected Officials, Appointed Officials, Employees and Volunteers of county government, by: (1) setting forth explicit standards of conduct and ethical behavior; (2) explicitly describing acts that are inconsistent with these standards; and (3) by requiring candidates, elected officials, appointed officials, employees and Volunteers to disclose personal interests, financial or otherwise, in matters of the county and to remove themselves from decision-making when such interests exist.

SECTION 3. RESPONSIBILITY OF PUBLIC OFFICE AND EMPLOYMENT.

Elected Officials, Appointed Officials, Employees and Volunteers hold office or employment for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution and the Laws of the State of New Mexico; to observe the highest standards in the exercise of the powers and duties of office or employment; to impartially carry out their duties; to discharge faithfully the duties of office regardless of personal considerations; and to recognize that the public interest must be the prime objective.

SFC CLERK RECORDED 06/20/2022

SECTION 4. DEFINITIONS.

A. **"Administrative action"** means action based on the application, or interpretation of a county ordinance or a state statute, or a proceeding involving a license, permit, franchise or development use.

B. **"Administrative adjudicatory matter"** means a proceeding brought by or against a person before the **Board of County Commissioners**, County Planning Commission, or other county decision-making body in which individual legal rights, duties or privileges are required by law to be determined after an opportunity for a trial-type hearing and the decision-making body is required to make a quasi-judicial as opposed to legislative decision.

C. **"Affirmative duty"** an obligation to take a positive step to do something.

D. **"Anything of value"** includes any money, property, service, loan, or promise donated or transferred to the recipient or recipient's Family for the personal use of the recipient or recipient's Family without commensurate consideration. Anything of value does not include admission to public events, including entertainment, meals, or beverages provided at such events, valued at less than \$250+00, unless the person organizing or paying for admission to the event (i) is a Party; (ii) is regulated by the county; (iii) contracts with the county to provide financial services involving the investment of public money or issuance of bonds for public projects; or (iv) is prohibited from giving campaign contributions or other thing of value pursuant to NMSA 1978, § 13-1-191.1(E). Conduct in violation of Section 8(D) is not exempted regardless if it is a public event or not.

E. **"Appointed official"** means a person who is not an **Elected Official** or **Employee** and has been appointed by the **Board of County Commissioners** to serve on a **County** board, commission, or committee established by the Board of County Commissioners, or to perform other functions at the request of the Board of County Commissioners.

F. **"Board of County Commissioners"** means the Board of County Commissioners of Santa Fe County.

G. **"Confidential information"** means information that by law or practice is not available to the public.

H. **"Conflict of interest"** concerns divided loyalties and means a situation in which a person exercising a duty has an interest, financial or otherwise, that conflicts with or potentially conflicts with the exercise of the duty or that may be perceived as conflicting with the exercise of the person's duty.

I. **"Contract"** means an agreement between two or more parties, whether express or arising by operation of law.

J. **"County"** means Santa Fe County.

K. "County's contract ethics official" or "CCEO" means a licensed attorney under contract with the county who performs the functions specified for that position in Section 20 of this Ordinance for that position.

L. "Employee" means a person who is employed by the County.

M. "Elected official" means a member of the **Board of County Commissioners**, the County Clerk, the County Treasurer, the County Sheriff or the County Assessor but does not mean the County Probate Judge.

N. "Ex parte communication" means a direct or indirect communication with a Party or the Party's representative outside the presence of the other parties concerning a **Pending Adjudication** that deals with substantive matters or issues on the merits of the proceeding. *Ex Parte Communications* do not include statements that are limited to providing publicly available information about a Pending Adjudication or solely related to the status of the proceeding.

O. "Family" means a person's spouse, domestic partner and other relatives within the third degree of consanguinity or affinity and persons living within the household.

P. "Financial interest" means any interest held by **Elected Official, Employee, Appointed Official or Volunteer** or the **Family** of an Elected Official, Appointed Official, Employee or Volunteer, that is: (i) an ownership interest or other interest in business or property; or ii) any employment or prospective employment for which negotiations have already begun.

Q. "Good faith" means that a reasonable basis exists in fact as evidenced by the facts available to the person reporting or claiming a violation of this Ordinance.

R. "Non-public information" means information, written or spoken, that is obtained in the course of an **Elected Officials, Appointed Official's, Employee's or Volunteer's** duties and, if contained in a document or record would be subject to public inspection under state law, but that, because of its nature, is not readily accessible to the public.

S. "Party" means a person who has submitted to the County an application seeking affirmative relief; a person who has filed a formal complaint or protest; a person who is the subject of a formal complaint or investigation; and a member of the general public who participates in a **Pending Adjudication**.

T. "Pending adjudication" means any application, petition, complaint, protest, investigation or other administrative adjudicatory proceeding requiring decision or action by the **Board of County Commissioners**, the Land Use Administrator or the County Planning Commission.

U. "Personal benefit" means the obtaining or the promise of obtaining **Anything of Value**.

V. "Political endorsements" means support in a political campaign or a promise of an endorsement, or political activities, political support, or Anything of Value offered with intent to influence an Elected Official, Appointed Official, Employee or Volunteer's decision or action on any county question, matter, cause or proceeding, including an appointment, which is pending or might be brought before them are prohibited from being made, accepted or solicited.

W. "Respondent" means a person named in a sworn ethics complaint submitted to the county ethics board by a complainant.

X. "Sworn complaint" means a signed complaint that is sworn to under penalty of perjury on the form provided on the County website or in the county attorney's office that contains a valid mailing address and the telephone number or email address for the person submitting the complaint so that the complainant can be contacted.

Y. "Volunteer" means a person who is not an **Elected Official, Appointed Official or Employee** who provides services for the County as a Volunteer, without being paid and without expectation of payment for those services and includes a Volunteer firefighter or emergency responder (notwithstanding receipt of reimbursement for expenses pursuant to the Volunteer recruitment and retention incentive program); a Volunteer member of the sheriff's reserve; any other Volunteer who is not supervised or monitored by a County Employee or Elected Official; a Volunteer who has the authority to make decisions that affect County business; or a Volunteer who has the ability to purchase goods or services with County resources.

SECTION 5. NON-PARTISANSHIP.

All actions, decisions and votes on matters relating to the County government shall be made on their merits. Decisions shall be made objectively, without Party or partisanship considerations and without facts that are not directly and properly related to the matter requiring action, with the exception of decisions to hire employees or select volunteers who are required by state statute to be a member of a partisan political party.

SECTION 6. PUBLIC TRUST.

Elected officials, Appointed Officials, Employees and Volunteers shall treat their government position as a public trust. They shall use the powers and resources of public office only to advance the public interest and not to obtain Personal Benefits or pursue private interests.

SECTION 7. RECUSAL.

A. An **Elected Official or Appointed Official** shall recuse himself or herself in any pending **Administrative Adjudicatory Matter** in which the official believes he or she is unable to make a fair and impartial decision or in which there is a reasonable perception that the official is unable to make a fair and impartial decision, including:

1. when the official has a bias or prejudice concerning a **Party** or its representative or has prejudged a disputed evidentiary fact;
2. when the official or anyone in the official's **Family** has a **Financial Interest** in the outcome of the proceeding;
3. when, during previous or current employment, the official served as an attorney, adviser, consultant or witness in the matter in controversy; or
4. when the official announced how he or she would rule on the adjudicatory proceeding or a factual issue in the adjudicatory proceeding.

B. The **Elected Official or Appointed Official** recusing himself or herself shall disclose the specific reason for the recusal contemporaneously with the recusal.

C. An **Elected Official or Appointed Official** shall not be required to recuse himself or herself in a pending **Administrative Adjudicatory Matter** merely because the official possesses and discusses general viewpoints on public policy that an application may raise. Similarly, an **Elected Official** shall not be required to recuse himself or herself in a pending **Administrative Adjudicatory Matter** merely because the **Elected Official** made representations during a political campaign on viewpoints on public policy that an application may raise.

D. If, at the start of the hearing, an **Elected Official or Appointed Official** fails to recuse himself or herself when it appears that grounds exist, a **party** shall promptly notify the **Elected Official or Appointed Official** of the grounds for recusal. If the **Elected Official or Appointed Official** declines to recuse himself or herself upon request of a party, the official shall provide a full explanation in support of such refusal.

E. If, during the hearing, an **Elected Official or Appointed Official** fails to recuse himself or herself when it appears that grounds exist, a **Party** shall promptly notify the chairperson of the grounds for recusal. If the **Elected Official or Appointed Official** declines to recuse himself or herself, the chair may entertain a motion to excuse the official from further participation in the matter. If the motion is successful, the official shall be excused from further participation in the matter.

SECTION 8. CONDUCT AVOIDING IMPROPRIETY.

A. **Elected Officials, Appointed Officials, Employees and Volunteers** shall avoid improper conduct or conduct that creates the appearance of impropriety or that is otherwise unbecoming a public official, Employee or Volunteer.

B. **Elected Officials, Appointed Officials, Employees and Volunteers** shall not engage in conduct that violates the rights of others to be treated fairly and with dignity and respect, including unlawful discrimination and harassment. Harassment includes, but is not limited to, the following: verbal or physical conduct intended to threaten, intimidate or coerce; verbal or physical conduct that has the purpose or effect of unreasonably interfering with work

performance or that creates an intimidating, hostile or offensive working environment; and the uttering of words, or the display or circulation of written materials that are degrading to persons of a particular sex, race, color, age, national origin, disability, religion, or sexual orientation.

C. **Elected Officials, Appointed Officials, Employees and Volunteers** shall refrain from engaging in conduct, even if lawful, where **Personal Benefit** or personal advantage is involved in a way that creates a reasonable inference that such office has been used for that purpose.

D. Political Endorsements, support in a political campaign or a promise of an endorsement, political activities, political support, or **Anything of Value** offered with intent to have an Elected Official, Appointed Official, Employee or Volunteer's decision or action on any question, matter, cause or proceeding or appointment influenced thereby and which is pending or might be brought before them in their official capacity are prohibited from being made, accepted or solicited.

SECTION 9. LIMITATIONS ON EMPLOYMENT WITH, AND APPEARANCE BEFORE, THE COUNTY, FOLLOWING GOVERNMENT SERVICE.

Pursuant to the Governmental Conduct Act [NMSA 1978, §§ 10-16-1 through 10-16-18]:

A. a former **Elected Official, Appointed Official or Employee** shall not receive compensation to represent a person or any business entity in dealings with Santa Fe County for one year after leaving County service or employment;

B. a former **Elected Official, Appointed Official or Employee** shall not represent a person or any business entity in dealings with Santa Fe County after leaving County service or employment on a matter in which that person participated personally and substantially while an **Elected Official, Appointed Official or Employee**;

C. Santa Fe County shall not enter into a **Contract**, memoranda of understanding or other action favorably affecting, any person or business that is:

1. represented personally in the matter by a person who was serving as an **Elected Official, Appointed Official or Employee** within the preceding year, if the value of the contract or action is greater than one thousand dollars (\$1,000) and the contract was a direct result of an official act by the **Elected Official or Employee**; or

2. assisted in the transaction by a former **Elected Official, Appointed Official or Employee** whose official act, while in service of or employment with the **County**, directly resulted in the County making that contract or taking that action.

SECTION 10. PROHIBITED FINANCIAL INTEREST IN COUNTY BUSINESS.

A. Except as otherwise provided in the Santa Fe County Code of Conduct, an **Elected Official, Appointed Official, Employee or Volunteer** shall not have a **Financial Interest** if the Elected Official, Appointed Official, Employee or Volunteer is in a decision-making capacity with respect to that Financial Interest.

B. **Elected Officials, Appointed Officials, Employees or Volunteers** who have any **Financial Interest** shall disclose such interest by filing a Conflict of Interest and Financial Disclosure Statement as described in Section 18 of the Santa Fe County Code of Conduct and recording same with the County Clerk and by disclosing the interest as otherwise provided in that code or by law, and shall be disqualified from participating in any debate, decision or vote relating to the interest.

SECTION 11. *EX PARTE* COMMUNICATIONS.

A. An **Elected Official or Appointed Official** designated to hear an **Administrative Adjudicatory Matter** pursuant to a County ordinance, including but not limited to the County's Land Development Code, shall not initiate, permit or consider an *Ex Parte Communication*.

B. An **Elected Official or Appointed Official** who receives or who makes or causes to be made a communication prohibited by the Santa Fe County Code of Conduct shall disclose the communication to all parties and give other parties an opportunity to respond.

C. Notwithstanding the provisions of Subsection 1 of this section, *Ex Parte Communications* for procedural or administrative purposes, during emergencies or that do not deal with the merits of an application shall not be prohibited if the official reasonably believes that no Party will gain an advantage as a result of the *Ex Parte Communication* and promptly notifies all other parties of the substance of the *Ex Parte Communication*.

SECTION 12. CONFLICTS OF INTEREST, DISCLOSURE.

A. **Elected Officials, Appointed Officials, Employees and Volunteers** shall strictly avoid transactions and relationships that create a **Conflict of Interest**. Where a Conflict of Interest is unavoidable, the Elected Official, Appointed Official, Employee or Volunteer has an **Affirmative Duty** to disclose the Conflict of Interest and subordinate the conflicting interest to the public interest.

B. **Elected Officials, Appointed Officials, Employees and Volunteers** shall exercise their duties, powers and prerogatives without prejudice or favoritism. They shall not hire, promote or otherwise reward **Family** members, friends or political supporters or hinder or punish enemies and opponents.

C. **Elected Officials, Appointed Officials, Employees and Volunteers** shall ensure that constituents and others who may be affected by decisions of the **County** have a fair and reasonable opportunity to express their concerns, grievances and ideas.

D. **Elected Officials, Appointed Officials, Employees and Volunteers** shall not engage in any conduct that could create in the mind of a reasonable observer the belief that persons will receive better or different service if gifts, **Personal Benefits** or political or charitable contributions are provided.

E. **Elected Officials, Appointed Officials, Employees and Volunteers** shall not solicit or receive **Anything of Value** under circumstances that create a reasonable belief that special access, services, favors or official or unofficial actions will be provided as a result. Anything of value shall not be solicited or received from a person, business or other entity that is doing business or contracting with the **County**; that is regulated by the County; that has an application pending before the County; or whose interests may be affected by the County.

F. **Elected Officials, Appointed Officials and Employees** shall not accept **Anything of Value** from a person, business or other entity when the **Elected Official, Appointed Official or Employee** knows or reasonably should know that the person, business or other entity that **Contracts** or does any business with the **County**; desires to contract or do business with the County; is regulated by the County; has an application pending before the County; or whose interests may be affected by the County.

G. Upon the request of an **Elected Official, Appointed Official or Volunteer**, the Ethics Board may issue an advisory opinion pursuant to Section 21(H) of this Ordinance as to whether acceptance of **Anything of Value** from a person, business or other entity violates this section or any other section of this Ordinance. Advisory opinions from the County Ethics Board interpret only this Ordinance, and shall not interpret whether conduct is a violation of any other ordinance or law, including state law.

SECTION 13. MISUSE OF CONFIDENTIAL-INFORMATION.

A. An **Elected Official, Appointed Official, Employee or Volunteer** shall not disclose or use **Confidential Information** maintained by the **County** without proper prior written authorization.

B. The use of **Confidential Information** by an **Elected Official, Appointed Official or Employee** for private gain is prohibited as provided in NMSA 1978, Section 10-16-6. This section does not allow the disclosure of information made confidential by law.

SECTION 14. DUTY TO REPORT IMPROPER OFFERS.

Elected Officials, Appointed Officials, Employees and Volunteers who receive an improper offer of **Anything of Value** shall firmly and unequivocally reject the offer and shall report the same to the appropriate law enforcement agency in the case of a violation of state law and, in the case of a violation of the Santa Fe County Code of Conduct, to, the County Attorney pursuant to Section 20 for a violation by an **Elected Official, Appointed Official or Volunteer** and the Human Resources Director for a violation by an **Employee**.

SECTION 15. MISUSE OF COUNTY PROPERTY AND RESOURCES FOR PRIVATE GAIN OR PERSONAL BENEFIT.

A. An **Elected Official, Appointed Official, Employee or Volunteer** shall not use public property for any **Personal Benefit** or nongovernmental purpose except as specifically provided by law. Public property includes public funds, time, facilities, property, equipment, mailing lists, computer data, services or any other government asset or resource.

B. An **Elected Official, Appointed Official, Employee or Volunteer** shall not seek, accept, use, allocate, grant or award public funds for a purpose other than that authorized by law or make a false statement in connection with a claim, request or application for compensation, reimbursement or travel allowances from public funds.

C. Unless authorized by the County Human Resources Handbook, an **Employee** shall not be asked or allowed to perform personal services for an **Elected Official or Appointed Official**. An **Elected Official or Appointed Official** shall not require an **Employee** to perform personal services or assist in a private activity except in unusual and infrequent situations where the person's service is reasonably necessary to permit the **Elected Official or Appointed Official** to perform official duties.

SECTION 16. MISUSE OF TITLE OR PRESTIGE OF OFFICE FOR PRIVATE GAIN OR PERSONAL BENEFIT.

A. An **Elected Official, Appointed Official, Employee or Volunteer** shall not use, induce, cause or encourage others to use the authority, title, official letterhead or prestige of the **Elected Official's, Appointed Official's, Employee's or Volunteer's** office or service for his or her own private gain or personal advantage.

B. An **Elected Official, Appointed Official, Employee or Volunteer** shall not solicit or accept **Anything of Value** under terms and conditions where the compensation is not commensurate with the services performed or where a reasonable person would believe that the authority, title or prestige of office had been exploited. Nothing in this section prohibits the use of official title of an **Elected Official, Appointed Official, Employee or Volunteer** as a part of a political campaign or political endorsement.

C. Pursuant to NMSA 1978, § 10-16-4.3, it is unlawful for an **Employee** who is participating directly or indirectly in the contracting process, to become or to be an **Employee** of any person or business contracting with the **County** while also an **Employee** with the **County**.

SECTION 17. POLITICAL ACTIVITY.

A. An **Employee** with Contract management authority, property management authority or land use authority shall not serve as a paid political consultant, a campaign treasurer or as a member of the political fundraising committee of a candidate for federal, state, municipal or **County** office, or **Elected Official**.

B. **Employees** shall not perform any political activity during any compensated time.

C. A candidate, **ex, Appointed Official, another Employee or Volunteer** shall not require an Employee to perform political activity: (i) as a part of the Employee's duties, or (ii) as a condition of **County** employment.

D. An **Employee** shall not be required to participate in a political activity.

E. An **Employee** shall not be awarded additional compensation or employment benefit in any form to engage in, as a part of the Employee's official **County** employment duties, activities that are undertaken by an Employee that benefit a candidate.

F. Nothing in this section prohibits an **Employee** from engaging in political activity on behalf of the **County** or, consistent with Section 19(A), engaging in voluntary political activities of the Employee's choosing when not on duty.

G. No candidate shall engage in any conduct that would, to an objective third-party, constitute an undue threat to an **Employee's** continued employment.

H. **Employees** who receive compensation or reimbursement from a candidate or political campaign on behalf of a candidate in excess of a total of two hundred fifty dollars (\$250) per campaign, shall be required to report such compensation or reimbursement to the County manager in writing, which shall include disclosure of the nature of the compensation or reimbursement.

SECTION 18. DISCLOSURE.

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A. Within ten (10) days after the swearing in of any Elected Official, the Elected Official shall file a Conflict of Interest and Financial Disclosure Statement a statement of economic interest with the Human Resources Division to be maintained by the County Clerk on a form provided by the County. Thereafter, Conflict of Interest and Financial Disclosure Statements of economic interest shall be filed on an annual basis before the January 11th of each year. Conflict of Interest and Financial Disclosure Statements Disclosure statements shall be amended to reflect a change in circumstances pursuant to Subsection D below.

B. Within ten (10) days of assuming duties as an Appointed Official, Employee or Volunteer, each shall file a Conflict of Interest and Financial Disclosure ~~Statements~~ statement of ~~economic interest~~ with the Human Resources Division to be maintained by the County Clerk the County clerk on a form provided by the County. Thereafter, appointed officials, employees, and Volunteers shall file Conflict of Interest and Financial Disclosure Statements of economic interest on an annual basis before the January 11th of each year. Conflict of Interest and Financial Disclosure Statements Disclosure statements shall be amended to reflect a change in circumstances pursuant to Subsection D below.

C. The following information shall be provided:

1. a description of all parcels of real estate within the **County** in which the person owns any interest, including an option to purchase;
2. all interests in any business organization, either as owner, part owner, partner or shareholder, in which such person or his or her **Family** owns more than two percent of the outstanding stock or any class or equity, or more than two (2) percent ownership interest of any other business that is doing business with the **County** in an amount in excess of seven thousand five hundred dollars (\$7,500) annually; and
3. the identity of each person who provided the **Elected Official, Appointed Official, Employee or Volunteer**, directly or indirectly, any gift having an aggregate value of more than two hundred fifty dollars (\$250) within the taxable year preceding the time of filing, except that such disclosure is not required for a gift from a **Family** member other than an unrelated household member; provided that the person making the gift is not also contracting, attempting to contract or otherwise doing business with the **County**.

D. A person who undergoes a change in the economic interests that are required to be disclosed by this section shall file an amended statement in the same manner as required by Subsection A or B of this section within ninety (90) days of the change.

E. Temporary election workers ~~employees hired for terms of less than ten (10) days are exempted from the requirement of filing a Conflict of Interest and Financial Disclosure Statement.~~

~~FE.~~ All persons required to file a statement shall comply with the provisions of this section within thirty (30) days after the requirements hereof are imposed upon such office or position.

SECTION 19. COERCION.

A. A candidate, **Elected Official, Appointed Official, Employee or Volunteer** shall not compel, coerce or intimidate any **Elected Official, Appointed Official, Employee or Volunteer** to make, or refrain from making, any political contribution. Nothing in this subsection shall be interpreted to provide that an **Elected Official, Appointed Official, Employee or Volunteer** is precluded from voluntarily making a contribution or receiving a voluntary contribution.

B. An **Elected Official** shall not, directly or by authorizing another to act on the **Elected Official's** behalf, state or imply that the **Elected Official's** willingness to meet with a person is dependent on the person making a campaign contribution, donating to a cause favored by the **Elected Official** or providing **Anything of Value** to the **Elected Official**.

C. An **Elected Official** shall not directly, or by authorizing another to act on the **Elected Official's** behalf:

1. agree or threaten to take or withhold any **County** governmental action, as a result of a person's decision to provide or not provide a political contribution;
2. state or imply that the Elected Official will perform or refrain from performing a lawful constituent service as a result of a person's decision to provide or not provide a political contribution;
3. agree to or participate in a scheme or plan intended to evade the requirements of any applicable state ethics statutes, the Santa Fe County Code of Conduct, or another financial disclosure provision of state law or County law; or
4. accept a contribution given or offered in violation of any applicable state ethics statutes or the Santa Fe County Code of Conduct.

SECTION 20. REPORTING AND RESOLVING ALLEGED ETHICS VIOLATIONS

A. An **Elected Official, Appointed Official or Volunteer** has an Affirmative Duty to, and an Employee or any member of the public may, submit a complaint alleging unethical conduct to the county ethics board by delivering to the county attorney's office a **Sworn Complaint** alleging facts that, if proven, would constitute a violation of the Santa Fe County Code of Conduct.

B. The County Attorney's Office will forward all **Sworn Complaints** to the **County's Contract Ethics Official (CCEO)**.

1. The County Attorney's Office shall not forward un-Sworn Complaints to the **CCEO**, but instead process them in accordance with the **County's** records retention policies after determining whether law enforcement, the County Manager or the Human Resources Director should be notified.

2. **Sworn Complaints** submitted more than two (2) years after a violation of this Code is alleged to have occurred, shall be beyond the jurisdiction of the **Ethics Board** and shall be summarily returned to the complainant by the **CCEO** with a notation that the Ethics Board has no jurisdiction to hear them because of the two-year limitations requirement.

C. The **CCEO** shall make a threshold determination as to whether a **Sworn Complaint** is against an **Employee, an Elected Official, an Appointed Official, or a Volunteer**. If the Sworn Complaint is against an Employee, the CCEO shall not conduct any further analysis or investigation and shall promptly refer the Sworn Complaint against an Employee to the **County's** human resources division for investigation and appropriate action pursuant to the Human Resources Handbook or collective bargaining agreement as applicable. A **Sworn Complaint** making ethics allegations against an Employee, an Elected Official, Appointed Official or volunteer shall, if the CCEO determines the complaint to state a claim under this Ordinance against an Elected Official, Appointed Official or Volunteer, be investigated by the CCEO as to the allegations against the Elected Official, appointed official or Volunteer only.

The remainder of the complaint involving the Employee shall be investigated by the human resources division, pursuant to the Human Resources Handbook or handled according to a collective bargaining agreement as applicable.

D. The CCEO shall determine whether a **Sworn Complaint** against an **Elected Official, Appointed Official or Volunteer** states a claim under the Santa Fe County Code of Conduct. If the **Sworn Complaint** fails to state a claim under that code, the complainant shall be so informed in writing by the CCEO who shall dismiss the complaint, subject to a right of appeal to the County Ethics Board. An appeal shall be submitted to the County Attorney's Office within seven (7) calendar days from the date on which the complainant receives the notice of dismissal and shall be based solely on the issue of whether the Sworn Complaint stated a claim under that code. The County Attorney shall refer the appeal to the Ethics Board. After referral of the appeal to the Ethics Board, the Ethics Board may reverse a dismissal of the complaint if it determines that the CCEO's dismissal was erroneous based on a review of the issues raised in the appeal. If the Ethics Board reverses a dismissal of the complaint, it shall remand the matter back to the CCEO for further investigation and handling in accordance with Sections 24(E) and 24(F), with notice to the complainant and other person(s) named in the Sworn Complaint.

E. If the **Sworn Complaint** states a claim under the Santa Fe County Code of Conduct, the CCEO shall investigate the allegations, prepare a report and recommendations to either dismiss the complaint or proceed to a public hearing, and shall present the same to the Ethics Board for consideration at its next available meeting after completion of the investigation.

F. The Ethics Board shall conduct a public hearing prior to taking any action described in Section 25 of the Santa Fe County Code of Conduct. At its next meeting after completion of the investigation, the Ethics Board shall review the CCEO's report and recommendation to consider whether it will dismiss or proceed to a hearing, and either:

1. determine where and when a public hearing should take place for which it shall provide advance written notice to the **Respondent**, in which case the Respondent:

- a) may be represented by counsel at the Respondent's own expense, who shall be an attorney licensed to practice law in New Mexico;
- b) may request in writing from the CCEO a list of witnesses intended to be called at the public hearing by the CCEO, which list shall be provided by the CCEO within ten (10) days of receiving the request;
- c) shall provide the CCEO with a list of witnesses that the Respondent intends to call during the public hearing within ten (10) days of receiving a written request from the CCEO;
- d) may request in writing from the CCEO copies of all documents and other material not privileged that were obtained by the CCEO during the CCEO's investigation or which the CCEO intends to use during the public hearing, which copies shall be provided by the CCEO within ten (10) days of receiving the request;
- e) shall provide the CCEO with copies of all documents the Respondent intends to use during the public hearing within ten (10) days of receiving a written request from the CCEO; and

f) shall have a right to the issuance of a notice by the Ethics Board compelling the attendance of County Employees as witnesses at hearings. In addition to the time, date, and place of the hearing, the notice of public hearing shall advise the Respondent of the rights and obligations set forth in this paragraph.

2. dismiss the complaint without further action other than to notify the Respondent and the Complainant in writing of the dismissal, which dismissal shall be based on either:

- a) failure to state a claim under the Santa Fe County Code of Conduct; or
- b) insufficient evidence to meet the standard of proof.

G. A determination by the Ethics Board to dismiss a complaint shall be final and not subject to appeal, re-determination, reconsideration, further review or resubmittal by the Complainant or any other Complainant on the same issue involving the same person charged with the ethics infraction.

H. In order to provide a full and fair hearing under the Santa Fe County Code of Conduct, a public hearing on the merits shall proceed as follows:

1. all persons present to give testimony shall be sworn before testifying and shall exit the hearing room until they testify. Persons testifying shall not discuss their testimony with other witnesses until the public hearing is concluded;

2. the CCEO shall proceed first by calling witnesses and tendering other evidence;

3. the **Respondent** shall have the right to cross-examine any witness called by the CCEO, and the CCEO shall have the right to cross-examine any witness called by the Respondent;

4. any Ethics Board member may question any witness;

5. after the CCEO has rested, the Respondent may proceed with a defense of the allegations set forth in the **Sworn Complaint** by calling witnesses and tendering other evidence;

6. after the Respondent has rested, the CCEO may call rebuttal witnesses;

7. while the technical rules of evidence shall not apply, the Chairperson may exclude irrelevant, immaterial, unreliable, unduly repetitious or argumentatively presented evidence and may require substantiation of statements or records tendered if their accuracy or truth is in reasonable doubt, so long as any final decision of the Ethics Board is supported by a legal residuum of competent evidence;

8. written verbatim minutes of the public hearing shall be prepared and retained with any evidence submitted at the public hearing. Public hearings may be audio recorded for the

purpose of preparing such minutes; however, the written verbatim minutes shall constitute the official record of the public hearing;

9. after testimony is completed and both sides have rested, the Ethics Board may permit closing statements from both sides;

10. the Ethics Board may deliberate but not vote on its disposition of the case in executive session as an administrative adjudicatory deliberation, after which the Ethics Board shall return to an open session to vote on the disposition of the ethics case; and

11. after deliberating on the merits of the case before them, the Ethics Board shall issue a written decision consistent with its vote and containing findings of fact and conclusions of law, which may: impose one of the consequences permitted by Section 25(A) upon the **Respondent** if it finds a violation of the Santa Fe Code of Conduct has occurred; decline to impose one of the consequences even if a violation is found; impose a consequence less severe than those permitted by Section 25(A); or find no violation of that code has occurred. The burden of proof for finding a violation of that code shall be by a preponderance of the evidence. A copy of the Ethics Board's written decision shall be delivered or mailed to the Respondent, the CCEO, the Complainant, the County Manager, the Office of the County Clerk and, where appropriate, the District Attorney. The Ethics Board may postpone issuance of the written decision to another date.

I. Prior to the hearing on the merits, either the **Respondent** or the **CCEO** may file motions in accordance with a schedule established by the Ethics Board. The Ethics Board may consider such motions at a special meeting or at the beginning of the hearing on the merits. The Ethics Board shall not consider dispositive motions filed by Respondent, such as motions to dismiss or for summary judgment.

SECTION 21. COUNTY ETHICS BOARD.

A. The Ethics Board is created. The Ethics Board consists of five members who shall be appointed by the **Board of County Commissioners**. At least one member shall be appointed who shall not be affiliated with **County** government in any capacity, including, but not limited to, employment, including employment for which the salary is in any way funded by or through the County, appointment, election or service as a **Volunteer**. The members of the Ethics Board may not hold elected public office or office with any political party within the ~~eC~~County. Each member shall serve a two (2) year term, subject to reappointment.

B. The Ethics Board shall elect its chairperson and vice-chair. If a member of the Ethics Board petitions the Ethics Board for a hearing and advice regarding his or her own conduct or the conduct of another member, the member shall not be eligible to sit in such cases and an alternate member shall be seated when the need arises.

C. The jurisdiction of the Ethics Board is limited to acting within the scope of matters covered by the Santa Fe Code of Conduct, but may periodically review and recommend amendments to that code.

D. Upon the **Sworn Complaint** of a person alleging facts that, if proven, would constitute a violation of the Santa Fe County Code of Conduct, the Ethics Board shall conduct a public hearing on the allegations of the complaint.

E. The rules of procedure shall be consistent with the rules for conducting administrative hearings in Santa Fe County.

F. The Ethics Board shall have the power to compel the attendance of **Employees** as witnesses at a hearing. A notice to attend will be delivered through the **Employee's** chain of command.

G. No action may be taken by the Ethics Board on any complaint that is filed later than two (2) years after a violation of the Santa Fe County Code of Conduct is alleged to have occurred.

H. The Ethics Board may also provide advisory opinions regarding the applicability or interpretation of the provisions of the Santa Fe County Code of Conduct upon the request of any **Elected Official, Appointed Official or Volunteer**.

I. On a quarterly basis, the **Board of County Commissioners** shall be provided with a report from the County Attorney stating the number of complaints that were submitted alleging a violation of the Santa Fe County Code of Conduct.

J. A member of the Ethics Board may be removed by the **Board of County Commissioners** for just cause.

K. A vacancy on the Ethics Board shall be filled in the same manner as the initial appointment and the appointment shall continue for the remainder of the unexpired term.

L. Members of the Ethics Board shall not receive a salary or other compensation for services.

SECTION 22. RIGHT OF APPEAL.

A decision of the Ethics Board finding a violation of the Santa Fe County Code of Conduct, with respect to an **Elected Official, Appointed Official or Volunteer** may be appealed to the First Judicial District Court pursuant to NMSA 1978, Section 39-3-1.1 (1998, as amended); provided, however, that a decision regarding an **Employee** shall be covered by the terms of the Human Resources Handbook or collective bargaining agreement, as applicable.

SECTION 23. NON-RETALIATION.

The **Board of County Commissioners** does not tolerate retaliation, workforce discrimination or harassment of any kind against a person who has reported in **Good Faith** a violation of the Santa Fe County Code of Conduct. This non-retaliation provision applies

whether the complaint is ultimately determined to be well-founded or unfounded. All **Elected Officials, Appointed Officials, Employees and Volunteers** are specifically prohibited from taking any adverse employment action, engaging in workplace discrimination or harassment of any kind, or other retaliatory action against anyone for reporting a claim in **Good Faith**.

SECTION 24. RESTRICTIONS ON THE BOARD OF COUNTY COMMISSIONERS; ADMINISTRATION OF THE PERSONNEL SYSTEM, MANAGEMENT.

A. The **Board of County Commissioners** shall not perform, collectively or individually, an executive function in the administration of the personnel system, except for employment and removal of the County Manager, making collective recommendations to the County Manager on general personnel policy, approving or disapproving collective bargaining agreements and county personnel policies or approving any proposed reorganization that creates or abolishes a department.

B. The **Board of County Commissioners** shall not perform, collectively or individually, general executive management functions in the administration of county government; these functions shall be delegated to the County Manager. This paragraph shall not apply to matters of policy, the responsibility and authority of the board to approve budgets and expenditures, **Contracts** outside the signature authority of the County Manager, and matters that in the discretion of the board, while they may involve management issues, are of county-wide importance.

SECTION 25. PENALTIES.

A. An **Elected Official, Appointed Official or Volunteer** who violates the Santa Fe County Code of Conduct is subject to one or more of the following penalties imposed by the Ethics Board:

1. a written finding of censure in the form of publication of the Ethics Board's findings of fact and conclusions of law on the **County's** website for a period of ten (10) days;
2. a recommendation to the District Attorney or other appropriate governmental entity that the violation be pursued in criminal or other proceedings; or
3. a recommendation to the District Attorney that proceedings to remove the person from elected office be commenced pursuant to NMSA 1978, § 10-4-1 *et seq.* (1909, as amended).

B. In addition to the penalties set forth above, other penalties might apply when certain conduct prohibited by the Santa Fe County Code of Conduct also constitutes conduct prohibited by the Governmental Conduct Act [NMSA 1978, Chapter 10, Article 16]. That act was made applicable to **Officials and Employees** of local government on July 1, 2011. Knowing and willful violation of that act is a misdemeanor, and a person found guilty may be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment for not more than one

year or both. Prosecutions under that act shall be handled by a District Attorney or the Attorney General.

C. Employees who violate the Santa Fe County Code of Conduct are subject to discipline, up to and including dismissal, in accordance with the Santa Fe County Human Resources Handbook and any applicable collective bargaining agreement.

D. Violation of the Santa Fe County Code of Conduct shall constitute a petty misdemeanor and a person found guilty may be punished by a fine not exceeding three hundred dollars (\$300) or imprisonment for a period not exceeding ninety (90) days in jail or both.

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SECTION 26. REPEAL.

Santa Fe County Ordinance No. 2010-12 and Ordinance No. 2011-9 are repealed.

SECTION 27. EFFECTIVE DATE.

This Ordinance shall become effective as of the date provided by law.

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By _____
Anna T. Hamilton, Chair

ATTEST:

Katharine E. Clark, County Clerk

Approved as to form:

Rachel Brown, Interim County Attorney