

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

August 30, 2022

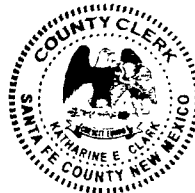
Anna T. Hamilton, Chair - District 4
Rudy Garcia, Vice Chair - District 3
Anna Hansen - District 2
Hank Hughes - District 5
Henry Roybal - District 1

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 53

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SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

August 30, 2022

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:20 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
Commissioner Anna Hansen
Commissioner Hank Hughes
Commissioner Henry Roybal [via Webex]

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 Robert Lujan of the Public Safety Department.

Commissioner Garcia asked for a moment of silence for Gerard and Amanda Otero, and Hank Baca.

F. Approval of Agenda

GREG SHAFFER (County Manager via Webex): Madam Chair, the initial agenda for today's meeting was posted last Tuesday at approximately 5:36 pm. An amended agenda was posted on Friday at approximately 4:56 pm. The changes were as follows: Packet material was added or updated with regard to item 3. A, and item 4. G. The following items were added to the agenda: Miscellaneous Action item 5. B, item 9. B from the County Manager and item 9. C, also under Matters from the County Manager.

With regard to Matters from the County Attorney, item 5 was added to the

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executive session agenda under item 11. A, and finally, we've also added item 11. C, Request for direction on annexation negotiations with the City of Santa Fe pursuant to Joint Resolution No. 2021-105. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you, Manager Shaffer. So with respect to the agenda as amended, what's the pleasure of the Board?

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I move to approve the agenda as amended.

COMMISSIONER HUGHES: Second.

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

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

1. G. Years of Service and New Hire Recognitions

MANAGER SHAFFER: Thank you, Madam Chair. We do recognize both new hires as well as years of service in five-year increments, starting with our new hires first. During the month of July we hired Donald Truax in the Fire Department, Melinda Medlin in the County Assessor's Department, John Winton in our Health and Human Services Department, Jarrod Crespino in Project and Facilities Management of the Public Works Department, Oscar Salgado in Public Works, Ezequial Ramos in the County Manager's Office – Ezequial actually works in the IT Division of the County Managers Office., Jeffrey Young in the Legal Department.

We hired two new detention officers in the Corrections Department, Jonathan Gonzales and Miguel Rodriguez, and in the Clerk's Office we hired a new recording Clerk, Jeremy Ortiz. We also hired an accountant, Devannia Rodriguez in the Health and Human Services Department, and administrative assistant, Tyler Dominguez in our Legal Department. And then finally a Project Manager III, Manuel Martinez in the Utilities Division in the Public Works Department. So we do welcome all of our new hires for the month of July.

In terms of our years of service, we're honored to have folks be recognized in five-, ten- and fifteen-year increments this meeting. In terms of those passing their five years of service milestone we have Matthew Lobato in the County Assessor's Department, and Christopher Brown in Health and Human Services Department. In ten year increments of service we have Bennylee Atencio. In the Corrections Department, Mary Ortiz as well as Christopher Zook in the Sheriff's Department.

We then have a slate of Fire Department employees who are marking their 15-year anniversary with the County. Those are Stephen Vogel, Marcos Archuleta, Jeffrey Carroll, Abraham Cobb, Daisy Graves, Kevin Kocharoff, Jeffrey Matchinson, Daniel Meyer, and Esteban Ornelas.

So we appreciate both our new hires and hope that we will someday be recognizing them for their years of continued service to the County. Thank you, Madam Chair.

CHAIR HAMILTON: Excellent. Really appreciate it and I want to just my voice to the welcome to the new people and congratulations to all the people with years

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of service recognitions because that's a very big deal. But who knows about all these County Attorneys who are sitting here as new hires. Very much welcome aboard. Anybody else? Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. Just to add to what you said, we really appreciate the new hires but I especially also appreciate the people who have committed five, ten and fifteen years of their careers to the County. That's very impressive and we really appreciate it. So congratulations to everybody. Thank you.

CHAIR HAMILTON: Excellent. Very much appreciate it.

2. Approval of Meeting Minutes: July 26, 2022

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I move to approve the meeting minutes from July 26, 2022.

CHAIR HAMILTON: Excellent. I have a motion. Do I have a second?

COMMISSIONER HUGHES: Second.

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

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

3. CONSIDERATION PROCLAMATIONS, RESOLUTIONS, AND/OR RECOGNITIONS

A. Resolution No. 2022-066, a Joint Resolution Affirming the Partnership of Santa Fe County and the City of Santa Fe to Develop Strategies and Actions to End Homelessness

CHAIR HAMILTON: And I'll go first to Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair, and I'm very excited to bring this resolution forward. It's been a little bit in the making, and it's affirming the partnership between the City of Santa Fe and Santa Fe County on addressing the very important issue of homelessness, taking into consideration that there's already been quite a bit of partnership that has happened along the way and a lot of what the City and the County are already doing to help address homelessness.

At the County we've been doing the CONNECT program, La Sala, our plans to build more affordable housing and our partnership already with the City on the Lamplighter Motel, and then the City has also done a number of things including its facilitating the purchase of the Santa Fe Suites Hotel. So there's a lot already going on and this resolution really calls out six areas that we want to take the partnership forward in, and those would be preservation of affordable housing and prevention of homelessness, emergency shelter, building more housing units, using the voucher programs to their best use, making sure that people who are at risk of homelessness or experiencing homelessness get the best supportive services, and then continuing to work on creating a good system within the community for addressing homelessness.

I do want to thank everybody on the County staff and the City staff who worked on the resolution, as well as these partnerships, and of course City Councilor Jamie Cassutt who is co-sponsoring this along with the Mayor at the City and last but not least, Commissioner Roybal, who is co-sponsoring it along with me at the County.

CHAIR HAMILTON: Excellent. So first of course let me check in and see if Commissioner Roybal, and then if City Councilor Cassutt wants to say something. Commissioner Roybal, are you available?

COMMISSIONER ROYBAL: Thank you. I just to thank Commissioner Hughes, for leading this effort, coming forward at the meeting with the City of Santa Fe and bringing this joint resolution forward. I'm honored to co-sponsor it. It's something very near and dear to my heart. I've worked with the Pathway Shelter in Española and with any organization I can in regards to the homeless issue because it's of huge concern.

So once again, I'm honored to co-sponsor this Commissioner Hughes. It's just a piece of the puzzle that we're putting together so we can bring some resolution to the huge need that we need for homelessness. So I just wanted to say that I'm very thankful that we're bringing this resolution forward and thank my fellow Commissioners and the City Council and Mayor for their support of this and all of staff that's involved. The liaisons also worked in putting this resolution together and so I just want to thank everybody for all the hard work and effort and it's something that's going to be appreciated. Thank you.

CHAIR HAMILTON: Excellent. Thank you, Commissioner Roybal. City Councilor, we would be so honored to hear what you have to say about this. It's wonderful to be working together on something so important.

JAMIE CASSUTT: Thank you. Good afternoon, Madam Chair and members of the Commission. Thank you so much for having me here today and for your partnership on this truly challenging and sometimes seemingly intractable issue in our community. I know that this is a problem that we all see every day. It is something that both the unhoused and the housed residents of our community are looking for solutions. And so I can really not express my gratitude enough for the County staff and the City staff for their work in this area and Commissioner Hughes, for your partnership in developing this resolution, as well as your work in this field for numerous years. I think that we need to recognize how much of your time you have dedicated to this and how much incredible knowledge you bring to this.

What I find so encouraging about this resolution is that it really recognizes the multi-faceted approach that we're going to need to take to solve this issue. This is about creating more housing units. This is about preventing homelessness, both from making sure that people are rapidly rehoused, but also recognizing the social influences that can occur throughout an individual's lifespan that may eventually result in homelessness and how we need to take a long-term approach of really addressing those issues as well.

I also truly appreciate that we are taking a regional viewpoint, that this is going to take both our bodies, our governments, as well as advocating and partnering with the state, with the schools, with the numerous non-profits that we have in the community, and who better to lead this effort than the City and the County, and really showing that we are in lock-step, that we are willing to partner, that we are willing to take on this hard issue and do it together.

So thank you both, or all. Thank you, Commissioner Hughes, I really, really appreciate your leadership and your collaboration here, and thank you, Commissioner Roybal, for signing on. The Mayor and I will be introducing this legislation tomorrow evening at the governing body meeting. It will then make its way through the City Council committee process and will be passed, I believe, in September. Thank you so much, and I'm here if there's any questions regarding what's happening at the City or any viewpoints from the City.

CHAIR HAMILTON: Excellent. Thank you so much, Councilor Cassutt. I'll open it up for questions or discussion, or what's the pleasure of the Board? Commissioner Garcia.

COMMISSIONER GARCIA: Thank you. This is something that's long overdue, because as we all know, we drive through these city streets and portions of the county. It's just kind of heartbreaking to see a lot of those individuals out there on the streets. One of the things, as a former school board member as well as board president Kate Noble brought a resolution forward that the County Commission as well as the City of Santa Fe and the school board actually to look at and work together on some sort of affordable housing for teachers.

This is kind of similar to that, and it's going to take a lot of work and some work to do, and thank you, Councilor, first of all, for being here and bringing this forward in front of the City Council. Concerns I have about this great resolution is in regards to budgeting for this. What are we going to do, the County and the City, is actually participating in the old Lamplighter Hotel which is moving forward. How do we get out there and talk to these individuals and let them know what's going on and what's happening. But I'm just interested in the budget. I understand this is a resolution and it's moving forward as something that is needed in this community very bad.

But thank you both for bringing this forward and I appreciate everybody that co-sponsored this. Thank you, Madam Chair.

CHAIR HAMILTON: Excellent. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. Thank you, Commissioner Hughes and Commissioner Roybal for bringing this forward. It is really important that we work on the homeless situation and as I said earlier, one of the things that you have said, Commissioner Hughes, the important thing is buying these old motels and that they are an entry place for people who are homeless. There is one that is quite dilapidated on Cerrillos Road called Western Scenes, but maybe it's still in good enough shape to be rehabilitated. One of the things I have been sharing about homelessness is that in the 1930s and 1940s, there were boarding houses, even up to the fifties. And that was an entry way for people to enter into the housing market or have a place to work from. My aunt even ran one in Los Angeles where she would feed the people and they lived upstairs and it was income, but they had a room. They didn't cook or anything like that, but it was a way for people to start into the job market and I think that we need to start thinking of all of those ways that we can help people find employment, find shelter, find food and move forward.

So I'm grateful that the City is willing to work together with us. I think we need to be working on more issues together. I have encouraged that since I first was elected and I believe that staff has taken that to heart and it shows in our water area and our

housing areas and other departments within the County. So I hope that this will lead to a policy meeting between the two bodies, because I think this is a beginning, but I also want to express how important it is that policy makers also work together. So with that, thank you, Commissioner Hughes, and I'll defer to you because it's your resolution, to make the motion. Thank you.

CHAIR HAMILTON: That's okay, if you want to make a motion.

COMMISSIONER HUGHES: First I was wondering – I think Director Montoya was willing to talk about the budget since Commissioner Garcia asked that.

CHAIR HAMILTON: Okay, and then Commissioner Garcia had another question.

JOSEPH MONTTOYA (Community Development Director): Madam Chair members of the Commission, Commissioner Garcia, we have been actually working with the City for some time. Some of the processes are already integrated. We call them the S3 processes so we we've been working very closely with the City. As you had mentioned, the Lamplighter is one of those avenues by which we actually work collectively together, not only with the City but also with local foundations to be able to purchase that. So we would continue that process. As you know, we're working on a new affordable housing plan. This S3 process would be an integral process of that affordable housing plan. And so it will be automatically sooner there. And as you know, you've already created a housing trust fund within the County with different sources of revenue. A portion of that revenue will be allocated specifically for some of the items that have been mentioned here.

CHAIR HAMILTON: Thank you for that, and Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. As Commissioner Hansen mentioned, the purchase of other hotels that could undergo some sort of revamping, this community that we live in is very generous. I noticed that and I realized that on the school board. All the new facilities that we're doing for the schools, actually the voters voted for a bond election on that. And Commissioner Hansen and I were told a while back that we couldn't do that, we couldn't buy a hotel or take it down. We were told that. And I said, Well, Bernalillo County does it all day long and they actually have a very good success rate on what they do down there.

So the County Manager's Office might want to think about what our capacity is of a GRT tax bond question here, and I don't know if it's too late to put it on the November election, but that's just food for thought. Thank you, Madam Chair.

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

COMMISSIONER HUGHES: Thank you, Madam Chair. I'll make a motion to adopt the joint resolution on homelessness.

CHAIR HAMILTON: Commissioner Roybal, do you want to second?

COMMISSIONER ROYBAL: I'll second.

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

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

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4. **CONSENT AGENDA**

- A. **Request Approval of County Health Care Assistance Claims in the Amount of \$57.39 (Community Services Department/Jennifer Romero)**
- B. **Resolution No. 2022-067, a Resolution to Authorize Certain Growth Management Department Staff and the Enforcement Officer for the Solid Waste Division to Issue Citations for Violations of County Ordinances; Repealing and Replacing Resolution No. 2020-10 (Growth Management Department/Vicki Lucero)**
- C. **Resolution No. 2022-068, a Resolution Authorizing the Disposition of Fixed Assets Worth More Than \$5,000 in Accordance with State Statute (Finance Division/Yvonne S. Herrera)**
- D. **Request (1) Approval of Amendment No. 6 to Agreement No. 2018-0036-CSD Between Santa Fe County and Vista Grande Library, Extending the Term an Additional Year, Increasing the Compensation an Additional \$60,000, for a Total Contract Sum of \$322,000.00, Inclusive of NM GRT; and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order (Purchasing Division/Bill Taylor and Community Services Department/Anna L. War)**
- E. Request Acceptance of Dedication of Water System for Colibri Residential Subdivision (Public Works Department/John Dupuis)
ISOLATED FOR DISCUSSION
- F. Resolution No. 2022-____, a Resolution Accepting Grant #22-G4114-GF for a Recovery Center Building and Other Purposes (Finance Division/Yvonne S. Herrera) **ISOLATED FOR DISCUSSION**
- G. Request Approval of Temporary Construction and Permanent Utility Easement Agreements, 2022-0194-PW, 2022-0195-PW, 2022-0196-PW, 2022-0099-PW/BT and 2022-0193-PW for the Community College District Richards Avenue to State Road 14 Wastewater Interceptor Project (Public Works Department/John Dupuis and Scott Kaseman) (Packet Material Updated) **ISOLATED FOR DISCUSSION**

CHAIR HAMILTON: Are there items that people need to have taken off for discussion? Or are there some short questions, or what's the pleasure of the Board?

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: I'd like to remove for discussion items E, F, and G.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes.

COMMISSIONER HANSEN: I will move to approve the Consent Agenda without E, F, and G.

CHAIR HAMILTON: Excellent.

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COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: So I have a motion to approve items A, B, C, and D on the Consent Agenda.

The motion to approve Consent Agenda items A, B, C, and D passed by unanimous [5-0] voice vote.

4. E. Request Acceptance of Dedication of Water System for Colibri Residential Subdivision (Public Works Department/John Dupuis)

CHAIR HAMILTON: Commissioner Garcia, what questions did you have on that item?

COMMISSIONER GARCIA: Thank you, Madam Chair. With regards to the acceptance of the subdivision that is located off of State Road 14, which is a pretty large subdivision, so we're accepting the waterline that actually is going to – we're accepting the waterline? Is that correct? Is that just the trunk line or is that the lines that are within the roadways, easements? Michelle.

MICHELLE HUNTER (Utilities): Madam Chair, Commissioner Garcia, we are accepting the dedication of all of the lines that they have built to the subdivision and into the subdivision.

COMMISSIONER GARCIA: Madam Chair, this is standard procedure for this? Because this is one of the larger subdivisions that has come forward, actually, since our water system has been off of State Road 14 within Commissioner Hughes' district. Is that correct?

MS. HUNTER: Madam Chair, Commissioner Garcia, yes.

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

CHAIR HAMILTON: Okay, so what's the pleasure of the Board on item 4. E?

COMMISSIONER GARCIA: So moved.

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: Okay, so I have a motion and a second.

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

4. F. Resolution No. 2022-069, a Resolution Accepting Grant #22-G4114-GF for a Recovery Center Building and Other Purposes (Finance Division/Yvonne S. Herrera)

CHAIR HAMILTON: That takes us to item F. Commissioner Garcia, did you have questions on this?

COMMISSIONER GARCIA: First of all, the Recovery Center is actually – deals with a case or two that we just talked about and it actually helps out this community. I've seen individuals that have actually attended the Recovery Center. It's an amazing program out there that actually helps out this community for things that people

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don't realize that are happening in this community until it affects yourself or your family members. This is actually – this is great. What is the grant agreement and the amount for?

YVONNE HERRERA (Finance Director via Webex): Madam Chair, Commissioner Garcia, this particular grant is for \$1.5 million, less the \$15,000 for art in public places.

COMMISSIONER GARCIA: Madam Chair, thank you, Yvonne. What's our total budget on this project now since from all the legislative funding that we received? Also, in regards to our legislators in the Santa Fe delegation, Senator Nancy Rodriguez, thank you for appropriating this money to Santa Fe County because it's a well needed cause in this community. The last I heard about this is we were going to turn it over to the City of Santa Fe because it is within the city limits of Santa Fe so did that change some way, somehow? That now the County is going to oversee this grant?

GARY GIRON (Public Works Director): Madam Chair, Commissioner Garcia, no, that has not changed. We are continuing to work with the Recovery Center. That is our obligation to them. They do not have a path forward with the City of Santa Fe so we said we would continue to be their partner. We are offering our support as they're beginning the design and construction inside the renovation in the building, and we'll offer that support. And if in the end it ends up being turned over to the City of Santa Fe then we'll help with that process as well. So we're trying to facilitate this with that non-profit.

COMMISSIONER GARCIA: Thank you, Madam Chair. So what is the total budget that we have now for this project?

MS. HERRERA: Madam Chair, Commissioner Garcia, I'm not – I don't know the answer. I think we might provide that. We are expecting a total of four grants for a total amount of \$6.4 million for this project.

COMMISSIONER GARCIA: Thank you, Madam Chair. There is several additional dollars for this project, and so the concern I have in regards to this project or the actual programming stage as well as architectural drawings and moving forward with this project is it appears that moving forward and do we have the total amount for this anticipated project?

MR. GIRON: Madam Chair, Commissioner, it is our understanding that the project is fully funded. We are reaching out to the Recovery Center to make sure that they're on track to ask for them to include us in the development of the project.

COMMISSIONER GARCIA: What do we – I'm going to bring it up. In regards to this non-profit, which is a great organization, is – is this getting first in line with other projects that have been there for many, many years?

MR. GIRON: Madam Chair, Commissioner, we understand that the plan of the non-profit is that they are going to procure this themselves. They will move forward and at the end there will be a transaction where the County or the City acquires the building. So that is the plan that the non-profit has put together.

COMMISSIONER GARCIA: Madam Chair, so Mr. Taylor is sitting back there in the background. So can a non-profit actually move forward on their own procurement?

MR. GIRON: Madam Chair, Commissioner, they are using their own funds that they have secured from a lending institution. They are not using legislative

funds in any way.

COMMISSIONER GARCIA: Okay. So that's the concern I have is we have many projects that aren't there and then all of a sudden this horse gets to the front of the race.

MR. GIRON: Madam Chair, Commissioner, the project has not moved forward very fast. We have been in contact with the Recovery Center. There has not been a lot of communication back with us and so we haven't seen a lot of movement at this point.

COMMISSIONER GARCIA: Thank you, Madam Chair. If there's no further questions, I actually think this is actually a great project. Move for approval.

COMMISSIONER HANSEN: I'll second for discussion.

CHAIR HAMILTON: Under discussion, Commissioner Hansen, then Commissioner Hughes.

COMMISSIONER GARCIA: So Madam Chair, Commissioner Garcia, part of the reason this is staying in the County is because the City has not finished their audit so therefore they cannot receive legislative funds. So we are being responsible to our constituents and continuing to make sure that this project can move forward until such time that the City may be able to provide that support. I think this is a great project that I'm really, really happy about and I will continue to push for this in as many ways as I possibly can. The \$15,000 in this for art in public places, something that I one hundred percent support and would like to see more art in public places as the vice chair of the Arts and Culture Committee for NACo. I will be happy to report that we are actually doing this, so I'm really happy to see that and I just wanted to mention that I would like to see more projects have art in public places money. So thank you very much.

CHAIR HAMILTON: Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you. I have a question for Director Giron which is I'm wondering if – are we just acting as sort of a fiscal agent and passing money through? Are they providing their own project management and architecture and everything?

MR. GIRON: Madam Chair, Commissioner, with the change in executive director we haven't had much communication with them. We've reached out three or four times and our wish would be that we are involved and our project managers are overseeing the project, and that we're involved in the design. If there's a possibility at the end of the day that that will be a County building we want to make sure that the design and construction make sense. So we're asking for more involvement instead of less involvement if we're going to be involved in the project. It will be a very valuable asset at the end of the day for the community.

COMMISSIONER HUGHES: Thank you. That makes a lot of sense and I was a little worried about them trying to take on a big project like that all by themselves. So thank you. And I agree this is a very important project.

COMMISSIONER GARCIA: Madam Chair, just real quick.

CHAIR HAMILTON: Excellent. Okay, Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. The reason why I was asking where this project is going to be is because one of our former administrators, they were questionable about this project for this non-profit. But nonetheless I think we

are moving this project forward. We are told by a project manager that actually worked for Public Works that it has to be done in 2020. So those are just the concerns I have as into where we're at. But thank you, Madam Chair.

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

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

4. G. Request Approval of Temporary Construction and Permanent Utility Easement Agreements, 2022-0194-PW, 2022-0195-PW, 2022-0196-PW, 2022-0099-PW/BT and 2022-0193-PW for the Community College District Richards Avenue to State Road 14 Wastewater Interceptor Project (Public Works Department/John Dupuis and Scott Kaseman) (Packet Material Updated)

CHAIR HAMILTON: So, Commissioner Garcia, what questions did you have?

COMMISSIONER GARCIA: Thank you, Madam Chair. So this is actually a trunk sewer line that's actually going to go from Richards all the way west to our lift station, which our lift station actually currently goes to the City of Santa Fe?

JOHN DUPUIS (Utilities Director): Madam Chair, Commissioner Garcia, that is correct.

COMMISSIONER GARCIA: So what about the developments that are actually east of Richards Avenue where the northeast/southeast connector. I know there's a couple – it seems like there's some developments that are coming forward in that area.

MR. DUPUIS: This project has portions of the Oshara Development that built sewer infrastructure on their owned development and dime so that others could connect into it, but it is not part of the portion that we are paying a contribution toward. If that helps.

COMMISSIONER GARCIA: Yes. So once again, the County is not paying anything unless once it gets completed we'll accept it?

MR. DUPUIS: Madam Chair, Commissioner Garcia, that's correct.

COMMISSIONER GARCIA: Thank you, Madam Chair. Has staff has actually spoken with La Pradera Subdivision?

MR. DUPUIS: Madam Chair, Commissioner Garcia, we have. They had some turnover in their staff of the board members, and I've actually reached out to the new board members and initial discussions have begun.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you, Mr. Dupuis. So the vacant lots that are actually east of Richards Avenue, they will construct their own sewer line and connect to this line? Sorry. Once again, can you tell me about the lift station that we have that's behind the national forest there that actually goes to the city? That's still going to happen?

MR. DUPUIS: Madam Chair, Commissioner Garcia, we do have funds to redirect the flow from that lift station to our wastewater treatment plant that was just rebuilt. That's what you're asking about? And we are working with the Colibri Subdivision which the dedication of their infrastructure, which is approved, that

contractor and developer are working with us to build out that section that would allow for that redirection to our new sewer plant.

COMMISSIONER GARCIA: Thank you, Madam Chair. So from the lift station there they're going to build a line that's actually going to go to the Quill plant, right? So they're going to build it?

MR. DUPUIS: Madam Chair, Commissioner Garcia, we have funds to provide for it. We have limited project manager capability. And so this is one of the solutions that we look to the development community to bear some of that burden in getting it constructed.

COMMISSIONER GARCIA: Thank you, Madam Chair. If there's no questions, and this is Commissioner Hughes' district –

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

COMMISSIONER GARCIA: Second.

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

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

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

5. APPOINTMENTS/REAPPOINTMENTS

A. Appointment of County Commissioners to the Santa Fe Extraterritorial Land Use Authority (ELUA)

COMMISSIONER GARCIA: And I think we have Jose Larranaga.

JOSE LARRAÑAGA (Building & Development Services): Thank you, Madam Chair. Ordinance 2002-06 amended Chapter 3 of the Sustainable Land Development Code to add a new section 3.6 to create the Extraterritorial Land Use Authority and gives the Santa Fe County Board of County Commissioners the authority to appoint members of the BCC to the ELUA. The ELUA shall have the authority to carry out duties and make decisions related to planning and platting jurisdiction, subdivisions, zoning and annexations as provided by NMSA 1978 Sections 3-7-3, 3-7-3.2 and 3-7-4 as set for in the Santa Fe County and Extraterritorial Land Use joint powers agreement.

Section 3.6.2 states the ELUA shall consist of four County Commissioners appointed by the Board of County Commissioners and three City Councilors or two City Councilors and the Mayor, appointed by the Mayor with the approval of the City Council. The remaining member of the Board of County Commissioners shall be appointed as an alternate to the ELUA and the Mayor shall appoint alternates with the approval of the City Council from the remaining City Councils. The alternates shall be notified prior to a meeting of the ELUA if an appointed member cannot attend. When replacing a member an alternate shall have the same duties, privileges and powers as other appointed members. Section 3.6.3 states the term of each ELUA member shall be for two years.

Staff recommendation: Staff recommends the BCC appoint four Commissioners to ELUA for two-year terms and appoint the remaining Commissioner as alternate.

CHAIR HAMILTON: So my question to everybody – okay,

Commissioner Hansen.

COMMISSIONER HANSEN: I wanted to make a motion.

CHAIR HAMILTON: For what?

COMMISSIONER HANSEN: To appoint four members.

CHAIR HAMILTON: Of course, but we actually do the appointments so bear with me. Is there any Commissioner that doesn't want to be a member of the ELUA? Hearing none, I'll make myself the alternate and let the other four members be – Commissioner Garcia, you weren't here for that. We're on the appointment of the ELUA members and I've asked if there's any Commissioners who don't want to be on it. Fine. So like I said, I suggest we make to four of you, if you make the motion, and I'll be the alternate.

COMMISSIONER HANSEN: Okay, Madam Chair. Thank you very much. I move that we appoint Commissioner Garcia, Commissioner Roybal, Commissioner Hughes and myself, Commissioner Hansen, to the ELUA, and Commissioner Hamilton as alternate.

CHAIR HAMILTON: I have a motion. Can I have a second?

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: Thank you. A motion and a couple of seconds.

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

5. B. Appointment of County Planning Commission Members to the Extraterritorial Land Use Commission (ELUC)

MR. LARRAÑAGA: Thank you, Madam Chair. Ordinance 2002-06 amended Chapter 3 of the Sustainable Land Development Code to add a new section 3.7 to create the Extraterritorial Land Use Commission and give the BCC the authority to appoint members of the Planning Commission to the ELUC. Members shall have the authority to carry out duties and make recommendations related to planning and platting jurisdiction, subdivisions, zoning and annexations as provided for in NMSA 1978 Section 3-7-3, 3-7-3.2, and 3-7-4, and as set forth in the Santa Fe County and City Extraterritorial Land Use joint powers agreement.

Section 3.7.2 states the ELUC shall consist of five members of the County Planning Commission appointed by the Board of County Commissioners and five members of the City Planning Commission appointed by the Mayor with approval of the City Council. Alternates to the ELUC shall be appointed by the Board of County Commissioners from the remaining members of the County Planning Commission and by the Mayor with the approval of the City Council from the remaining members of the City Planning Commission. Alternates shall be notified prior to the meeting of the ELUC if an appointed member cannot attend. Replacing a member, the alternate shall have the same duties, privileges and powers as other appointed members.

Section 3.7.3 states the term of each ELUC member shall be for two years. The current Planning Commission members are Leroy Lopez from District 1, Charlie Gonzales, District 2, J.J. Gonzales, District 3, Frank Katz, District 4, Rhea Serna, District 5, Steve Krenz at-large, and Wendy Pierard, at-large. Charlie Gonzales, J.J. Gonzales,

Frank Katz, Rhea Serna and Wendy Pierard have all stated that they are willing to serve as members of ELUC. Frank Katz, Rea Serna and J.J. Gonzales all have terms that expire in January 2023. If they are not re-appointed to the Planning Commission in January staff will bring back three appointments. The remaining two members would be alternates.

Staff recommendation: Staff recommends the appointment of Charlie Gonzales, J.J. Gonzales, Frank Katz, Rhea Serna and Wendy Pierard to the ELUC for two-year terms and appointment of Leroy Lopez as alternates.

COMMISSIONER HANSEN: Madam Chair, I would like to move to approve what Jose just read.

CHAIR HAMILTON: Excellent.

COMMISSIONER HUGHES: I'll second. I have a motion and a second.

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

5. C. Appointment of Santa Fe County Audit Committee Members

CHAIR HAMILTON: Yvonne, I think you're on Webex.

MS. HERRERA: I am, ma'am. Madam Chair, Commissioners, we're requesting – we want to approve the appointment of a citizen member and Finance staff member to the Audit Committee. The Board approved Resolution 2017-127 amending the purpose, functions, membership structure and other requirements of the Santa Fe County Audit Committee that was defined in Resolution 2011-80. The Audit committee is composed of three voting members and one non-voting member. Two of the voting members shall be members of the Board, and the third a citizen member, and the non-voting member as a staff representative of the Finance Division.

All members of the committee shall be appointed by the Board. At the January 20, 2022 regularly scheduled Board meeting Commissioner Hamilton and Commissioner Hansen were appointed to the Audit Committee. Citizen member Theresa Martinez resigned from the Audit Committee in January of 2021. Ms. Lori Narvaiz presented interest in becoming the citizen member. Ms. Narvaiz is currently employed with the State of New Mexico Department of Finance and Administration and has over nine years' experience in state government that includes time worked with the New Mexico Office of the State Auditor. Her experience gives her a unique perspective that will help the Audit Committee ensure that County management is maintaining a comprehensive framework of internal control and that framework is adequate to protect the assets of Santa Fe County. Ms. Narvaiz has been serving as a voting member of the Audit Committee since January 2021 without BCC appointment.

Various staff members have served as the Finance Division staff representative member without appointment since 2017. The Finance Division is requesting that I be appointed as that staff representative member as the subject matter expert to advise and assist the voting members of the committee. With that Madam Chair, I stand for any questions.

CHAIR HAMILTON: Excellent. Thank you very much. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I was just

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wondering how we were able to locate Ms. Narvaiz in order to get her interest. It doesn't seem like the sort of thing that people would be jumping up and down for.

MS. HERRERA: Madam Chair, Commissioner Hughes, you're right. I actually reached out to people that I know at the state and her name was provided to us.

COMMISSIONER HUGHES: Okay. Excellent. That seems like a good way to do it. Thank you.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I would like to move to appoint Yvonne Herrera and Lori Narvaiz to the Audit Committee.

COMMISSIONER GARCIA: Second.

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

C: Thank you, Madam Chair. As Commissioner Hughes probably alluded to is what an impressive résumé the individual has. It's actually good to have somebody from – just her résumé's just amazing. Thank you, Madam Chair.

CHAIR HAMILTON: Excellent. Thank you very much. Any other questions, comments? We have a motion and a second.

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

6. MISCELLANEOUS ACTION ITEMS

- A. Request (1) Approval of Agreement Between Santa Fe County and La Familia Medical Center to Participate in the CONNECT Network for a Total Contract Sum Not to Exceed \$746,050, Inclusive of NM GRT; and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order**

CHAIR HAMILTON: Bill Taylor.

BILL TAYLOR (Purchasing Division): Thank you, Madam Chair. Good afternoon, Commissioners. We're before the Board to approve a new agreement between Santa Fe County and La Familia Medical Center. We've partnered with the medical center for quite some years. This is a professional services contract and this is a new agreement for the services they provide for not only primary care. It includes pre-natal, medical and then additionally they are partners with CONNECT that help with over 1,300 patients to help the homeless shelter and food and health care benefits throughout the county. So it's a great partner that we partner with. And with that, we're asking to delegate the authority to the County Manager to sign the purchase order in the amount of \$746,050, inclusive of tax, and with that I'll stand for questions.

CHAIR HAMILTON: Thank you. Let's just go down the row.
Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. La Familia is in my district and I have just recently attended their fiesta, which was wonderful, and seeing the amount of services they provide to our community I want to make a motion to approve the agreement between Santa Fe County and La Familia Medical Center.

COMMISSIONER HUGHES: Second.

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

COMMISSIONER HUGHES: I would just add that La Familia is a wonderful agency and it's good to see that they're participating with us in the CONNECT network.

CHAIR HAMILTON: Excellent. Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, this is another non-profit organization that does great for the community. I can't say any more about it. I can remember when that park, that 90 acres that the County actually has there from BLM, when the only thing there was a little baseball field. There was no fire station. There's no water tank there. The landfill was still there and we slowly cleaned up that landfill and that's when it got moved to Caja del Rio. The building for La Familia Medical Center was a CDBG grant, Community Development grant, which actually comes through the federal government.

There's an individual that's sitting out there in the audience that actually was responsible for getting this building completed and constructed, and that was probably one of our first Community Development Block Grants that Santa Fe County actually administered from the federal government, but that individual sitting out there in the audience, he's been responsible for many projects so I'd just like to give him a little bit of kudos because we don't see much of him. Thank you, Mr. Taylor. Thank you, Madam Chair.

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

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

6. B. Request Approval of Amendment No. 2 to Collective Bargaining Agreement Between Santa Fe County and the Santa Fe County Firefighters Association, Local 4366

CHAIR HAMILTON: We have both Rachel Brown and Sonya Quintana.

RACHEL BROWN (Deputy County Attorney): Good afternoon. We're here to present this amendment that has been negotiated with the Fire union to their collective bargaining agreement. The amendment accomplishes a couple of things, and just as a preliminary matter, you'll note in the whereases that the pay increases that are negotiated here were accomplished within budget by eliminating certain positions that had previously been funded for the Fire Department. But through the negotiations we have reached agreement to require that those who are given the benefit of being able to attend paramedic training at the expense of the County while being paid for their time in completing their training, that should they leave the County within two years after completion of that training they would reimburse us for the tuition on a pro rata basis. And so that was agreed to and you'll see that in Exhibit 2 the amendment is the agreement they would sign to effectuate that commitment.

But more importantly, we negotiated a significant change to the pay structure for

fire that would allow for raises that would keep us competitive with the City, and that is accomplished by eliminating our 22-step pay increase plan that we currently have to go to a set rate for each type of position in the Fire Department to which we would add a percentage increase if they have certain emergency medical services licensures, and in addition, there would be increases based on longevity with the County or through a lateral hire into the County.

I think there was also a temporary retention incentive commitment that would run through the end of this fiscal year going into effect at the start of the first full pay period after the contract is put into place.

And we also agreed to put into effect the changes to the insurance tiers, so that we currently have four tiers. In January the Commission had committed to moving to a three-tiered system that would be less burdensome on employees and place more of the responsibility for premium payments on the County. And that change to the tier structure would also be implemented through this amendment. And with that I would stand for questions.

CHAIR HAMILTON: Excellent. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, is there a union representative here?

MS. BROWN: I will tell you, Madam Chair and Commissioner, that we worked very hard with the union. We had many, many sessions in very short succession to reach this agreement. So there was support. Sixty-two of the bargaining unit members voted in favor of this amendment.

COMMISSIONER GARCIA: Madam Chair, how many members are there?

MS. BROWN: Sixty-four participated in the election.

COMMISSIONER GARCIA: So can you just explain to me, so the Fire Department wanted so many positions and they wanted raises. So how many positions did we eliminate from those future proposed positions?

MS. BROWN: We eliminated four firefighter/EMT basis position, one EMS/Lieutenant position, and the public information officer.

COMMISSIONER GARCIA: And how many were they requesting? You told me there were six that were eliminated. Did they want a total, of ten, 15?

MS. BROWN: I'm not sure I understand the question. I'm sorry. This was a discussion about pay increases as opposed to adding positions to the bargaining unit.

COMMISSIONER GARCIA: So, Madam Chair, the union actually said we'll actually reduce the proposed positions if we get the pay increase?

MS. BROWN: Correct.

COMMISSIONER GARCIA: And then also, Madam Chair, you actually talked about being comparable to the City of Santa Fe. So when does that take effect? Because the City of Santa Fe is a little bit high.

MS. BROWN: The pay increases, if this amendment is adopted today would go into effect on September 10th.

COMMISSIONER GARCIA: Thank you, Madam Chair. And the last months I've had some personal issues with my family in our Fire Department and our EMTs do an excellent job in the county, especially in the rural areas. So I just appreciate

them. I think this is good that the union and you guys actually did a great job because negotiations is very challenging. Thank you. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Yes, thank you. Thank you, Madam Chair. Thank you, Rachel and Sonya, for the hard work on this. This has been a long time coming and many, many meetings as you said to reach this agreement and it's good to see Eutimio's signature on this agreement already. And I want to make a motion to approve this collective bargaining agreement.

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

COMMISSIONER GARCIA: Second.

CHAIR HAMILTON: Is there further discussion? Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I just wanted to say I'm glad that we were able to reach this agreement and really happy that we were able to secure a way to give our firefighters a raise. Thank you.

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

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

7. PRESENTATIONS

A. Presentation on Stormwater Management in Santa Fe County and Federal Municipal Separate Storm Sewer System (MS4) Requirements

CHAIR HAMILTON: I think we have Caitlin and Jacqueline is potentially on Webex.

JACQUELINE BEAM (Sustainability Manager via Webex): Thank you, Madam Chair, Commissioners. I do apologize for not being there personally. I think it was best that I stay at home since I have some pretty severe COVID right now.

CHAIR HAMILTON: We're sorry to hear that.

MS. BEAM: So everyone's safe. Thank you so much for the opportunity to present on this topic. This presentation serves to summarize the MS4 permit that the County is obligated to report on and follow as well as the process that we've been running through if we're to catch up and get into compliance.

The County falls under a 2007 MS4 permit and that is a requirement that the County needs to follow in order to stay in compliance with the Environmental Protection Agency and their permitting process requires that we send in an annual report which reflects the contamination as well as anything that we were doing to prevent and mitigate contamination or erosion. And Caitlin Weber has been the lead in this project in really getting us up to speed and working with Bohannon Huston, Sarah Ganley, both of which are here and I will pass this on to Caitlin to speak more about the process and also to let you know that Growth Management is represented as well and Public Works, and this is an information only presentation. However, there are processes that we would be happy to discuss going forward as Bohannon Huston has been hired to help us in the planning process so that we can always be in compliance. And with that I will turn it over to Caitlin.

CAITLIN WEBER (Sustainability): Thank you. Madam Chair, members of the Board. I'd like to first start by just giving an overview of the issue of stormwater pollution. So stormwater runoff is generated when rain or snow melt does not soak into the ground but instead runs off of land and other impervious surfaces such as parking lots, roads, driveways, and rooftops. And if left untreated, this runoff can transport pollutants such as bacteria from pet waste, oils, fertilizers, chemicals, trash, and other materials into waterways.

So operators of municipal separate storm sewer systems of MS4s are required to obtain a permit to discharge stormwater under the National Pollution Discharge Elimination System program. And the purpose of this permit is to ensure that protections are in place to manage stormwater pollution from runoff that may enter into arroyos, rivers, and other waterways. An MS4 can include publicly owned or operated stormwater conveyances such as ditches, paved and unpaved roads, culverts, gutters, storm drains, catch basins and man-made channels. MS4 permitting is administered by the Environmental Protection Agency in New Mexico.

So as Jacqueline mentioned, the County falls under a 2007 permit, which is currently under administrative continuation by the EPA. The City of Santa Fe and the New Mexico Department of Transportation or NMDOT are also included under this permit. And this slide is showing you a map of the MS4 jurisdictions. So the County's MS4 jurisdiction includes County properties within the urbanized area as determined by census data, and also the unincorporated urbanized area. So on this map here you can see the urbanized area as determined by census data is outlined in black. The light green areas is showing the City of Santa Fe's MS4 jurisdiction. This is the city that falls within the urbanized area. NMDOT's MS4 jurisdiction is shown in orange. And then Santa Fe County's MS4 jurisdiction is show in dark purple, so those are County facilities, and then in light purple, so that's the unincorporated urbanized area.

You can also see these arrows on the map. Those are showing surface water flows. So surface water is flowing in and out of the different MS4 jurisdictions which is why it's important that all three entities collaborate on stormwater management.

MS4 permittees much have a stormwater management program that addresses six minimum control measures, and they're required to report annually on that stormwater management program. These are the six minimum control measures. The first is public education and outreach. This includes things like encouraging pet waste cleanup, recycling and waste disposal education, anti-litter campaigns. The second control measure is public involvement and participation, so this included activities like community cleanups, adopt-a-road programs.

The third measure is illicit discharge detection and elimination. That includes things like ordinances to prohibit littering, requiring proper disposal of hazardous materials, and it also includes site inspections. The fourth control measure is construction site stormwater runoff control. So this includes things like site cleanup requirements and inspections that the code enforcement team might do. The fifth measure is post-construction stormwater management in new development and redevelopment. So t his includes things like rainwater catchment standards and requirements that peak stormwater discharge not exceed pre-development levels. And then lastly, we have pollution

prevention and good housekeeping for municipal operations. So this includes things like measures to prevent stormwater pollution in vehicle fueling yards and maintenance yards.

So the Sustainability Office has been participating in MS4 collaborative meetings with the City and NMDOT. The purpose of these meetings is to coordinate efforts to address stormwater pollution, and the Sustainability Office has also been working with Bohannon Huston or BHI to update the County's stormwater management program to ensure compliance with MS4 requirements. And BHI is with us here today. So BHI is currently working to prepare the County's 2021 annual stormwater management report with support from Public Works and the Growth Management Department. We have a draft of this report before you today. The report will be available for a 30-day public comment period before being submitted, so before October 1st, and it uses a standard EPA reporting form, and then also includes a memo to provide further detail.

BHI is also working on mapping stormwater outflows and conveyance systems. They are going to be working on conducting dry weather field screening. They'll be working to identify probable sources of pollutants of concern and stormwater management priority areas, which will help the County to focus its stormwater management efforts to protect water quality. They will also be conducting a review of internal stormwater management procedures across County departments so right now stormwater management is really split across a number of different County departments and I'll talk more about that in a minute.

What BHI is going to be doing is reviewing the procedures within each department and making recommendations for updates and additional resources that may be needed to support compliance with MS4.

And then lastly BHI will be preparing updates to the County's stormwater management program and that's going to help to facilitate those cross-departmental collaborations.

This is the process that we went through to prepare the 2021 annual report that's before you today. So we brought together the Public Works, Growth Management, Sustainability departments to discuss the MS4 requirements. Sustainability and BHI then met individually with each department to discuss how this related to their work. The departments then submitted their responses to annual report questions via a shared Excel file. We then had a group meeting to verify the data that was submitted.

This work would not have been possible without cross-departmental collaborations. We really appreciate the support that we've received from Public Works and Growth Management staff is putting this report together. The reporting form has ten sections within the form. About 24 percent of the form consisted of general administrative questions that apply to the County as a whole, so things like the budget for MS4, where MS4 is located, water quality impairments that we have within the MS4.

In addition to these general administrative questions, Sustainability contributed data to about three percent of the form. These are questions pertaining to educational programs and outreach. Growth Management responded to questions about County ordinances and code enforcement. This made up about 50 percent of the form. And then Public Works data related to managing stormwater and municipal operations and made up 23 percent of that form.

I'd like to talk a little bit more about each department's role in this process and we do have a representative from each department here today as well. So within Public Works the MS4 responsibilities include things like managing stormwater during road maintenance, capital improvement projects, fleet services, on open spaces and properties, within our solid waste convenience centers, and then general housekeeping within municipal operations. Public Works also carries out staff training that's related to protecting water quality. So Public Works contributed data related to stormwater management from municipal operations to this 2021 report.

Within the Growth Management Department MS4 responsibilities include things like administering stormwater related codes, reviews of construction and development plans, code enforcement actions, ensuring that staff are trained in stormwater management practices. The open space team also has a master naturalist program, which is included in the report as a public education initiative.

And then lastly, Sustainability's role primarily falls under outreach and education. So Sustainability contributed data related to participation in community programs such as cleanups and Earth Day to the annual report.

The process that the County is going through now of updating its stormwater management program is an opportunity to continue and grow projects that restore waterways and explore opportunities to use green stormwater infrastructure to protect water quality and support plant life to cool our communities. Projects like the restoration work being undertaken by the County along the Santa Fe River Greenway and the City's efforts to build rain gardens to support plant life and filter water before it reaches the river, all important steps in this work. With that I would like to turn it back over to Jacqueline.

MS. BEAM: Thank you, Caitlin. So moving forward, we still have a lot of work to do. We're wanting to make sure that we got this report out as soon as possible because that was the Environmental Protection Agency's guidance to just move forward and present whatever we could find as far as our documentation is concerned and our tracking thus far. And so this process of 30-day review is the tail-end of sending in the report and I cannot tell you how much I want to sigh in relief over that because it been a report that has due since 2007.

So I am incredibly grateful to Caitlin Weber for putting this together and making this happen and moving this forward. I know that also going forward we will have to look at our processes within the department so that they're embedded and that the tracking is happening live in real time so that it's not such a chase the data type of process. And I think that that will definitely happen with Bohannon Huston's expertise and with their putting together the program for us we can involve the departments further and engage everyone in this process and project. Because the 2022 report is just around the bend and due in October.

So with that we stand for any questions and here from Growth Management, Public Works and the Sustainable Office staff and hope we can help in any way we can to clear up any misunderstandings or questions around this process.

CHAIR HAMILTON: Excellent. Thank you very much. Congratulations on getting it caught back up. I bet that is a sigh of relief. Any further comments? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Jacqueline. Thank you, Caitlin. I know how difficult this is. I have sat on City Parks and Open Space since 2006 and I've sat on the River Commission for the City of Santa Fe since 2015, and I'm so happy that you have undertaken this effort because I'm tired of hearing the City ask me when are you going to get this done? So I'm very, very happy to see this MS4 permit done. I think it's important for people to understand that we don't have primacy in this state, and that means that we don't have our own NPDES permitting process. And so we are relying on District 6 of the EPA to do this. And so it's a much heavier lift. It would be helpful if we did have primacy here and it is something I have spoken to the Environment Department regularly about. I have some other ideas about Region 6 and Region 10, etc. But I won't share those with you right now.

I'll just say how proud I am that we have gotten this done and that Sustainability too this under your wing because I can see that you had a small piece of organizing the entire County. And so I want to recognize you for your hard work in bringing all these people together, all the different departments and making a real collaborative effort because we're stronger together, and this is clearly an example of that. So thank you so much for all your hard work, each department – Growth Management, Public Works, Sustainability. Everybody. We're all included in this because our stormwater is everywhere. The more programs we can have to educate people and get them aware of what our stormwater is doing and including and that it is really an environmental hazard is really important. The health of our community, Santa Fe, is a community that strongly believes in health and environmental issues and so participating in this MS4 permit is really important. So thank you, Caitlin. Thank you, Jacqueline, and your whole entire team. Thank you, Madam Chair.

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

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you for you all doing the work since 2007. Thank you for the work that you've done on this. In regards to stormwater, this is to address stormwater within the outlying areas, correct? So is it existing stormwater? Is it future stormwater? What does this plan do?

MS. WEBER: Madam Chair, Commissioner Garcia, this is to manage stormwater and the focus of the permit is within that urbanized area.

COMMISSIONER GARCIA: Thank you, Madam Chair. So I guess I'm just going to ask this. The Colibri Subdivision out on State Road 14, those drain into that sward. Is the subdivision responsible for getting the permits to put it in the big pond that they have there, which I wish I'd have looked at those plans before they built that big pond there at the bottom end of the property, but is the subdivision required to get permits from the federal government?

MS. WEBER: I'm going to defer that question to Sarah Ganley who's here with BHI. Do we have staff from Growth Management? Would you speak to that?

JOHN LOVATO (Growth Management): Madam Chair, Commissioners, that is correct. I'm a certified floodplain manager and certified in stormwater management. Madam Chair, Commissioner Garcia, that is correct. They are required to pull their own notice of intent, which is a permit to list stormwater pollutants put into the drainage and notify EPA about those potential pollutants going into the system, as well as

hire a stormwater manager to regulate and make sure that everything is within compliance of the EPA guidelines.

COMMISSIONER GARCIA: Thank you, Madam Chair. So can somebody answer the question as into this urbanized area, we're going into the limits of the city. 2018, whatever, La Cienega flooded out. How is this going to prevent that from happening? Or will this plan prevent that? Because all the arroyos lead into La Cienega, so how does this plan address that or is it too early for that yet?

SARAH GANLEY: Hello, my name is Sarah Ganley. They mentioned Bohannon Huston, I'm with Bohannon Huston and helping the County with support in figuring out this management program. And so to answer your question, the MS4 really focuses more on pollutants and pollutant prevention and not as much on flood control. Though it does control quantity, it's not going to solve your flood issues or those controls. If I may also speak to your question if it's just within those boundaries. Stormwater, unfortunately, doesn't just follow the line we draw on the map so there is a lot of interaction, water that's going to flow in and out of your areas and if we can prevent in the county pollution outside of those boundaries it's going to help water that comes into those boundaries, if that makes sense.

So as I've worked with your various departments, which have been amazing, anywhere that you can prevent pollution within the county is a benefit with this program. So the focus of the permit and the requirements are within that boundary, if that answers your question.

COMMISSIONER GARCIA: Whenever a development comes forward to the County, the impervious surface, it's required by the applicant or the developer to provide retention ponds. Is that correct?

MR. LOVATO: Madam Chair, Commissioner Garcia, that is correct. They are required to – the pre- and post-drainage calculations cannot change from the development.

COMMISSIONER GARCIA: And then just a little bit of history, since I like history in this community is the first retention pond was actually the Motel 6 there off of Vegas Verdes Road. Charlie Gonzales and me worked at the City actually. That's a good example to show how some of these things work.

In regards to page 9, the Santa Fe River/La Cienega Creek to the Santa Fe Wastewater Treatment Plant, can you explain to me what the *E. coli* and the nutrients, what does yes and no mean? Does that mean that there is *E. coli* in that creek or does that mean it passed or you studied it?

MS. GANLEY: Madam Chair, Commissioner Garcia, I don't have in front of me page 9 but the table that's showing, NMED does an assessment of basically water segments they call it, or river segments. And so that table represents NMED's assessment and what they consider water to be impaired. So *E. coli* is listed as an impairment. It also lists what is called a total maximum daily load, and that's basically what a stream segment can take and kind of like – I guess I will say take care of. So as we put pollutants into the water, a certain amount of pollutants, the river is just going to take care of. Above that, when we start getting too high, total maximum daily load, it just no longer can kind of self heal. And so NMED is required by EPA to do these assessments of all of

the river segments in the state, and they set those impairments and those total maximum daily loads.

So when it says yes or no, that means that there is an impairment and then yes would be if there is a TMDL, and then waste load allocation is kind of basically saying that you have a point source. So a wastewater treatment plant – a wastewater treatment plant would be allowed to put so much pollutant into that river segment, and the same with the MS4s. Urbanized areas are dirty. They're given like a waste load allocation. So that kind of explains what those tables are. I'm not sure if that completely answers your question.

COMMISSIONER GARCIA: Madam Chair, yes. Thank you. It does. Just thinking of the larger picture of the pipeline that's going from the wastewater treatment plant up to the Rio Grande, the Santa Fe River, everybody's doing different studies and I'm just challenged by that because we should all communicate and do one great big study. But thank you, Madam Chair. No further questions.

CHAIR HAMILTON: Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair, and thank you for this good work. I just wonder, was there any kind of penalty to the County for being so late doing this work?

MS. BEAM: Madam Chair, Commissioner Hughes, I can speak to that a little bit. I know that in 2013 there was a threat of a penalty and we were asked to update our program and so that was provided to the EPA and it has successfully kept them at bay. However, there are several audits that are happening. Albuquerque, the City of Santa Fe, and so we really are timely in getting ahead of this right now, submitting the report. I don't know if there will be any penalty to come. We are just following the guidance of the EPA which is to submit what we have as soon as possible.

COMMISSIONER HUGHES: Okay. Thank you. Thank you for the work and presentation. That's all, Madam Chair.

CHAIR HAMILTON: Thank you. Are there any other questions on this? Excellent. Really appreciate the presentation.

8. MATTERS OF PUBLIC CONCERN

CHAIR HAMILTON: Is there anybody here or on Webex from the public who wishes to speak to the Board of County Commissioners?

DANIEL FRESQUEZ (Media Specialist): Madam Chair, we have William Mee that would like to speak.

CHAIR HAMILTON: Excellent. William, if you can unmute yourself and identify yourself and give us your comments.

WILLIAM MEE: Madam Chair and County Commissioners, I'm William Mee from the Agua Fria Village, and appeared in front of you at a night meeting where we discussed a land use case, Los Rios, and I was appearing on behalf of a community organization and I was surprised that the community organizations didn't have the power of land use review as we were promised as we work through the Growth Management Plan and the Sustainable Land Development Code. And I actually have letters to that effect and a resolution that the County did, and somehow there was an oversight that it

was never put into the SLDC.

So I'm hopeful that the Commission can urge County staff to actually complete that part of the Sustainable Land Development Code. I'm hopeful that in this action today or last month where the ELUA, the Extraterritorial Zoning Committee was approved in order to facilitate City-County cooperation that our community organizations can get their land use authority given to them.

I'm sending you a letter. I would have had it today but I'm just about ten minutes away from finalizing it. So I've talked to other community organizations. I had them review the letter and we went to a joint letter from all the community organizations as part of a pressure campaign on the Board of County Commissioners to get this done. So I appreciate your hearing me and reading my letter that will be coming out to you shortly. Thank you.

CHAIR HAMILTON: Excellent. Thank you very much, Mr. Mee. Is there anybody else present or on Webex who wishes to speak during Matters of Public Concern? Daniel, do you see anybody else?

MR. FRESQUEZ: Madam Chair, I do not see anybody indicating that they would like to speak on Matters of Public Concern.

CHAIR HAMILTON: Okay. Thank you very much. So I'm going to go ahead and close Matters of Public Concern.

9. MATTERS FROM THE COUNTY MANAGER

A. Miscellaneous and COVID-19 Updates.

CHAIR HAMILTON: Manager Shaffer, are you on?

MANAGER SHAFFER: Yes. Thank you, Madam Chair. I'm going to provide just a few updates in order to keep the meeting moving along. First, I wanted to make sure that the Board was aware that this year, Santa Fe County was awarded an additional \$4.4 million from the New Mexico State Transportation Commission for the northeast/southeast connector project. That is in addition to the \$2.375 million that the County was awarded last year for the same project. So all told, the County will be receiving from the New Mexico State Transportation Commission \$6.84 million, of which the County matches \$360,000. So relative to the DOT funding, including the County match, you're looking at \$7.2 million. The County matches just a small portion of what the County is contributing to the project. In total, the County estimates that the project will ultimately cost approximately \$20 million. So again, the State support of this significant project for the designated growth area of the County SDA-1 is very impressive and we just wanted to extend our gratitude to the Transportation Commission and DOT, as well as the Santa Fe Metropolitan Planning Organization and the County's team of Ivan Trujillo, Brian Snyder and Brett Clavio for the diligent work they did to move this project forward and to secure all this much needed funding.

Moving on, the County was awarded a \$1.4 million grant from the State for New Mexico Food Security grant. CSD, or Community Services Department partnered with the Food Depot on the application. The award will ultimately come to the BCC for approval, but it is a food mobile focusing on rural and tribal community food distributions.

In addition, in terms of a general note, the Bureau of Land Management Taos Field Office has opened public comment for a proposal to develop recreational shooting ranges on public lands. Public comments will be accepted through October 24, 2022 and the public can comment online at the BLM National NEPA register, or by email to Brad Higdon at BLM. That was a collaborative effort between County staff spearheaded by Commissioner Hansen on the policymaker level to move forward those discussions, so I'm pleased to announce that momentum has begun there.

We did receive a request to modify an existing agreement that we have with the US Forest Service. The requested proposed modification would have added \$100,000 to the agreement to support the increased use of prescribed fires for ecosystem benefit on the Santa Fe National Forest and to provide training opportunities for firefighters to advance their qualifications and experience. I wanted the Board to be aware of the fact that we received that proposal from the US Forest Service. Staff does not intend to bring it forward to the BCC for consideration at this time, given the ongoing concern and uncertainties surrounding prescribed burns in the Santa Fe National Forest. We'll re-evaluate that ask as the proscribed burn picture at the federal level becomes more clear, but again, we would bring back any such agreement to the BCC for approval at an appropriate time should it appear prudent to do so in the future.

We have scheduled a tentative special meeting of the Board of County Commissioners on Wednesday, September 7th at 2:00 pm, and this would be to review and take action on an order imposing tax rates on taxable value of property allocated to the appropriate governmental units within Santa Fe County for the 2022 tax year. As you all know from past experience in the process, property tax rates are set through a somewhat convoluted process but ultimately the Department of Finance and Administration issues a written order setting property tax rates and then the Board of County Commissioners has approximately five business days from receipt in which to issue its own order imposing property tax rates. And so we've scheduled this special meeting as a placeholder in the event we receive DFA's written order on or about September 1st so that we can meet the statutory deadline.

Finally, I did want to note that the RECC salary changes and job description changes and recruitment focus has borne some fruit. We're not out of the woods yet. We are still actively trying to fill some of our senior positions, but we have made a fair amount of headway in terms of filling trainee positions and those trainees are actively going through their onboarding and training process. Our efforts in that regard did catch the eye of a communications director in Lake County, Florida who read an article in the New Mexican about what we were doing, including rapid hire events and fast-tracking applicants and that individual reached out to our local RECC to get some insights as to what we were doing and what was working and what was not. So the real story there is again we're starting to see the benefits of the changes that the Board of County Commissioners spearheaded through the most recent CBA amendment with the RECC union.

Relative to COVID updates, I don't have much today rather than our own experience in the County workforce and their families underscores that the pandemic is not over and that we continue to have loved ones as well as colleagues who do catch the Corona virus and mercifully have not suffered any losses since the vaccine mandate went

into effect in terms of County employees. But nonetheless it is a continuous concern for our workforce, their families and friends and our community in general. So I would just continue to urge people to be vigilant on that score. Thank you, Madam Chair and Commissioners.

CHAIR HAMILTON: Excellent. Thank you very much.

9. B. Request for Direction Concerning Potential Local Economic Development Act (LEDA) Project for Bishop's Lodge Resort Wastewater Treatment System

CHAIR HAMILTON: Leandro Cordova, our Deputy County Manager, is going to give us the preliminary presentation.

LEANDRO CORDOVA (Deputy County Manager): Thank you, Madam Chair, Commissioners. So this was originally brought to you I believe in the June 14th meeting. At that time Santa Fe County had been approached about a potential LEDA – Local Economic Development Act – project, whereas the County would borrow money from the New Mexico Environment Department and in turn loan the proceeds to Bishop's Lodge Resort for a new wastewater treatment system.

County staff did investigate the idea and we committed to bringing it back to the Board and so today, basically we'll be asking the Board of County Commissioners to see if you would be willing to use County gross receipts tax revenue bonding capacity for the project. I'm not going to read the entire memo that was in your packet but I'll touché on some of the highlights. The background basically is the Bishop's Lodge Resort must upgrade its wastewater treatment plant. The resort approached the County with the following proposal, as I outlined, to borrow approximately \$5 million from the Clean Water state revolving loan fund, which the County would then lend to Bishop's Lodge.

The loan fund is a very low interest rate. Currently it's actually at .01 percent. That rate, even after adding a one percent administrative fee for the County's having to do the loan is lower than any prevailing rates in the commercial market. That's basically what was appealing to the Bishop's Lodge. As I mentioned, June 14th we brought this to you. Things have changed a little bit as we've done our due diligence and our background, specifically, NMED would be underwriting the loan without any regard to Bishop's Lodge and among other things it would mean specifically the County alone would be responsible for repayment of the loan from NMED using County revenue, so we would have to create a pledge of either our GRT revenue or a net system revenue. We decided not to pursue the net system revenue of the utility as it's just not much there and it's pretty much needed for operations.

County staff has confirmed with its financial advisors and bond counsel that it does have approximately \$12 million in capital outlay gross receipts tax bonding capacity use of which should not impact the rating of the County's other capital outlay gross receipts tax bonds. After submitting the memo we did get a little bit more guidance from our bond counsel reminding us as well that we did have an omnibus pledge, essentially four different increments that we packaged together already for different debt, and that has already been pledged to other debt, but there is additional capacity within that omnibus pledge. However, that is subject to covenants of the existing debt agreements

that we've already entered into. So we do have about another \$36 million in capacity there, but that would be subject to, as I mentioned, the existing bond covenants.

So at this time the analysis from the County staff does not recommend using our revenue bonding capacity on this project at this time. The primary reasons for this recommendation is as follows: County staff believes that the necessary replacement of the wastewater treatment plant will happen with or without County involvement as Bishop's Lodge is backed by investors who appear to have access to capital and who have invested significant amounts of money already in the property and replacement of the wastewater treatment plan is necessary to protect their private investment.

Also, revenue bonding capacity is a precious asset for the County allowing the County to finance significant projects without the need or uncertainty of a general obligation bond. Some examples of previously funded projects from revenue bonds are things like our adult detention facility, our public safety administrative complex, Buckman Direct Diversion and both County administrative campus at 100 Catron and the renovations here at 102 Grant. And so County staff does recommend that revenue bonding capacity be reserved in case needed for County priorities and unexpected needs.

The County would be taking on the responsibility for the regulatory and compliance matters as well, based on the NMED requirement, so that – it's possible; we have a great staff. We have a great team at Public Works. However, as you know, we already are limited in our staffing and that this would just be another obligation on top of that limited staffing capacity that we have. So on one hand, this may provide comfort that things would be done right, long-standing compliance issues with the existing wastewater treatment plant would be remedied, but on the other hand, it will consume the limited bandwidth needed for other projects and priorities, as we have plenty of our own and we're trying to accomplish many of our own goals

One other point to mention, the wastewater treatment plant as proposed is too small to serve a larger geographic region beyond the resort and the homes that are associated to that, and so moreover even if it could, wastewater service in this area of the county is not part of that plant's master plan and it wasn't part of the County's master plan. And so finally, the County has not analyzed the feasibility of providing wastewater service to a larger geographic area in that area, even if that plant had the capacity to do so.

So as I mentioned, the recommendation at this time is that County staff does not recommend using our limited bonding capacity on the Bishop's Lodge Resort project. In consequence it does recommend that the BCC give direction to stop exploring the idea before significant additional resources of County staff are invested. However, if on the other hand the BCC directs the County to continue working on this LEDA project it's important to note that such direction does not commit the BCC to ultimately accepting the NMED loan, assuming it's approved, or approving of the LEDA project. As of today, we still have our due diligence that we would pursue in qualifying the resort.

One more point to mention was brought up by our bond counsel was that because we're a public entity lending to a private entity there's a strong likelihood that the IRS may impute a taxable rate above and beyond the existing rate, and that taxable difference is something that we would have to take into consideration and it may increase the cost of capital and may take away some of the savings that was trying to be pursued in the first

place. It also may require us as the new lender to potentially impose different coverage ratios or bond covenants and that would potentially require an increase to their customers' wastewater fees, and that's something that I'm not sure the County is willing or ready to be able to do at this time.

So that basically concludes our recommendation and I stand for any questions at this time.

CHAIR HAMILTON: Excellent. So I feel like I first want to go to Commissioner Roybal, because this is in his district. Commissioner, are you on?

COMMISSIONER ROYBAL: Yes, I am. Thank you, Madam Chair. So did have a question. I guess, as far as the County does receive capital outlay money from the state or a grant, but we don't budget bond dollars, because we can't, I think. Is that correct? Usually we budget cash

MR. CORDOVA: Madam Chair, Commissioner Roybal, I believe that's correct in terms of when we receive the funds was when we budgeted. If we have the funds available, like you mentioned, cash, that's already in the budget, but if we haven't received it yet that typically comes later on for the Board to accept that new money or revenue.

COMMISSIONER ROYBAL: Okay. And I guess I had a question. I know we did talk, because it was actually – it's not only for the benefit of Bishop's Lodge but it also benefits 70 residents. Is that correct?

MR. CORDOVA: Madam Chair, Commissioner Roybal, I believe that is true. I don't have the exact number but I believe it's somewhere in the 60 to 70 range.

COMMISSIONER ROYBAL: So if we have a potential of 210, 220 constituents or possibly more, depending on the size of the household. And then I do believe they were approved for 30 additional residents in that area. Do you know if that's correct? That's my understanding.

MR. CORDOVA: Commissioner Roybal, I do not know if that's correct.

COMMISSIONER ROYBAL: Is there anybody that would be able to answer that.

MR. CORDOVA: We do have representatives from Bishop's Lodge in the audience. I don't know if they'd be able to answer that question.

TONY FLORES: Tony Flores, 3475 Hunters Meadow Circle NE, Rio Rancho. Madam Chair, Commissioners, thank you for allowing us this opportunity to directly answer Commissioner Roybal's question. There are 100 entitlements involved in the Hills and Vistas Owners Association which is above Bishop's Lodge. So the total dwelling units per se, they could be townhomes or single-family detached units. You have 100 units that are entitled currently. There were plans at some time to discuss about looking at revising their approved planned development district but it's 100 homes plus the resort.

COMMISSIONER ROYBAL: Okay, and is there any approvals for future development there?

MR. FLORES: Madam Chair, Commissioner Roybal, currently we're sitting on the 100 entitlements so there is not an application pending that would increase the entitlements for the Bishop's Lodge Resort property. I can't answer the long term but there's always a possibility with the larger parcel of property that could increase,

provided that the other accommodations of infrastructure, water, etc. are available.

COMMISSIONER ROYBAL: So we could have a potential of 300 constituents in that area that would benefit – or would have the need for this system to be in place. Okay. Thank you, Mr. Flores. My other question would be who would be responsible for reporting compliance?

MR. CORDOVA: Madam Chair, Commissioner Roybal, based on preliminary work we did it looks like NMED would be requiring the County to do those compliance tasks.

COMMISSIONER ROYBAL: Okay. And I guess – I'm kind of curious on specifically the bandwidth of staff, I know we're stretched pretty thin, but I was understanding that Juniper had proposed an offer to compensate a third party to undertake the project management of this construction project that's planned for a 12-month duration. Is that correct?

MR. CORDOVA: Madam Chair, Commissioner Roybal, that is an opportunity for us. We certainly can contract that out. It would probably add a little bit to the cost of things, and that's probably the direction we probably would go. However, County staff would still need to manage that contract of a third party. And so we may not have to do all of the detailed work but we'd still be overseeing the work of the contractor.

COMMISSIONER ROYBAL: And how much time would that take to, I guess evaluate. Because they've offered to compensate this third party, right?

MR. CORDOVA: Yes. I'm looking to Public Works Director Mr. Giron to see if he could give us an idea of how much time that would take.

MR. GIRON: Madam Chair, Commissioner, we would manage this like any other project. So even though we do have a – would have a contract project manager we would be involved in it. We would know the project as it's proceeding, making sure that it's in full compliance and that it's adhering to all of the tenets of the agreement.

COMMISSIONER ROYBAL: So this would be a lot less involvement from the County as far as the workload. Is that right?

MR. GIRON: Madam Chair, Commissioner, I think it would be somewhat less. Marginally less. But it would not be insignificant.

COMMISSIONER ROYBAL: Okay. And I noticed in the memo it said that there was long-standing issues with the wastewater treatment facility. Has there been any issues that we're aware under the ownership?

MR. CORDOVA: I'm going to let Michelle Hunter speak to that point.

MS. HUNTER: Madam Chair, Commissioner Roybal, yes. Currently, the lodge is in violation of its NMED discharge permit. They are unable to treat the waste currently so it doesn't meet standards for that, for the discharge for that. They also have impacted groundwater in addition to that, and they also are periodically, regularly over their discharge volume limit that's in their permit. So in a general sense they are in violation of their permit. Obviously, a new wastewater treatment plant would help with that but it is an ongoing issue and has been an ongoing issue even with these newer owners recently.

COMMISSIONER ROYBAL: Okay, so it is still an ongoing issue. And like you said, a new treatment plant would alleviate that. What about – I guess I know that Bishop's Lodge has had a positive impact on the County, both financially and

through an economic development perspective. Can you talk a little bit about that and what that impact has been since they reopened?

MR. CORDOVA: Madam Chair, Commissioner Roybal, I'm not aware of a previous project with Bishop's Lodge. Maybe –

COMMISSIONER ROYBAL: I was asking more from a – as far as financially and from an economic development perspective.

KRISTA KELLEY: Madam Chair, Commissioner Roybal, yes. To date, since 2022 there are 202 jobs that Bishop's Lodge has created. Total payroll for 2022 is over \$11 million. Average compensation for an employee is \$72,618. Total taxes paid today is \$5.2 million by the resort and just so that you know, Juniper took over management of the resort or ownership of the resort October 29, 2021. So they are very recent owners of the resort, so when we're referring to anything with respect to job creation, this is since Juniper opening up the resort. And again, the resort was at 60 percent capacity as of January. So we have not – we would not fully see that 100 percent capacity in 2022. This is at that 60 percent capacity as of January. Still seeing some extensively large numbers. GRT paid to date, during construction was \$3.5 million. GRT paid from hotel room rental was \$1,085,000. Tourism tax paid in the last 12 months is \$343,689. Property taxes are approximately \$250,000 and again, total taxes paid to date, again, at a limited capacity – that was not at full capacity throughout the entire year, \$5.2 million.

I'm sorry. I did not introduce myself. Krista Kelley with Motiva Corporation representing Bishop's Lodge. Thank you.

COMMISSIONER ROYBAL: Thank you, Ms. Kelley. And what did you say, property tax?

MR. CORDOVA: Commissioner Roybal, she mentioned property tax at approximately \$250,000 a year.

COMMISSIONER ROYBAL: Okay. Thank you, sir. So I know that if we did this loan, the County does get an interest but they do get a deduction from NMED, and that, it was around four percent that the County would still get in interest and then there was also a service fee as well that was included. So I think about the water system in Chupadero that got to a point where the County had to take it over and it was at a point where it was already falling apart basically. The County stepped in and that's actually been a long process and very difficult process for the County. I think I've been working on it since I came into the Commission, and I think things are finally getting done now. And so I'm already thinking the Commission – it's something that we work on and I just think this is a good opportunity for the County. Really, at the end of the day they're going to be responsible but I think that Bishop's Lodge will pay this money back and I think that it benefits possibly 300 constituents out at the lodge of course. But I think we do get a lot of benefits from this business. So those are all the questions I have. Maybe later I'll have more but I still think this is a good idea for the County to be engaged with. Thank you, Madam Chair.

CHAIR HAMILTON: Are there other Commissioners – I know Mr. Shaffer has his hand up, but Commissioner Garcia.

COMMISSIONER GARCIA: Yes, Madam Chair. Thank you. I guess one of the things is whenever we put out that great booklet that talks about Santa Fe County,

the different venues that we have within Santa Fe County – Turquoise Trail, the Santuario. A lot of that GRT tax goes to our lodgers tax so this is probably one of our largest GRT tax in the entire county is Bishop's Lodge. And so that's a positive that the amount of dollars that is spent in anywhere from property tax to bringing in economic development, jobs, everything that Ms. Kelly spoke about.

One of the others things is is the Santa Fe Opera. Under Manager Miller, we received a lot of money from the state legislature for the Santa Fe Opera, and from legislative funds, and we actually poured money from the state, through us, for the opera wastewater treatment plant. That was actually – the first phase of that was done when engineer Doug Sayre was here and was questionable about that, and this last year we received some money from the opera wastewater treatment plant. That horse got a little bit ahead of the game as well, and the opera wastewater treatment plant has been operating great. It's been great.

So whenever – and I believe that the County doesn't have any maintenance or sending in the certifications to the Environment Department in regards for the Santa Fe Opera treatment plant. So in my opinion this seems to be a similar project in that aspect, as Commissioner Roybal mentioned, it has the ability – I'm not an engineer but Ms. Hunter knows. You can build a treatment plan. You can add to it, you can add to it, you can add to it. Right? That's the new technology that's out there. But if it's going to help out that many residents in the area, we just talked about stormwater pollution and underground water, the water table. This seems like this might help out the community of Tesuque as a whole.

We have \$12 million in possibly GRT. We have \$36 million in the other fund, and we have roughly \$86, \$89 million in cash reserves. And I understand that we have a lot of money that's sitting there, \$12 million, \$36 million, \$86 million. I can't add it up; that's a lot of money. And I understand that some day we may need to utilize that money for other projects but when? When are we going to use the \$86 million? When? What's the plan for that? Those are just things I have in the back of my head.

And in regards to compliance for this wastewater treatment plant, it appears to me that it could be done the same exact way that the opera is, because the opera's been operating for many, many years and it's done the community good.

Those are the only questions I have for now, Madam Chair. Thank you.

CHAIR HAMILTON: Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I have a couple questions. One is, of those homes that are part of this project, are any of those affordable?

MR. CORDOVA: Madam Chair, Commissioner Hughes, I don't believe they are.

COMMISSIONER HUGHES: Okay. I used to live in Tesuque and I didn't think so but I wanted to ask that. And then how would a project like this compare to what we did for these studios out on Route 14 where we issued industrial revenue bonds? That was another instance of us helping a private entity, that our logic there was economic development. Is this just a lot more work than that? Or was that not committing any County resources to that other one?

MR. CORDOVA: Madam Chair, Commissioner Hughes, I think it's different in the fact that we're borrowing money from the NMED and the loan – any loan

is essentially the same as bonding out our capacity, the rules are the same. I think what makes this really complicated, and I don't dispute that the need is there and I think we would love to be able to help them. The biggest difference between this project and most of the other ones mentioned is this is a loan to us and then we're passing it on to a private entity.

The reason NMED couldn't do it directly are many of the same reasons why it may be very difficult for us to do it directly. We haven't completed the due diligence but we're not much different in the state in the sense of being a public body and there's different rules that would require us to make it a LEDA project as you mentioned. It would have to go through that LEDA project and it would look similar to that studio project at the end of the day, but the complicated part is the loan in between and how we are responsible for that to NMED.

It is a frustrating process and I do understand the frustration of Bishop's Lodge not being able to obtain this money directly. That Clean Water revolving loan fund is well capitalized and there's plenty of money there for these kinds of projects but the fact that the state can't get it out to a private entity says a lot about the complications of that particular funding source.

COMMISSIONER HUGHES: Would there be any possibility of doing it exactly the same as what we did for the studios? In other words just issuing revenue bonds to help them do the sewage treatment plant?

MR. CORDOVA: I do not have an answer to that directly, Madam Chair, Commissioner Hughes. I can find that out though.

COMMISSIONER HUGHES: It seems that would be simpler and help everybody out. I don't have any other questions.

CHAIR HAMILTON: Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Madam Chair, so is there anything we can do to guarantee that they'd repay us?

MR. CORDOVA: Madam Chair, Commissioner Hansen, we would definitely structure some kind of collateral package. They have offered up certain collateral options for us. We haven't sized it yet. We haven't really sat down and asked what it is that we would need, and we haven't looked at what requirements might be there when we loan from the County to them. So we may need to be able to have a coverage ratio of 1.5 percent or something along those lines. So we would definitely secure out position, but that is still part of that final due diligence that we would have to do if directed to go forward.

COMMISSIONER HANSEN: So I recognize how important wastewater is and sewage, but these homes that are next door to the resort are actually part of the resort. I mean it's on the same piece of property. They're not separate. They might have bought the land but it is included in the resort.

CHAIR HAMILTON: I thought they were private homes? Are they private homes?

MR. CORDOVA: I do believe they're private homes, Madam Chair, Commissioner Hansen.

COMMISSIONER HANSEN: Okay, so they're not part of the resort?

MR. FLORES: Madam Chair, Commissioner Hansen, the homes are

single-family detached that are on the same property as the resort, bound by HOA. So they're part of the resort property but not affiliated with the resort. They are two separate entities utilizing the same plant.

COMMISSIONER HANSEN: Okay. Do they have the possibility of creating a mutual domestic?

MR. CORDOVA: Madam Chair, Commissioner Hansen, that's a great idea. I think there probably is a possibility of them coming together and creating a public body for themselves that would then be able to go apply for this money directly.

COMMISSIONER HANSEN: It seems like they a complicated path to lend this money and the fact that NMED can't lend it to them and we're a subdivision of the state, how can we lend it to them? There's questions here that don't seem to fall into place, although I recognize the need is important, and especially the fact that they're out of compliance. But what are their other alternatives? What other way can they get this \$12 million?

CHAIR HAMILTON: Are we talking about \$12 million? That's just how much was available. We're not talking about \$12 million.

MR. CORDOVA: I believe it's a \$5 million range. I don't necessarily have an answer to that, what other avenues they have. We do have the opportunity through LEDA to try to get to the final end goal. So we do have an opportunity to take it to the end differently than the state would from a reduced perspective. But the LEDA process does have different requirements for us on the back end.

COMMISSIONER HANSEN: Okay. I just saw \$12 million in capital outlay.

CHAIR HAMILTON: And just for the record, the state can lend. They just haven't figured out to do it yet. They just haven't done it yet. There's nothing illegal about it.

COMMISSIONER HANSEN: Okay. So I see we have \$12 million and this is a \$5 million project. So my main concern is how do we guarantee the loan to make sure that they repay it, and what's the timeline for them to repay it? Is it 30 years? Is it 10 years? Is it five years? I want to know how long we're going to be out of this money that we could possibly use on other projects.

MR. CORDOVA: Madam Chair, Commissioner Hansen, I believe the NMED loan was a 30-year term. Whether we choose that same term with Bishop's Lodge is a decision we'd still have to make and how to size that. I do believe Bishop's Lodge has offered up the net system revenue as part of their pledge to pay us back. So there is means for them in terms of the revenue they're already receiving to try to pay us back. We'd probably want a little bit more security just in case that wasn't able to transpire, so that's what we'd have to work out in further details if we're directed to go forward today.

COMMISSIONER HANSEN: Okay. I have really mixed feelings about this as much I believe that we need wastewater plants and protecting out groundwater. I'm not sure that this is the right project for a county. And I support staff's recommendation.

CHAIR HAMILTON: Commissioner Garcia, and then I'm going to go to Manager Shaffer.

COMMISSIONER GARCIA: Thank you, Madam Chair. This is actually a

project thinking outside the box. Sometimes, government is hard to think outside that box. You can write an agreement for whatever these attorneys – you can write an agreement for whatever you'd like. One of the good examples is whenever we built First Choice down in Edgewood, and that was actually about five or seven different funding sources that we actually dealt with, anywhere from private, CYFD, Department of Health, County, legislative funds, and that agreement actually got done. And so it's been done before.

Another good example, this has been happening since 1977 whenever Eldorado at Santa Fe Subdivision actually got approved. What we did, back in those days for those that don't know it, the Eldorado Subdivision, Eldorado at Santa Fe, created the state Subdivision Act. So what we did with that, forethinkers, back whenever who worked for the County back then, we actually took the liens – I don't know if liens is the right word – to the different roads within the subdivision and then actually as the subdivision units got developed we released those liens. That's why every single road in Eldorado units 1, 2, and 3 are County roads. Could we do that today? I don't know.

Commissioner Hughes brings up a very good point, which we've done this before. Have you guys talked about an IRB? Because so –

MR. CORDOVA: Madam Chair, Commissioner Garcia, not at this time. The request that came to us was specific to the Clean Water state revolving loan fund. So we have not explored the IRB at this time.

MANAGER SHAFFER: Madam Chair, if I could. I'm sorry to interrupt, Commissioner Garcia. I did want to touch upon that point. I just wanted to make sure that all the Commissioners had an opportunity to speak.

COMMISSIONER GARCIA: I just find it interesting that I think wastewater is very important. We're participating with the City of transferring that flow to the Rio Grande. We sit up here and we actually approve a 700-lot subdivision. It's like, where are we at? What are we doing? What are we doing with all this money? The funds that we have that are available for economic development per se.

I understand what my colleagues are saying so I'm just kind of challenged about that as well. But I think thinking outside the box is good. If we can be a leader in Santa Fe County and figure out how Santa Fe County out of 32 other counties, these guys are moving. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you. So before I give my three cents I'll go to Manager Shaffer.

MANAGER SHAFFER: Thank you, Madam Chair and Commissioners. I think to touch upon the industrial revenue bond, it's unclear if that route would achieve any material interest rate savings. Most industrial revenue bond transactions, to the best of my knowledge these days are self-funded, meaning there's another source of money, private funds, that are being utilized in order to buy the bonds. In the case of Santa Fe Studios, the money for the project, there's some coming from the studios itself but if that transaction closes, the lion's share is a private loan from Enterprise Bank and Trust.

And so the IRB route, again, wouldn't yield the same cheap money that is on offer from the state. The benefit to Santa Fe Studios in the IRB transaction was the partial property tax abatement associated with the new project. So the property tax and perhaps some gross receipts tax on taxable equipment was the real benefit there. Moving forward

with an IRB transaction, County ordinance establishes as a criterion against which applications will be met. A competition criterion, which is designed to ensure that those receiving the benefits of IRBs aren't given a competitive advantage. So that might be an additional hurdle in a project like this, in this field they'd struggle to get over upon existing Board of County Commissioners' policy as adopted in ordinance.

So to sum up on the IRBs, again, it's not going to offer the same interest rate benefit as this transaction would and there's a stated criterion in County ordinance that could prove problematic for that particular funding mechanism.

The only other thing that I wanted to touch upon was the question about budgeting bond proceeds. When bonds are sold for a particular project in fact those proceeds are budgeted for that project. I just didn't want there to be any confusion on that but it is after bonds are sold and proceeds are available for the project. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you, Manager Shaffer. Frankly, first of all it seems like the majority sentiment is that this is worth looking into. Second of all, I completely understand. There's a lot of County staff concern about project management and the effort it would take to do this and whatnot. And then there's also the matter that we have discussed before and for other circumstances having to do with competition that Manager Shaffer just brought up.

Presumably, the County is done with that. For every LEDA project we've ever considered, LEDA is there for a reason. We're almost always lending, doing something to support a private enterprise because the economic development is a benefit to the county and I'm not sure we've ever had any bigger economic development benefit but we considered doing LEDA and approved it for the Speaker's wife who was doing a project that was going to be a real community development but it had minimal job development. Kelly Egolf. They had like – it was going to develop like 12 jobs but it was a great little project. And then she moved it out of the county.

So in terms of size and economic impact, it seems to me the justification is there. Like we're always trading off between the pros and cons of the effort we have to put out and the thing that I'm unclear about, there seems to be from different staff members, different points of view about the pros and cons of this specific funding mechanism. It's a loan from NMED as opposed to something else. So we're getting a loan and then we're transferring it. It would be done under LEDA, which like I said, I think the justification is clearly there.

But we have other staff members who think this is a great possible mechanism for many other projects and we commit capacity to doing those things. I still have that question about the funding mechanism. I think the other justifications seem really strong. Even Commissioner Hansen, she's not for it but she recognizes the importance of the sewage treatment aspect of it. So, yes, Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, what's LEDA?

CHAIR HAMILTON: It's the Local Economic Development Act.

COMMISSIONER GARCIA: So have we don't have a LEDA process as to how it works? What's going to happen? As well as the consultant, as well as staff player? How that actually works, we're moving forward on that? So if we're not, I'd like maybe we can, within 30 days, we can do an analysis of how that works, what's

happening with it, as Commissioner Hamilton said.

MR. CORDOVA: Madam Chair, Commissioner Garcia, I think we're working on that. I know Joseph Montoya, Community Development Department Director would probably agree with you that this is thinking outside the box and it's a tool that he'd like to have in his toolbox. I think we're still working on those tools and how to deploy them and how to qualify them. And that's part, I think, why our recommendation is in the negative today. It's not that we wouldn't want to do this. There's many factors that led to this. We are very short-staffed as you guys know very well. That is a major factor. It is a little intimidating to take on another project knowing that we have so many projects that you all want to see get done.

So that is a factor. And thinking outside the box, being first is great and it certainly puts us out there but sometimes being first means you don't have a guide and you might fall in some those pitfalls. You have a pitfall that you might encounter without having the luxury of someone else's mistakes. So being the first to that is sometimes – it takes a lot of extra time, a lot of extra diligence and it sometimes does cost a little bit more to be the first to do that.

So I hear all the concerns. I don't think we're saying we can't do it. I'll go back to what the real question was today is is the BCC willing to use County gross receipts tax revenue bonds to leverage this project?

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you for the presentation, by the consultant group as well as – I'd like to see if we could actually do a LEDA analysis to see exactly – that looks like that's one of the possibly second recommendation or so. So if we can actually kind of postpone this to get some sort of a LEDA analysis and see how exactly that works.

MANAGER SHAFFER: Madam Chair and Commissioner Garcia, if I could. The point of bringing this forward now was to get some initial direction as to whether or not the Board would be willing to, in essence, lend some of the County's gross receipts tax revenue bonding capacity and support the project. If we get the direction that the Board is okay with that, then we would move forward with that direction to both begin application to NMED for the loan, as well moving on parallel tracks with the resort to get a new LEDA application submitted, which would include things about the job creation goals as well as security for the public support that's being provided, what have you. And there's many different steps and processes down the road.

This was an initial base-touch, because of this threshold issue, which hadn't been previously communicated to the Board as to whether or not the Board wants to use its revenue bonding capacity in support of the project. So I guess what I'm trying to communicate is that before we invest in the resort's time in making the LEDA application, as well as County staff time in moving forward and evaluating that application, as well as continuing to be doing due diligence with NMED, we wanted to get this initial piece of policy out of the way, as it were, to confirm that the Board would be willing to use revenue bonding capacity. And again, the LEDA application analysis, the ordinance that we would be required in order to approve a LEDA project, that would all come in due time after we understood that the Board would be willing to use its

bonding capacity to support the project.

So I hope that helps put it in context as to why we're asking the Board for this threshold guidance and decision point, because our mantra again is that we want to bring things to the Board in preliminary steps so that if the Board isn't willing to do something we know that early on and the applicant knows that early on so that they're not spending good resources pursuing something that's going to fail over this sort of threshold issue. And conversely, if we get the direction from the Board to go ahead and further pursue this, we know that the Board is okay with using bonding capacity for the project, and that we're investing your resources where you want us to invest them.

COMMISSIONER GARCIA: I think we understand what your opinion is and where you're actually wanting to go with this. But I've worked on LEDA projects as well as Commissioner Hamilton. That's a three-page application. It's not like we're going to write a book or anything on it. And I think we can – I feel that we can actually allow the – to move forward on the LEDA application. We don't even know whether they're going to get approved or not. And then if they don't get approved on the LEDA application then staff can come back with different options as into whether they create a water authority, whether we actually do this bond or what not from the GRT. I just feel that staff is deterring – as into what – I just like to think outside the box. I've done that for many projects, but that's kind of where I went because I'd like to see if we can just allow them to move forward on the LEDA project and not give a commitment today as into whether it's \$5 million, because the \$12 million we have, the \$36 million we have and the \$89 million we have in the cash reserves. Thank you, Madam Chair.

CHAIR HAMILTON: I was going to ask Commissioner Roybal, because you can't raise your hand, I was told. Do you have further thoughts?

COMMISSIONER ROYBAL: Yes. I guess as far as some of the comments that we've heard, I know that NMED cannot enact a LEDA, so I'm kind of concerned with that, but I still feel that it's something that the County can lead on. I know sometimes, that Leandro said it's not always best to be first, but Santa Fe County is a leader so I would like to see us do this so we see how we can do future projects and build that framework and be the leader in this situation. If we do, I'd like to see that it would come back the last meeting in September or first meeting in October.

CHAIR HAMILTON: Thank you, Commissioner. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. I'm somebody who believes in taking risks and I find taking risks important. But I also think that – I don't know if this is the right risk to be taking and I understand thinking outside the box, and I understand the idea of definitely we need wastewater plants, but what other projects do we have, and we're short-staffed. And there's many things that are contributing to these ideas.

CHAIR HAMILTON: What would be the competing projects that would be better projects for economic development for the GRT bonding capacity?

COMMISSIONER HANSEN: Well, broadband for one.

CHAIR HAMILTON: But that's not competing with our GRT bonding capacity in any way, shape or form. That's money coming directly down from the feds, and the state, actually. At least that's my understanding. If I'm wrong, somebody correct me.

COMMISSIONER HANSEN: I think expanding some of the wastewater plants in some of the other areas of the county are also important.

CHAIR HAMILTON: Well, sure, but have any of them applied and what wastewater treatment plants are there?

COMMISSIONER HANSEN: Well, there's Las Campanas and there's the Quill plant and – I don't know. I have real hesitancy about this. I just feel like – that's how I feel. I support County staff. I don't support spending the bonding capacity on this, so I might be the lone voice on that but that's okay. I don't mind.

CHAIR HAMILTON: I see Commissioner Hughes reaching for his button.

COMMISSIONER HUGHES: I don't think I have a strong opinion one way or the other on this. Being a former resident of Tesuque I certainly would want clean water in my little stream there, which we used to splash around in. I think I would be – I agree with a lot of Commissioner Hansen's hesitancy. I don't know that this is the most important project, but on the other hand I don't see that we have an immediate need for that \$5 million elsewhere and this is certainly a worthwhile endeavor, if nothing else for the clean water. And so I'd be okay going forward to at least a couple more steps, with no guarantee that we're going to approve it in the end.

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Can I make a motion?

COMMISSIONER HUGHES: Do we need a motion?

CHAIR HAMILTON: Do we need a motion on this, Attorney?

JEFF YOUNG (County Attorney): Madam Chair, Commissioners – go ahead. Were you going to speak on that?

CHAIR HAMILTON: Attorney Young, I think that was Commissioner Roybal. Is this something we need a motion on?

MR. YOUNG: It does not appear that this is an action item on the agenda so I think what the staff is looking for is a direction to go – whether to explore their options and I think that's what they're looking for.

CHAIR HAMILTON: Okay. If nobody minds, I'd like to ask one more question, and maybe even put Director Montoya on the spot for a minute. Deputy Manager Cordova, the County has determined that GRT bonding is requisite to take the loan from the – for the County to take the loan from NMED, and then pass it through? Because that was the way we would be securing the loan? Are there other mechanisms for securing the loan?

MR. CORDOVA: Madam Chair, Commissioners, we do have to secure the loan with a pledged revenue of some sort. GRT, a GO bond would be another options if the voters were to approve the GO bond. Net system revenue is another revenue stream. We've determined that the net system revenue just isn't there. It's not enough to even get to the \$5 million. So essentially by default GRT is what's left. I believe. In my experience there are no other sources that we could pledge that would be accepted.

CHAIR HAMILTON: Mr. Montoya, can you speak a little bit to why this is a mechanism that could be used for this and/or other projects? Do you mind just giving a few words on that? Part of what I'm trying to get at is not giving unfair advantage – I

know we have staffing problems but we can't stop operating when there are needs. We're trying to address staffing problems separately, so it's kind of like saying, well, there might be important projects but let's not do anything until we're in a better situation, which we've over – I have mixed feelings about too. I have some sympathy for that issue and not overtaxing staff.

MR. MONTROYA: Madam Chair, just for clarification sake, there's actually two issues of collateral. There's a collateral that we would put up, i.e., in this case our bonding capacity, to the state. So we will be borrowing money, if you want to move forward with this. We'd be borrowing the money at 0.1 percent, and then we're going to pass on a lower rate than is marketable, if in fact we want to move forward, to the constituents. They in fact though, will have to put up a form of collateral that's acceptable to us so that to make sure that we get paid back. A claw-back is the normal thing that's a normal thing in economic development issues in terms of if they don't do what they're supposed to be doing we would have assets to be able to take back. In addition, we need a form of collateral anyway because we want to make sure that we want to cover our debt service.

So if you choose to move forward on this, it will be more than just the Economic Development Act that we're using. It would be more than just LEDA. We'd also have to move forward with an application to the state for a loan. So they would be concurrent to that. At any time you can stop that process, right? In terms of, oh, this doesn't look good. We couldn't come to terms in terms of what the loan terms would be and things of that nature. Different things in terms of loan terms, things of that nature. However, I think the question right now is do you want to be able – really the issue is do you want to move forward using our bonding capacity – \$5 million out of \$12 million to be able to continue to move forward and investigate this process. Does that answer?

CHAIR HAMILTON: It probably does.

MR. MONTROYA: The process itself, I think one thing that was brought up, it is unique and it is something that I think is of value for us to be able to consider, if not for this project, for the future. There's several advantages of this particular project. We're extremely sure that we're going to get paid back on our money. Right? So we're not worrying about if we're lending to a mutual domestic, for instance. Right? That may not have the capacity to pay the money back.

The value, the greatest value of this is the cost of money. We can't bond this cheaply. Our cost of money is way more expensive than this. And so that means our capacity to do more things in the future with wastewater expands, because the cost of money is cheaper. But it would be for us, right? We don't have to necessarily pass it on. It could be for our own projects that we own, and we could get access to those funds. Or in other cases, using a LEDA process to pass it on to a private company.

CHAIR HAMILTON: So the value of this as a mechanism, using the NMED revolving fund cheap money, is a good way to go for doing projects, and our capacity for accepting those loans, some proportion of it, 40 percent of it at this point, would be tied up for the period of time of this project, and then would be freed up again once it's completed, which I assume is what? a few years? A couple of years?

MR. MONTROYA: Madam Chair, it depends on the terms. I think the question for you is we have only so much bonding capacity. Do we want to use that

bonding capacity for this purpose? And if so, is this a model we can take to use for other things?

CHAIR HAMILTON: Which are two separate questions.

MR. MONTROYA: Two questions, yes. But if was to be voting for this I would be considering both of those in terms of ability to be moving forward.

CHAIR HAMILTON: Right. The question other people keep asking is about the other projects that would be competing with this. But it's just interesting to me, what are the other projects that we decided not – that we would not accept when we funded the studios, or when we funded the riding arena, or when we funded almost anything, many of which were smaller economic development things. When projects come to us opportunistically, because I can't think of another way, we never have everything we're going to do in front of us at one time.

And so it's kind of an unfair question. What's less good about this project? Is it going to prevent us from doing all of our low housing stuff? Is that what we're competing against? It doesn't seem that that's the case, but if that's what we're competing against maybe I would have a problem with it, but this is a huge economic driver for the community and for Commissioner Roybal's district, for the whole county as well as his district.

MR. CORDOVA: Madam Chair, I don't know if I can answer that but would just remind you, the term of the loan, if it's a 30-year term, we're tying up our money for 30 years. So we may not have that project today but it might be there in two years and we're affecting it by tying this up for that long course of time. So that's just one of the factors.

CHAIR HAMILTON: I know. I'm just trying to ask the questions about what's going to come up and – yes, Commissioner Roybal.

COMMISSIONER ROYBAL: Yes, I just had a question relative to the 30-year term. Can't we make this loan 10, 20, or 30 years? I keep hearing 30 years but I was under the impression that it can be 10, 20, or 30. If it's 10 years – what I'd like to know is it set at 30 years, Mr. Cordova, or can it be 10 or 20?

MR. MONTROYA: Madam Chair, Commissioner, we can, from the side of our loan to the constituents, when we pass on these funds, that's totally negotiable in terms of that term. The terms that are being offered by the state is 30 years. They may be to amend to consider a shorter turnaround. That hasn't been discussed because we haven't gotten to that level of detail. But their standard term is a 30-year term, which is based on bonding cycles. When we bond for something our bonding cycle is also fairly lengthy. So it's absolutely clear that we'd be tying up that amount when we set out to bond and if we don't resell that bond it's a similar issue.

COMMISSIONER ROYBAL: Madam Chair, also, is there a penalty for an early payoff? Do we know that?

MR. CORDOVA: Madam Chair, I don't know if we know that. Typically, there's a ten-year call on bonds, so you usually have to wait about ten years to be able to pre-pay a bond. I'm not sure how NMED – I think they get this money passed through from the feds so there may be no penalty. That's something we could look into. Definitely.

COMMISSIONER ROYBAL: Thank you. I'm positive there isn't. Okay.

MR. YOUNG: And Madam Chair, Commissioners, I do want to add a correction here. It looks like it is on the agenda for an action item, so if you want to take a vote for action, certainly.

CHAIR HAMILTON: We just lost Commissioner Garcia, so if we're going to take a formal vote that becomes a little bit unfair because he was pretty clear in stating his opinion. I'll go to Commissioner Hansen in a minute, but frankly, the majority of Commissioners have indicated that this seems like a worthwhile project and worth committing bonding to. Commissioner Hansen.

COMMISSIONER HANSEN: I appreciate what Leandro said about if this is tying up bonding capacity for 30 years that is a concern to me, because I don't know what's going to be coming down the pike and I also know that, okay, we've spent a lot of money on Aamodt in District 1, and now we're spending more money on water, and I have sewers in District 2 that need possibly bonding capacity if I want to get them all done, which is a \$20 million project. I think that – I know I'm the lone voice opposing this but I think there are other issues that need to be considered.

CHAIR HAMILTON: There are valid considerations. On the other hand, why are sewers in District 1 more important than in District 2 or vice versa? And so this project has two considerations. It's a significant utility need and a significant economic opportunity. And we can turn this down. We don't want to string people along but the 30 years is still in question, right? And there are more subtle questions that need to be answered in association with this. Like we are turning over our bonding capacity on a two- to four-year basis all the time. It's a dynamic question. This is not once and forever. What we have capacity of now is \$12 million and that's the way it's going to be. So we're using 40 percent of it for this project. That analysis changes every year as we service debt and turn it over and re-issue GO bonds. Our ability to issue GO bonds every two years is because that process of debt changes.

So it's not necessarily fair to say that this project is going to kill all the projects in Agua Fria and all the projects in Glorieta and all the projects in La Cienega and Eldorado that would compete with it. That's not really the case. It's a dynamic process.

COMMISSIONER HANSEN: Madam Chair, it's a private individual. It's a private wastewater plant that we're funding. And like the Buckman Direct Diversion, the Public Safety Administration Complex, the adult detention center – these are more public entities that the constituents support bonding for, and I just – I recognize how important Bishop's Lodge is. I recognize how important it is that the wastewater plant is completely out of compliance. That is very concerning to me and I wish they could borrow this money directly from the state, because it seems like a better situation to me.

CHAIR HAMILTON: I see your point. On the other hand, those were things that were bonded directly for. We do LEDA for private entities all the time. And so to be honest, the one County argument that I actually take exception to is that Bishop's Lodge can afford to do it own; they don't need us. Well, so could the – who's wealthier than movie studios? We gave them a huge amount to attract business here.

COMMISSIONER HANSEN: But it didn't affect our bonding capacity.

CHAIR HAMILTON: It was a different funding mechanism. That is very true. But I'm not sure that that's a reason to kill it now as opposed to getting more information on this as was suggested by both Commissioner Roybal and Commissioner

Garcia.

MR. CORDOVA: Madam Chair, if I may. I see I have about four or five questions here that I need to be able to answer for you and I did hear Commissioner Roybal ask to have this come back in September.

CHAIR HAMILTON: Is that acceptable? Is that a path forward?

MR. CORDOVA: If you need me to answer these questions to make a better decision I would certainly like to be able to have the right answers for you.

CHAIR HAMILTON: I would appreciate that. I think everybody would appreciate that. So thank you for taking that path forward. It at least achieved getting a lot of feedback and asking a lot. Thank you so much. That was actually handled incredibly well. I really appreciate it.

MANAGER SHAFFER: Madam Chair, if I could, just to be clear. We're bringing back this threshold question for direction? Is that what we're bringing back in September or the meeting in October? I thought I had heard Commissioner Roybal suggesting something more complete be brought back, that the Board could actually take action on in terms of a LEDA package, funding options, what have you. So I just want to make sure that we're meeting your expectations in terms of what's actually being brought back. Because I thought I heard Commissioner Roybal ask for something more.

CHAIR HAMILTON: Go ahead, Commissioner.

COMMISSIONER ROYBAL: So I'd like to see a 30-day LEDA analysis.

CHAIR HAMILTON: Does that help, Greg?

MANAGER SHAFFER: Madam Chair, we're here to do and follow the Board's direction, so what I'm hearing then is the direction is we're okay moving forward on the understanding that while we're not committed to the project, the threshold question of willingness to use bonding capacity for has been met, and so therefore we should move forward with an actual LEDA application, do the analysis, and come back to the Board as we would with any LEDA project. That's what I'm hearing is the request of Commissioner Roybal. Again, staff has absolutely no objection. We just want to make sure that we're following and delivering what the Board would like us to do.

CHAIR HAMILTON: I think that's fair, but I also think that Leandro has several questions written down that would help us when it's brought back.

MANAGER SHAFFER: Absolutely, Madam Chair. There are a lot of, as you said, nuanced questions that come before this project is finally underwritten. Again, his seemed as if it was threshold enough that we wanted to come to the Board and get direction. So I think what I'm hearing now is the direction has been given and we should move forward, recognizing that at least a majority of the Board is comfortable with using bonding capacity at the macro level. And then we can work through the details to see if ultimately it's a project that the Board wants to support. So that's where I understand that we're at. If I've gotten that wrong, please correct me, but I think we've gotten the direction that we wanted on this threshold issue.

CHAIR HAMILTON: I think that's correct. Thank you very much.

9. C. Presentation of Regional Emergency Communications Center (RECC) Logo

CHAIR HAMILTON: Welcome, Roberto.

ROBERTO LUJAN (RECC Director): Good afternoon, Madam Chair, members of the Board. My name's Roberto Lujan. I'm the director of the Santa Fe Regional Emergency Communications Center, and we're going to discuss the presentation of our new logo. So when the City and County consolidated dispatch centers in 2002 and became the RECC a logo was created and the RECC has seen many changes in technology, administration and additional public safety agencies, as well as communities that are now served by the RECC.

In an effort to better represent the agencies we serve and to create more visible public awareness of what type of services the RECC assists in providing, our current administration requested to create a new logo for our department. We felt it would be great timing with the positive changes ongoing within RECC and would coincide with the recent rebranding of Santa Fe County. With assistance from Deputy County Manager Elias Bernardino and Media Coordinator Daniel Fresquez, as well as RECC administrators Julie Salazar and Jennifer Horta, we worked to create a logo that was easy to read, recognize, as well as one that was more modern.

The modernized logo represents the evolution the RECC hopes to undertake in order to exceed national standards in public safety dispatching and the support of our stakeholders, the upgrades in technology required to perform our duties at the highest level. With full support from all stakeholders, the RECC will be the agency that other agencies look to as a leader in 911 public safety services.

I'd like to thank all RECC staff members for their input and particularly RECC CAD administrator Julie Salazar and department administrator Jennifer Horta for their hard work in assisting to create a new logo. Deputy County Manager Elias Bernardino for assisting in coordination of the design meetings as well as Media Coordinator Daniel Fresquez who worked diligently on this project. And we'd like to present that logo to you right now.

CHAIR HAMILTON: Good presentation.

COMMISSIONER HUGHES: Thank you, Madam Chair. I think it's important that the music play every time.

CHAIR HAMILTON: Excellent. Commissioner Hansen.

COMMISSIONER HANSEN: It's highly improved. I think that you all know that though. I think it communicates what you're trying to do. Are you happy?

MR. LUJAN: I am very satisfied with it. It represents the agencies that we dispatch for and it provides some clarity to the public on the services that we provide.

CHAIR HAMILTON: So how will you use the logo?

MR. LUJAN: How will we use the logo? Madam Chair, we've created a social media page that we have yet to publish but we're about ready to publish which has the logo. The community will be able to ask non-emergent questions on that page or just provide their input for the RECC to review. Not only that, we will use this in advertising when we're recruiting, and also it makes a great challenge coin to honor our dispatchers when they do an excellent job. We can create challenge coins with that as well. We'd also

like to see it leading to a patch for uniforms.

CHAIR HAMILTON: Excellent. That sounds great. Commissioner Hughes.

COMMISSIONER HUGHES: Yes, I just think it's a wonderful logo. Thank you.

CHAIR HAMILTON: That's great. Can you see it, Commissioner Roybal?

COMMISSIONER ROYBAL: Yes, I can see it and I would 100 percent agree. I know you mentioned it earlier who created this logo for you?

MR. LUJAN: So we created it together with Media Coordinator Daniel Fresquez.

COMMISSIONER ROYBAL: Wow. Great job. It really pops and is really cool. Daniel does a great job. I'm sure with all the input from your staff and yourself, it's a great logo.

MR. LUJAN: Thank you.

CHAIR HAMILTON: So you're just going to have to meet that challenge of using the music on the social media site, like OMG.

MR. LUJAN: Definitely.

COMMISSIONER HANSEN: Madam Chair, I think it will make a great patch and I like that it's Santa Fe Regional Emergency Communications Center is like clear that it's its own entity. I think that is very important to communicate.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Roybal.

COMMISSIONER ROYBAL: I'd just like to know where I can put a patch so I can put it on my jacket.

MR. LUJAN: I'll get them made, Commissioner Roybal and other Commissioners. We'll let you all know and give you some patches.

CHAIR HAMILTON: Well, you've made us happy. This is fabulous. Well done. A good first official presentation too. We get to start leading with a bang here.

MR. LUJAN: Thank you.

CHAIR HAMILTON: Is there further discussion? Thanks for presenting this to us. We actually really do appreciate seeing stuff like this.

MR. LUJAN: Thank you very much.

CHAIR HAMILTON: And good luck with all the other challenges that I know you're facing.

MR. LUJAN: Yes. If you don't mind, Madam Chair, if I could just add that since July 17th when we did an interview with the New Mexican we had a vacancy rate of 64.6 percent. As of today, we are now at 42 percent. So we are seeing more increase in staff. The rapid hires have been working. So I just wanted to let you all know that.

CHAIR HAMILTON: Excellent job. Thank you for letting us know. That's really, really good to hear.

COMMISSIONER HANSEN: Thank you, Madam Chair. Yes. Having more staff is one of our major things, but also I believe we do need to work on the JPA and so I would like to share that message with the public and the City and that is

something also now that we have a new logo, maybe we can work on getting a new JPA
MR. LUJAN: Yes, Commissioner Hansen. I think that should be a priority
for all agencies that we serve.

COMMISSIONER HANSEN: Yes.

CHAIR HAMILTON: Excellent. Thank you.

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

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

CHAIR HAMILTON: Commissioners first. Commissioner Hansen, do
you have Commissioner issues to speak to?

COMMISSIONER HANSEN: Thank you, Madam Chair. I want to let
everyone know that my next Coffee and Tea under the Trees will be September 10th and
Public Safety will be coming. Elias Bernardino, one of our Deputy County Managers, the
Sheriff, and somebody from Animal Control and the constituents have requested this.
They wanted to know – they wanted to talk to the Sheriff and so I think that is very
important.

I had a very interesting visit. I went out to see – this is in the city, but the Life
Circle Center, which is an adult daycare place in the city and it's one of the few places
that we have that is actually an adult daycare center. There's a lot of people working, and
it's privately funded at the moment, but it is something that I can see that could be under
Community Services, because it is a service that really needs to be provided throughout
the community. So I highly recommend that you all go visit this Life Circle Center. It's
over on Hopewell.

I'm looking at my calendar to see what else has been happening. I'm planning to
go to the National Heritage Area conference in the middle of October, which I'm looking
forward to. It's in Alamosa in the Sangre National Heritage Area, which is our sister
national heritage area right north of us, and I've been having lots of conversations with
the Forest Service and State Forest Service and the US Forest Service. Commissioner
Hamilton and I met with James Duran and they are interested in continuing that
conversation and I have been responding and I would like to see them also come to the
BCC and have that conversation with the Forest Service.

Also, on September 8th there's a Wildland Leadership Council conference that I
have been asked to speak at about alternatives to wildfire and looking at things. But I
really appreciate working with Commissioner Hamilton on these issues because I think
together we make a much stronger team to present these issues. And at the moment I'll
leave it there. But also, it's Zozobra on Friday, so you can burn your gloom. It's a very
fun event, so I look forward to seeing people at Zozobra and let's get rid of some of the
gloom and doom from this past year. Thank you, Madam Chair.

CHAIR HAMILTON: Excellent. Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I just have a
couple things. First and most importantly, I want to thank Brittney Montoya for filling in

and taking care of the constituents in District 5 for a whole month while Olivia Romo was on her sabbatical. She did a great job and I felt very supported. And I also wanted to thank Olivia Romo for coming back because I missed her a lot and we really need her. But it sounds like she got some good poetry done and I'm looking forward to reading some of the poems.

My next Hour with Hank public meeting is going to be on September 6th at 5:30 on Zoom. And then also, just to mention that I will be attending the New Mexico Housing Summit in the middle of September and I was glad to hear that some of our Housing staff are going. That's always a good conference, and of course we didn't do it two years ago. The Mortgage Finance Authority does a great job opening on a very nice conference. Thank you. That's it.

CHAIR HAMILTON: Fabulous. Glad to hear you're going to that.
Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. I want to also thank my liaison for her hard work. Every week I've been getting a lot of phone calls and calling her with a lot of different issues, and she's been really responsive. So thank you, Ambra, for all your hard work.

The other thing I wanted to recognize is our Public Works Department. They're really short-staffed just like a lot of departments in the County. They're doing a really good job. We've had a lot more rainwater and flooding this year throughout the county and I know it's been really difficult for them to keep up with all of those issues.

I think I call or text them almost two or three times a day with calls that I'm getting from constituents. A lot of them are the same calls so a lot of times I only send one message but it's still two or three different issues in my district on a daily basis. They've done a great job responding and I know they're really short-staffed. So I want to really thank Public Works for their hard work and everything they do. I did get an update from the Public Works Department this last week on projects in my district and where they're at and things are moving along and I just want to express my gratitude to the Public Works Department, and quite frankly, to all of County staff. Our Fire Department, hearing that they're putting together backpacks for kids and they had over 100 backpacks that we talked about in Housing, and just, we have such a great staff at Santa Fe County that work so hard and are really dedicated and more than anything care about their community and serving their constituents. I just want to put that out on the record and just thank all of staff for everything they do.

CHAIR HAMILTON: That's great. Thank you. I actually thought Commissioner Hansen was going to bring it up but Commissioner Hansen also went to the Fire Department graduation and awards ceremony. It was a really good start to the celebration of the 25 years of the Fire Department. One of the things they did was to thank the Commissioners for everything they do. They gave all the Commissioners badges. Commissioner Hansen and I will wear ours. I don't know if you other Commissioners picked up yours.

COMMISSIONER HANSEN: I couldn't figure out how to wear it.

CHAIR HAMILTON: It's impossible because it's not our pin, but it was a very good, well done ceremony that acknowledged a lot of people who've made big contributions and the graduates and what not. So that was really good. Commissioner

Hansen.

COMMISSIONER HANSEN: And I want to comment – I’m sorry I didn’t comment on that but also at the same time I want to recognize that Commissioner Hamilton and her husband David both retired from being volunteers and they received an award, and that was really moving. I was wondering how she was continuing to be a volunteer firefighter. It’s certainly not in my scope of ability. So I was honored to be there to witness her retirement.

CHAIR HAMILTON: Well, thank you. We were wondering the same thing, all those midnight calls. Yes, Commissioner Hansen.

COMMISSIONER HANSEN: Yes. I would like to say a little bit more about the NEPA process for the shooting range out in Santa Fe County. It’s something we’ve been working on at the County for the last three, four years, and it’s a big undertaking and I’ve gotten a few comments from people like Guns, with an explanation mark. What people don’t understand is we do live in a country where people do have gun rights and that we can regulate them, that we have that ability to protect ourselves and by providing an area for a shooting range is a way to regulate and protect the citizens of our county, especially on BLM land and Forest Service land, and BLM land is some place where you can discharge a firearm anywhere. So people need to understand that the reasons for having a shooting range is to help limit those actions and protect the public.

And then I forget to mention that in 2021, Commissioner Hamilton and myself introduced a resolution requesting that the National Nuclear Security Administration prepare a complete new site-wide environmental impact statement for Los Alamos National Laboratory before expanding plutonium pit production at the facility, and lo and behold, this week or last week they released a NEPA process for a new site-wide environmental impact statement. So sometimes it takes a little while for your work to be recognized and to show up, but I know that the City also requested a site-wide environmental impact statement so I’m pleased and I have spoken with our County Attorney on responding to this and unfortunately, they have only given a very short period of time to respond to this site-wide environmental impact statement. A number of activist groups who are watchdogs of LANL have requested an extension. I am in the process of writing a letter asking for an extension, but in the meantime, I’ve also spoken with our Attorney about us commenting on the EIS and protecting the health and safety of not only our land but our water, air, and the earth. So I forgot to mention that, so thank you, Commissioner Hamilton, for allowing me to have a second round.

CHAIR HAMILTON: And that was important to know about. It’s funny how things come around eventually sometimes.

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

CHAIR HAMILTON: Deputy Clerk, do you have something? Or is our Clerk on the line?

MS. GANZ: I just wanted to mention, Madam Chair, that we are approaching the general election this fall and as such we are recruiting poll workers or

election workers, and if anybody is interested we would love them to go to the Santa Fe County Clerk's website and click on elections and do a little bit more research there. Thank you.

CHAIR HAMILTON: Excellent. Thank you. So I don't see anybody in the audience here but are there any other elected officials on line who would like to speak? Daniel, do you see our Treasurer or our Assessor or our Sheriff?

MR. FRESQUEZ: Madam Chair, I don't not see any of our elected officials. I see the Undersheriff.

CHAIR HAMILTON: Undersheriff, or any other elected officials we might be missing, please feel free to unmute yourself. Hearing none, I guess that will move us on to 11.

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. Acquisition of Real Property for a Transfer Station and Other Potential County Uses**
 - 2. In re: Mallinckrodt PLC, et al., Case No. 20-12522 (JTD) (D. Del. Bankr, May 29, 2022)**
 - 3. Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Concerning AFSCME 1782**
 - 4. Potential Amicus Brief in *Santa Fe Reporter Newspaper vs. City of Santa Fe and Greg Gurule***
 - 5. Breach of Settlement Agreement and Related Agreements Related to Annexation**

CHAIR HAMILTON: So Attorney Young, can you lead us into this?

MR. YOUNG: Thank you, Madam Chair, Commissioners. We have five items to discuss so I request an executive session on discussion of bargaining strategy preliminary to collective bargaining negotiations between the Board of County Commissioners and collective bargaining units as allowed by Section 10-15-1 (H)(5) NMSA 1978; threatened or pending litigation where Santa Fe County is or may become a

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participant as allowed by Section 10-15-1 (H)(7) NMSA 1978; and discussion of the purchase, acquisition or disposal of real property as allowed by Section 10-15-1 (H)(8) NMSA 1978.

And that’s specifically acquisition of real property for a transfer station and other potential county uses; in re: Mallinckrodt PLC, et al., Case No. 20-12522, which is in the Delaware Bankruptcy Court; discussion of bargaining strategy preliminary to collective bargaining negotiations concerning AFSCME 1782; a potential amicus brief in *Santa Fe Reporter Newspaper vs. City of Santa Fe and Greg Gurule*; and finally, a breach of settlement agreement and related agreements related to annexation.

CHAIR HAMILTON: Excellent. So I would entertain a motion to go into executive session.

COMMISSIONER HUGHES: Madam Chair, I’ll make a motion that the Board go into executive session to discuss the matters listed by our County Attorney.

COMMISSIONER HANSEN: Madam Chair, I’ll second.

CHAIR HAMILTON: Thank you. I have a motion and a second. Can I get a roll call vote?

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

Commissioner Garcia	Not Present
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Hughes	Aye
Commissioner Roybal	Aye

[The Commission met in executive session from 5:41 to 7:00 pm.]

CHAIR HAMILTON: We’re back from executive session. It’s 7:00 pm. I’d entertain a motion to come out of executive session.

COMMISSIONER HUGHES: Madam Chair, I’ll make a motion that we come out of executive session and that nothing was discussed during executive session except those items that the Attorney had listed for us as we went in.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Excellent. Thank you very and I might append that no decisions were made in executive session.

COMMISSIONER HUGHES: And no decisions were made in executive session. Yes.

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

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

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

CHAIR HAMILTON: We have potential action items so I think I'll go to Commissioner Hughes.

COMMISSIONER HUGHES: I move that Santa Fe County, number one, participate in the State of New Mexico's opioid allocation agreement for the Chapter 11 bankruptcy case in re: Mallinckrodt PLC, et al., Case No. 20-12522, meaning that the County will receive approximately 3.5 percent of the funds allocated to local governments under the agreement; two, receive direct payment rather than pooled payments under the agreement; and three, authorize the County Manager to execute the opioid allocation agreement and to be the Santa Fe County portal administrator for purposes of this case.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Excellent. Thank you. If there's no 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.]

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

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: At our July 26, 2022 meeting the Board of County Commissioners authorized additional time to complete negotiations pursuant to the Joint Resolution No. 2021-105. While we have not received any substantive response from the City in over two months, we wish to provide a last chance for discussion to move forward productively. Accordingly, we would respectfully request that the Board authorize additional time to comply with the non-binding negotiations through September 30th.

COMMISSIONER HUGHES: I'll second.

CHAIR HAMILTON: Thank you. So 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. INFORMATIONAL ITEMS / REPORTS

- A. Community Development Department July 2022 Monthly Report**
- B. Community Services Department July 2022 Monthly Report**
- C. Finance Division June 2022 Monthly Report**
- D. Growth Management Department July 2022 Monthly Report**
- E. Human Resources Division July 2022 Monthly Report**
- F. Public Safety Department July 2022 Monthly Report**
- G. Public Works Department July 2022 Monthly Report**

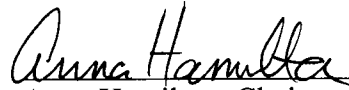
There were no questions regarding the department reports.

13. CONCLUDING BUSINESS

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

Commissioner Hansen moved to adjourn and Commissioner Hughes seconded, and with no further business to come before this body, Chair Hamilton declared this meeting adjourned at 7:05 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

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