

SFC CLERK RECORDED 10/28/2021

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
September 28, 2021

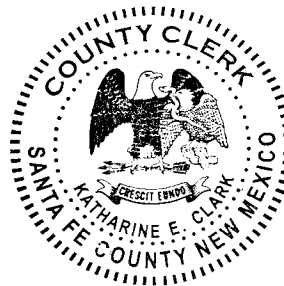
Henry Roybal, Chair - District 1
Anna T. Hamilton, Vice Chair - District 4
Rudy Garcia - District 3
Anna Hansen - District 2
Hank Hughes - District 5

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 42

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SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

September 28, 2021

1. **A.** This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:18 p.m. by Chair Henry Roybal in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

The meeting was conducted as a hybrid with both in-person and virtual participation.

B. Roll Call

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

Members Present:

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

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance and the State Pledge were led by Chair Roybal and the Moment of Reflection by Tessa Jo Mascarenas of the County Manager's Office.

1. **F. Approval of Agenda**

CHAIR ROYBAL: Are there any requests of changes to the agenda. I'm going to go to Manager Miller first and then I will hear any requests.

KATHERINE MILLER (County Manager): Thank you, Mr. Chair, Commissioners. So today's regular BCC agenda was posted Tuesday, September 21st at 5:04 pm, and then the amended agenda was posted on Friday, September 24th at 5:00 pm. We do have several amendments that were made at that time. First of all, item 1. H, a

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Presentation on the Manager's Commit to be Fit Challenge, that packet material was added to the agenda. Item 3. C under Consent, a budget resolution, that item was also added. Item 3. D, a resolution adopting the Local Government Road Improvement Fund projects, actually, 3.D, 3. E, and 3. F, those items had packet material that was added and updated.

Then item 4. C, a CBA amendment No. 4 to a CBA agreement, that item was added. Under 6, Matters from the County Manager, the discussion and possible action regarding ARPA fund recommended expenditures, that item was added. Item 7. D, that caption was updated and materials were updated in the packet. Item 8. A, Executive Session, items 8. A. 2 and 3 were also added. And those are the amendments I had to the originally posted agenda. Thank you, Mr. Chair.

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

COMMISSIONER HAMILTON: I'd like to move to approve the agenda as amended.

COMMISSIONER HANSEN: Second.

COMMISSIONER HUGHES: Mr. Chair.

CHAIR ROYBAL: We have a motion and a second. Under discussion, Commissioner Hughes, did you have a request?

COMMISSIONER HUGHES: Yes. I was wondering if it would make sense to move Matters of Public Concern up one space to right after Consent. I see a lot of people online here who I think are wanting to speak perhaps to some of the items in number 4, and that would give them a chance to speak ahead of time.

CHAIR ROYBAL: So you're requesting that we move it up to right after the Consent Agenda, correct?

COMMISSIONER HUGHES: Correct.

CHAIR ROYBAL: Okay. So is the motioner okay with that request?

COMMISSIONER HAMILTON: Yes.

CHAIR ROYBAL: Okay, so the motion would include that. And the seconder? Okay. So we have a motion and a second with an amendment moving Matters of Public Concern right after Consent Agenda.

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

1. G. Recognition of Years of Service and New Hires

MANAGER MILLER: Thank you again, Mr. Chair. In your packet and up on the screen we have those employees – who, years of service. So on a monthly basis we recognize employees who have completed years of service in five-year consecutive increments, so if they have not had a break in service with us and been with us five, ten, fifteen, twenty years, we like to recognize those employees for their committed service to Santa Fe County and its residence and express our appreciation to those employees who contribute to the County and choose to make their career with us.

So in addition to recognition here at the Board meeting we also send them a thank you letter and a service pin for acknowledging their time with the Santa Fe County. So those employees who hit that milestone in September, on September 17th, both Justin

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Bobb and Cary Youts from the Fire Department hit five years of service, and Jessica Arballo in the Adult Detention Facility hit her five years of service on September 19th.

Then in Housing Administration, Rodney Martinez on September 9th had his ten-year anniversary with the County. And then there are several individuals who had a 15-year anniversary last month and that's Carlos Sisneros in our Information Technology Division, Julian Lopez in Road Maintenance/Public Works, John Lovato in Building and Development in our Land Use Department, Rick Varela in our Road Maintenance/Public Works Department.

And so I would just like to acknowledge that continuous service to Santa Fe County and thank them for being a part of our team.

CHAIR ROYBAL: Thank you, Manager Miller and I really think the employees first starting their career and also the ones that stay consistently with the County – with that group alone had 85 years of consecutive experience and it's just something that in the County, as an elected official, I really want to thank you for your dedication to the County. Thank you so much. Any other comments or questions from the Commission? Go ahead, Katherine.

MANAGER MILLER: Thank you, Mr. Chair. The next item of recognition are those employees, new hires, that joined the County between August 1 and August 31, 2021, and some of these individuals you may have seen, but I'd like to recognize them, and that's David Corriz in our Community Development/Housing Maintenance Technician. Annabelle Almager in the County Manager's/Human Resources, Edward Grasinger in Growth Management/GIS. I think he actually was able to make it to a meeting last month and you were able to see him. Over in Corrections, in our Public Safety Department we have Community Detention Officers Javier Granados Almeida, Dominic Layden and George Sparks, and then in our Dispatch Center, Alex Gabaldon. And in Road Maintenance, Veronica Alire, and in the Sheriff's Office, Jade Delgado.

So I'd just like to welcome them to Santa Fe County and hope in five years we'll be recognizing them for five years of continued service with the County.

CHAIR ROYBAL: Thank you, Manager Miller. I'm glad to see we're still hiring quite a bit and welcome to Santa Fe County. Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you, Manager Miller, for everybody that's been here for a while. Some of those individuals have been here for 15 years. How time flies. Thank you working with a great organization, Santa Fe County. For the new hires, I was at the Rodeo last weekend and the gentleman that was there was talking about hiring and working for the County. He's been here for 18 years. I did talk to Director Sedillo about it but obviously it's working. We had three positions that we filled for Corrections that we're in dire need of and everybody else that's been hired, appreciate that and thank you and welcome to Santa Fe County. Thank you, Manager Miller. Thank you, Mr. Chair.

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

1. H. Presentation on Manager's Commit to be Fit Challenge

MANAGER MILLER: Thank you, Mr. Chair, Commissioners. So as you all know, because you so enthusiastically joined in with Commission Impossible, we had the sixth annual Manager's Commit to be Fit Challenge. This was something that we began – well this year's challenge began on June 26th and it was scheduled to last for eight weeks. We started the whole idea of the Manager's Fitness Challenge in 2015 as a fun and healthy way to assist employees to create a culture of healthy lifestyles with exercise and healthy eating habits in the workplace and with the hopes that the employee would share these habits with each other as well as with their families.

In past years teams have scored in three different areas of exercise, eating right and some other area, and this year something new, the third area was mini-challenges. So the mini-challenges were each week throughout the overall challenge. You had to submit maybe team photos one week or collages, or complete a healthy activity such as cutting down on social media, getting seven to eight hours – I kind of failed on that one; drug my team down on getting seven to eight hours of sleep, preparing a meal from scratch, tracking your water intake, creating healthy recipes, or completing some kind of stress relieving exercise.

This year's challenge had more teams and more participants than in any previous year. We had 26 teams with 146 employees that participated throughout the entire challenge, and I always get a kick out of how creative employees are with the names and once again they did not fail. They had some good names, like we had Los Gordos from the Sheriff's Office, Commission Impossible from the County Commission. Kat's Gym Rats, Cirque de Sore Legs from the Assessor's Office, or Nine-Run-Run instead of 9-1-1. But this year all employees were also able to keep track of other teams' goals, progress and pictures on Share Point and the challenge was so successful that we actually had a lot of people enthusiastic about it so we extended it for an additional two weeks and it ended on September 4, 2021 after ten weeks.

I think, before I actually announce the winners, is it possible to share the video? If you haven't seen it on Share Point teams sent in pictures and videos and what not and HR put them up on Share Point and everybody could see their teammates. Since we haven't been able to really be all together in the office this was a great way to kind of share what each team was doing or who was on the teams and what not. So if it's possible to share the video – I think that Daniel Fresquez put this together so that the Board and other County employees can see the teams and what they did.

[A video was shown.]

MANAGER MILLER: I'd like to thank Daniel Fresquez for putting that little video together. It's a conglomeration of all the pictures that were sent in, or most of the pictures that were sent in and you can see the teams are pretty enthusiastic about sending in pictures of their food, recipes, etc. and I was really proud of how in this really challenging year how they stepped up to participate in the event. I'm sure we'll do it again next year if not some things in between.

But now I'd like to announce the winners. As I said, it was very competitive and you got points for exercising. You got points for taking photos and doing the little

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challenges. You got points for taking pictures or having somebody certify that you had eaten a healthy meal or healthy snack. And so that's how we came up with the points.

So I'd like to say in third place – and it was very competitive. At one point I think we had five teams tied for first place. In third place though we had HW&E from Corrections. Wade Ellis is the team captain. Aaron Garcia, Chris Bradley, Richard Roybal, Carlos Lopez, and Dominic Le Deaux.

In second place, and I just can't even read this because it's so hard for me to read, but we had Deputy Dogs in the County Manager's Office. So we had two teams in the Manager's Office and I hate to say but Deputy Dogs took it away from my team and Elias, the Deputy County Manager, along with team captain Sara Smith actually ended up taking second place, and Carmelina Hart, Daniel Fresquez, Lisa Katonak and Olivia Romo were on that team. So actually congratulations to them. They definitely stepped it up with the videos and pictures and fun competition.

And then we had in first place, very proud to announce we actually had two teams that tied and those two teams were SO50, so the Sheriff's Office – SO60, and Second to None. They proved to their name; they were second to none, and they tied for first place. Those two teams had 662 point. Any by the way, Deputy Dogs had 661 points and HW&E in this place had 652 points. So like I said, it was really close.

But on the Sheriff's team, Alexandra Hancock was the team captain Ian Burr, Samantha Talamonte, Carolina Brandall, Ernest Alderate and Ray Romero. And then on the Corrections team, the team captain was Robert Page and Derrick Williams, Naomi Salazar, Melissa Oberg, Sonya Quintana and Jessica Arballo.

So I just want to congratulate them. Also, the team members get a really cute prize – a little backpack with the County logo and inside there's water bottles or a protein shake bottle and a couple other goodies for them, and they also will receive a letter from the Manager's Office giving them some administrative leave for being winners of the Commit to be Fit Challenge. So too bad we couldn't have them all here, but hopefully many of them are on line watching and congratulations to them and thank you, County employees, for making it such a fun, healthy event this year. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Manager Miller, and I think it was really neat to see this type of event and how it really encourages people to make really good choices as far as diet and exercise and just the spirit of competition to better ourselves and push our County family to be better and be as good as they can. So I appreciate that. Any other comments from the Board? Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, thank you. You actually said it very well. Thank you. I'd just like to thank our team captain, which is Commissioner Hansen. She called me every single morning or every time at the beginning of the week and interrogated me and asked me what I did and what I'm doing and how I ate, but she did a very good job and thank you for that, for being our team captain. And once again, congratulations to all the winners. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. And I'd also like to show my gratitude to Commissioner Hansen as well for taking that challenge on. Commissioner Hansen.

COMMISSIONER HANSEN: I want to thank my team for actually participating and responding to my texts, my emails. I was very happy that everyone

participated and we did a good job. We might not have won, but I do have to confess something, which I have wanted to for quite some time. The name, Commission Impossible, I want you to know came from my constituent liaison, Sara Smith, and I want to give her credit for that because I thought it was an excellent name for us to have. So I want to make sure she got credit. I wanted to give a big congratulations to all the teams that won and especially Deputy Dogs since Sara was also the team captain and I'm grateful to have her as a liaison. It was fun. I think we all did well and I think all the County members of our team throughout the County did a great job and thank you so much for everybody participating and committing to be fit and healthy and live long and prosper.

CHAIR ROYBAL: Thank you, Commissioner Hansen, and next year Commission Impossible is coming for you guys.

COMMISSIONER HANSEN: Good to know. I think that's our name. We'll just keep that name.

2. APPROVAL OF MEETING MINUTES

A. Request Approval of the August 31, 2021 Board of County Commissioners Meeting Minutes

CHAIR ROYBAL: Are there any changes? If not, what's the pleasure of the Board? Commissioner Hansen.

COMMISSIONER HANSEN: I move to approve.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: So we have a motion from Commissioner Hansen, a second from Commissioner Hamilton.

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

CHAIR ROYBAL: Just to be clear, I know our Attorney Shaffer had asked for me to clarify since he's [Commissioner Hughes is attending virtually] participating. I know people are probably wondering why I'm doing that. Is that how you want me to handle that, Attorney Shaffer? I was just kind of confirming that Commissioner Hughes was voting in the affirmative, just for the record, and that's how you wanted me to handle that. Is that correct?

GREG SHAFFER (County Attorney): Yes, thank you, Mr. Chair. I believe that's consistent with the Attorney General's guidance for when we're doing a virtual meeting. That way it's clearly on the record what his vote was so that there's no ambiguity on that point.

CHAIR ROYBAL: Okay. Thank you, sir. I just wanted everybody to know why I was doing that.

B. Request Approval of the September 7, 2021 Board of County Commissioners Special Meeting Minutes

CHAIR ROYBAL: What's the pleasure of the Board?

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COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: I would like to move to approve the September 7th meeting minutes.

CHAIR ROYBAL: So I have a motion from Commissioner Hansen.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: A second from Commissioner Hamilton.

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

3. CONSENT AGENDA

- A. Request Approval of County Health Care Assistance Claims in the Amount of \$2,375 (Community Services Department/Jennifer Romero)**
- B. Resolution No. 2021-078, a Resolution Requesting a Budget Adjustment in the Amount of \$54,553 to the Law Enforcement Protection Fund (211) in the FY2022 Final Budget as Requested by the New Mexico Department of Finance and Administration (Finance Division/Yvonne S. Herrera)**
- C. Resolution No. 2021-079, a Resolution Requesting a Budget Adjustment in the amount of \$70,000 for the General Fund (101) and \$70,000 for the Utilities Enterprise Fund (505) (Finance Division/Yvonne S. Herrera, Utilities Division/John Dupuis, Community Development Department/Jacqueline Y. Beam) (Item Added)**
- D. Resolution No. 2021-081, Adopting the Amendment for Local Governments Road Improvement Fund Project No. CAP-L500457 (Public Works/Ryan Ward) (Packet Material Updated)**
- E. Resolution No. 2021-082, Adopting the Amendment for Local Governments Road Improvement Fund Project No. SB-L500463 (Public Works/Ryan Ward) (Packet Material Updated)**
- F. Resolution No. 2021-083, Adopting the Amendment for Local Governments Road Improvement Fund Project No. SP-L500435 (Public Works/Ryan Ward) (Packet Material Updated)**
- G. Request for Approval of Comments from the Santa Fe County Board of County Commissioners to the US Environmental Protection Agency and the Department of the Army re: Definition of "Waters of the United States" Docket ID. No. EPA-HQ-OW-2021-0328 (Commissioner Anna Hansen)**

CHAIR ROYBAL: Are there any items on this Consent Agenda that Commissioners would like pulled for more clarification? And if not, what's the pleasure of the Board?

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: I would just like to ask in the future, and

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I've asked this before, that with the roads Local Government Improvement fund that on the list they put the district that those roads go into. I know that I have asked for that before. I know that it was in your report and I did read the report also, and so I appreciate it, but just for a matter of ease in the Local Government Road Improvement fund you could also add a column that said the district that things are in.

And then in the letter to the EPA there was a couple of spelling mistakes that I asked – it was just miles and a few on the second page and I asked Attorney Shaffer to correct them and he did and I just wanted everyone to know that I caught those typos and that they have been fixed. And with that I move to approve the Consent Agenda.

COMMISSIONER GARCIA: Second.

CHAIR ROYBAL: So we have a motion from Commissioner Hansen, a second from Commissioner Garcia.

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

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

5. MATTERS OF PUBLIC CONCERN

CHAIR ROYBAL: If there's anybody online that hasn't already signed up or sent a chat message saying that they would like to speak under Matters of Public Concern, please unmute yourself and state your name for the record. If you're a call-in you can hit star 6 to unmute yourself. Okay, Tessa Jo, can you tell us how many people we have signed up today?

TESSA JO MASCARENAS (Operations Manager): Yes, Mr. Chair. We currently have five people signed up for public comment.

CHAIR ROYBAL: Okay, so I'm going to allow a three minute time limit for public comment since we do have quite a few and there may be some afterwards. I'll ask again if there's someone else that would like to address us under public comment. So if you could go ahead and state our first speaker.

MS. MASCARENAS: Our first speaker is Marlow Morrison.

CHAIR ROYBAL: Ms. Morrison, you're up.

MARLOW MORRISON (via Webex): I'm here today because I'm actually Tiempos Lindos HOA president and my concern today is to talk about the South Meadows open space, which is located at 3600 and 3740 South Meadows Drive. We are looking at the fact that it may be developed and my community has a lot of concerns about the fact that this is – really my largest concern is the loss of open space it provides to the most densely populated part of Santa Fe County. My concern is the loss of this property. This meeting, the meeting you just started, began with a celebration of health and fitness and promoting a healthy lifestyle and the open space here is being used every day for this, and it's proven that open space provides relief from anxiety and depression, and that open space is more economically valuable to the city than development is.

I can't imagine New York without Central Park and this space really is Central Park to the South Side. The presence of the diversity of the plants and the animals that live here in this ecosystem are an enrichment to the community's lives and on top of that

loss, this open space was a part of the settlement of the annexation agreement, which means that the County should be giving this space to the City to turn into a park, and we want to preserve it like that.

So I'd like to know how can the County right now help us preserve this space as what it was intended to be. And we've been told to talk to our City Councilman which we have and now we're being told there's a quasi-judicial situation where they're not allowed to talk to their constituents because they may have to vote on the matter. So we're kind of in this space where we're not really sure how we're going to save this and I'm here to ask you how you can do that. How can you help us save this space for the South Side. Thank you.

CHAIR ROYBAL: Thank you, Ms. Morrison. I don't know if there's any staff –

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen, go ahead.

COMMISSIONER HANSEN: Thank you, Marlow, for commenting. I know there's probably some other people who want to comment but I'm going to attempt to give a short history. Annexation – first of all the City is in violation of a court order for over three years. Annexation was supposed to be finished in 2018. In 2017 when I was elected with Mayor Gonzales we had a joint meeting and at that joint meeting we offered this piece of land to the City and they also said they were not interested in it at that time. And then again, Manager Miller and myself had a small meeting with the Mayor, Mayor Webber, Councilor Harris, Councilor Lindell, and Councilor Romero, and we offered them this park again, and they said that they were not interested. I want you to know that I have sat for eight years on the City Parks and Open Space and the City struggles to maintain their parks as it is. In general, their maintenance comes from the general fund for the parks and that is always underfunded. And from 2009 to 2015, when I served on that I continually advocated for more money to be put into the general fund at the City for their parks and maintenance. So we have twice offered this land to the City and they have told us that they were not interested in it.

I also today had a conversation with the New Mexico Environment Department. The New Mexico Environment Department has done some mitigation and there has been work done at Eberline and part of the reason that the City said at the last meeting that they were not interested in this piece of land was because of the contamination that exists from Eberline, which did have some radioactive components in their manufacturing. At the moment it needs to be up to Homewise to do due diligence on that piece of land to make sure that it is safe for residential property because it has been cleaned up. The Eberline, which is right at the end of that piece of property is cleaned up to commercial standards. And so the Environment Department is on notice and they believe that an environmental assessment needs to be done on that piece of land.

So we have, because of annexation the County cannot develop a park on that land because it is now in the city. And the County bought that land in 2000, around that time when we bought a lot of open space. And so we are not allowed to develop that piece of property.

I also want to say that I am sorry I didn't know how much people cared about this piece of property because it has a huge fence around it, a chain link fence. But I am

concerned that we did our due diligence and I really -- if the City wants this to be a park, which I think it should be, it would be great for them to turn down this offer. But this is also a problem with annexation and them not being willing to come to the table and talk to us at the County and that is a main point that I want to get across is that the City and the County need to finish annexation that they are under a court order that they have not been willing to finish annexation. So thank you very much, Mr. Chair, for the opportunity to say a few words.

CHAIR ROYBAL: Okay. Thank you, Commissioner Hansen. Tessa Jo, can we get our next speaker?

MS. MASCARENAS: Yes, Mr. Chair. Our next speaker is Caleb Parson.

CALEB PARSON (via Webex): Thank you very much for the opportunity to address this group. I am a resident of the area. In fact I live about as close to the northwest entrance as anyone in the area. I bought my house with the understanding that it was open space and would remain so and was designated to become a park. There's some other concerns that are important but they probably are best addressed in another venue, things like crowding and traffic in the area. But for this moment, the most important thing is that I do not for one understand why there would be a sale and potential rezoning from a park, recreational facility use to the mixed use that is being proposed, even another commercial space, across from an existing large commercial space that would compound the traffic problems that already exist with several schools in the area.

Basically, I want to know why there's any reason to make a sale to Homewise. The unique space, designated as park that is loved by a lot of people to the extent that it really doesn't require much development by the County or the City. Residents have maintained the trails. They regularly clear it of any trash that is left around. This seems like an ideal place to continue community participation in our own wellbeing. And I just ask that this sale be reconsidered and rejected. Thank you very much for the opportunity to address you.

CHAIR ROYBAL: Thank you, Mr. Parson. Okay, can we get our next speaker, Tessa Jo?

MS. MASCARENAS: Yes, Mr. Chair. Our next speaker is Alba Blondis.

ALBA BLONDIS (via Webex): Good afternoon, Commissioners. Thank you for the opportunity. My name is Alba Blondis. I am the current chair of the Southwest Santa Fe Advocates, that is Tierra Contenta and the greater Tierra Contenta area. We work closely with Councilors Abeyta and Rivera to advocate and improve the quality of life here in the southwest area of Santa Fe. First let me say that the limitation of the notice to the members of the community and to those nearby regarding the ENN was unfortunate. I believe there's a limitation due to an ordinance.

On the history of the parkland I've learned that this parcel indicates -- it's a designation that was made and I thank Commissioner Hansen for speaking so eloquently about the back and forth that she's experienced. It is on record that it was a parcel that should be parkland going forward. And as another gentleman just said, for over 20 years the community has maintained this land. The area surrounding this parcel is accessed by Primo Colores, by County Club Gardens, by the folks on Jemez Road, by Tiempos Lindos and likely would be by the newest development of Twilight Homes on Agua Fria.

They're all within walking distance of a naturally well maintained habitat that could be utilized by people who live in the community, by residents, by those who need to have green space, parkland, and to improve the quality of life for the children in that area. It's a wonderful teaching area.

I know housing is needed and we are surrounded by current developments and we are excited about Tierra Contenta Phase 3 coming in very soon, but we also need parkland. The little parks that are in the developments are lovely for the people who surround it. But this is parkland that is accessed, as I said earlier, by those communities and I'm sure others.

In its current state I don't believe that it really needs any kind of improvement. But it is a safe place for youth to go and enjoy the natural habitat. I hope the County Commission will act to prevent this sale for development and I'd like to quote Mayor Webber in an email to me and to the Councilors. He said I'd be interested in the County's response to your questions and the neighbors' concerns. I sincerely hope Commissioner Hansen and others who may be especially Rudy Garcia. I know Rudy had the pleasure of meeting him when he came to our meeting. I hope you'll reach out to the City and to the Mayor's office and let them know that people really do care and they really are concerned, and they really want the green space. Thank you so much.

CHAIR ROYBAL: Thank you, Ms. Blondis. We appreciate your comments. Could we get our next speaker, Tessa?

MS. MASCARENAS: JoAnna Garcia.

JOANNA GARCIA (via Webex): Thank you, Commissioners. Good afternoon. I feel very privileged to be able to talk to you all. I'm in agreement with Ms. Blondis and Mr. Parson and Ms. Morrison. I live in the Tiempos Lindos Subdivision. I'm a homeowner and I've been a homeowner there for over 20 years now. I was there when the program started, when two of our very fellow homeowners came forward and petitioned to the County for this open space. I was at the meeting where COLTPAC agreed. They came out and visited the property and they agreed that this open space should be dedicated. And so under that impression we agreed and we understood that dedicated means forever. We didn't think that even through an annexation that there would be a great cloud hanging over the parcels that we maintain. And I can honestly say that in 20 years, I myself have counted only seven times we had to call the County to help us, and that was because there was fences that came down from reckless drivers. One of the homeowners had utilized the property to access to his backyard. The County came in and put a sign up and locked the gate. And other than that, a big cleanup that was done early on when the property was dedicated is that's it. That's all that we've ever asked the County to come out and help us with, so I can see where they would think that there was nothing going on in there, that no one was utilizing the property.

But in all these years we have had owners clearly take such pride and have utilized that space for their wellbeing and health. And it's a pleasure to keep that place clean, to see the animals come and visit. And I sent you all an email with a photograph of some coyotes that came to visit me one morning and wanted to share that with you. So there is wildlife out there. And like Mr. Parson said, there's another subject there – the traffic. The tall buildings that are going to be looking into the backyards that had open space and sunshine for over 20 years would be such a great loss.

So I am with everyone. I'm hoping that the Commission can stop the sale and take pause to – I know you can't come out and seek the open space because that would be against ethical violation, but you have to take a moment to just come out and see the sunrise. Thank you.

CHAIR ROYBAL: Thank you, Ms. Garcia. Tessa, can we get our next speaker?

MS. MASCARENAS: Our next speaker is Rachel Conn.

RACHEL CONN (via Webex): Yes. Good afternoon. Thank you, Mr. Chair, members of the Commission, for this opportunity to comment. My name's Rachel Conn. I'm deputy director of Amigos Bravos. We're a statewide water protection organization. I wanted to take this opportunity to thank the Commission and Commissioner Hansen for your leadership on Waters of the US, and specifically the letter you just passed during your Consent Agenda to send to the United States Environmental Protection Agency, asking for a strong Waters of the US rule to protect New Mexico's waters.

In addition, I would like to thank the Commission for its leadership through its rule in the Buckman Direct Diversion Board and specifically for the Board's participation in the recent triennial review of water quality standards, which was a state administrative process and the Buckman Board was a party in that process and did an amazing job in advocating for strong water quality standards and protections that will result in protecting the Rio Grande and the City of Santa Fe's drinking water supply. So I wanted to take this opportunity to thank the Commission for your leadership on these important water quality issues. Thank you so much for your time.

CHAIR ROYBAL: Thank you, Ms. Conn. Okay, Tessa Jo, was that the last speaker, or did we have some else that signed up?

MS. MASCARENAS: We have one more speaker that has signed up. William Mee.

CHAIR ROYBAL: Okay, Mr. Mee. You're up, sir.

WILLIAM MEE (via Webex): Thank you, Chairman Roybal. I'm William Mee with the Agua Fria Village Association and I just want to go back to Commissioner Hansen's information on the settlement and annexation agreement. I always felt that it was very unfair to Agua Fria Village because we weren't the third leg on the stool and when you only have two legs on a stool you fall over. And I wrote to Judge Raymond Ortiz on the case and also to County Attorney Steve Ross but I couldn't get our seat at the table. I would very much like the Commission to look at that annexation agreement again and for Agua Fria to be a part of it.

All the selfish reason in this matter is that Agua Fria's Romero Park and Las Acequias Neighborhood Park, that they were planned as local parks and now they're being forced into a regional park model. This open space that we're talking about today will take pressure off of us. These three parks, and I haven't been able to get the 2020 census figures, but I have a feeling that in a three- to four-mile radius they're serving probably between 20,000 and 40,000 people. And one of the members of JoAnne Garcia's group, they did a time study on all the neighborhood parks, and they're 25 minutes away, most of them. So there's not a park in this area for decades to come.

It's really going to adversely impact the young families growing up and kids

won't have a place to play and that type of thing. There's no park standard that allows for so few parks in the southwest sector. The Las Acequias Park was the latest, the fourth shooting this year, is so dangerous that the 650 homes of Las Acequias don't use it after dark. And this will set aside 2 ½ acres and that would be like a parking lot. But I don't see that that's being sufficient in this area where we have some great need.

Romero Park, we're still in our phases and they haven't been completed and I would just like to see the pressure taken off of Romero Park. Thank you.

CHAIR ROYBAL: Thank you, Mr. Mee, and I just want to make sure before we close public comment that there isn't anybody else out there that wants to address the Commission. You can unmute yourself if you're joining via Webex or hit star 6 to unmute yourself if you're a call-in.

MS. MASCARENAS: Mr. Chair, Ms. Jeanette Smith has her hand raised.

JEANETTE SMITH (via Webex): Thank you very much. I would just like to say that Acres Estates, which is near Jemez Road, has been here since the late 1940s and 1950s. We were here long before any of the other developments came around. At the time, open space was from here to Osage and St. Michael's Drive. The kids, if this development is approved there will be no open space anywhere between here and Albuquerque for the kids to go and see horny toads and lizards and blooming cactus. It will all be asphalt and pavement. Just please keep the open space area as it has been for the past 20 years in which the community members continue to take care of the space as they have been doing. Thank you.

CHAIR ROYBAL: Thank you, Ms. Smith. Okay, is there anybody else from the public that would like to address the Commission? Can you state your name for the record? It looks like it's Art Gurule.

ART GURULE (via Webex): Yes. My name is Art Gurule and I reside here in Colores del Sol Subdivision. When I first moved into the subdivision we were told there was going to be no development whatsoever on that open space, which basically was a selling point for a lot of the residents there that I talked to. The neighbors are in favor of living here but not in favor of the park being developed. One of the issues that I personally have – leaving our area, going to South Meadows, it is totally, totally hard to get in there, because you've got the traffic from Agua Fria. You have the traffic from 599, and you have the Rufina traffic that is a heavy traveling route. South Meadows is heavily traveled. And now with the new subdivision or apartments that are going up by Camino Real, then it's going to be a total nightmare here.

Being proposed, a park right across, that was going to be open to the public, I don't see that happening because as vice president of our association, Colores del Sol, we have a park similar to that on the other side of our subdivision. It is not working. We get a lot of parties to there that are unwelcome. We have a lot of [inaudible] the traffic that's hard to get in and out of their houses. We see a lot of empty liquor bottles in the park, a lot of needles. So no, I don't see that park working for any of the public.

The residents on Jemez Road, when we first moved also, they were disturbed by the air conditioners being up on the roofs because they wanted to look at the mountains. They wanted to get up and see the mountains and the skies. The development moved the air conditioners to the side of the houses. Okay. They're telling us they're going to be building three-story condominiums really adjacent to our subdivision, so we'll be staring

at those every morning instead of seeing the mountains, the open space and the beautiful skies. This subdivision isn't going to work. They want to open up the ingress/egress point off South Meadows. That's going to affect our development and affect the Colores del Sol Subdivision. Most of the areas where the pine trees are there, we're maintaining those, watering them, and it's basically our responsibility of maintaining them. They want to break through those areas for the ingress/egress points. I don't see it happening. I'm totally opposed to it and I want to thank the other previous speakers that were also against it. I support the members that were on the Zoom meeting last week that were totally opposed, so I hope our Commissioners are listening because we do need your help in getting this thing not developed and keep it open space. Thank you.

CHAIR ROYBAL: Thank you, Mr. Gurule. Is there anybody else from the public that would like to address the Commission?

COMMISSIONER GARCIA: Mr. Chair, there's an individual by the name of Miguel Acosta. Tessa, if you could help him get into the meeting. He's wanting to reply for public comment.

MS. MASCARENAS: If he is a call-in user he should hit star 6 to unmute himself.

CHAIR ROYBAL: Okay, while we're waiting for that is there anyone else from the public that would like to address the Commission? Okay. So we're waiting for an answer from Commissioner Garcia. I believe he's talking to a constituent.

COMMISSIONER HANSEN: Mr. Chair, I would just like to recognize Rachel Conn and thank her for her comments on Waters of the US, and how important that is to all New Mexicans since New Mexico is one of the three states in the United States that does not have primacy, and that we have to depend on the federal government and EPA for our water quality. So it's even more important that we include ephemeral and intermittent streams and make sure that they are protected in the Waters of the US and the Clean Water Act. So I just wanted to thank her for her recognition of us and the work that we've all done to protect water is life, as we all know. Thank you.

CHAIR ROYBAL: Thank you.

MS. MASCARENAS: Mr. Chair, we have the speaker here via speakerphone. I can try to put his call up the microphone.

CHAIR ROYBAL: I think that will be fine. Thank you, Tessa.

MIGUEL ACOSTA (via Webex): Yes, my name is Miguel Acosta. I'm co-director of Earthcare and we're a south side based organization. I'd like to comment on this proposed development on a couple of points. One, that this land and this space was promised to our community as others have stated, during the annexation process. Back then we were in the middle of planning for Swan Park and we were told that the area north of Airport Road would also have access to open space and recreation. Right now, that area which is the most densely populated in the city is also the lowest income in the city, the area north of Airport, east of 599 and west of Jemez, the area south of Agua Fria Village, has no recreation, has no open space, has no libraries, no community center, no senior center – nothing.

All of these things were promised to us and one by one they've all been neglected. Now, the one open space that we do have access to is being taken away. I realize that the County Commission cannot operate a park within city boundaries, but what you can do is

keep it open space. You can make it a land trust. Create a land trust, put it in the hands of the local community and we can maintain it as open space without there having to be any cost of operating a park. Or we can demand that the City make it into the kind of space that had been promised to us. But giving it to a private entity with a commitment for a park that they can always pull away, by saying that they'll grant us access and at whatever point that they decide that we shouldn't have access anymore they can just close it off to us – that's not enough and it's also denial of a promise that had been made to our community.

So the options are either that you let Homewise and whomever know that you can't go through with this because, oops, you can promised us this open space already, create a land trust, give it to us to manage, or help us deal with the City to make sure that they create the kind of open space that we were promised. I think the first option is a much better option. The County can help us maintain this as an open space and a land trust. Thank you.

CHAIR ROYBAL: Thank you, Mr. Acosta. Okay, one more time, is there anybody else that would like to address the Commission from the public?

MS. MASCARENAS: Mr. Chair, Chris White would like to address the Commission.

CHAIR ROYBAL: Mr. White, go ahead.

CHRIS WHITE (via Webex): Hi. Thank you for this opportunity. I would just like to agree with the other speakers today and say that I disapprove of the sale of South Meadow open space. Thank you very much.

CHAIR ROYBAL: Thank you, Mr. White. Do we have anybody else from the public? Okay, hearing none, I'm going to close Matters of Public Concern. Thank you, everybody, for your statements today. The Commission does appreciate that.

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: Commissioner Garcia.

COMMISSIONER GARCIA: Just really quick, Mr. Chair. I appreciate all the speakers that are concerned about that piece of property. As an individual that grew up off of, as Ms. Smith said, Acres Estate, I can remember on Jemez Road it was called Acres Estate and it was a dirt road. And just seeing that development, the growth that's happening in that area is something that I think we as the County policymakers need to look into. I know it's kind of checker-boarded there, some parts are city, some were the county, and it's just something that as Commissioner Hansen related to that we need to sit down with the City or other policymakers and figure this out, because we've been asking them and it doesn't seem like we're getting anywhere.

But I can definitely understand the concern about this property and I will be talking with Commissioner Hansen about it, but just once again, I appreciate everybody that came forward and spoke. Thank you. Thank you, Mr. Chair.

COMMISSIONER HANSEN: Mr. Chair.

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

COMMISSIONER HANSEN: I also too want to thank everybody who came forward. I suggest that the best course of action is for all of you to speak in front of the Planning Commission because this park is now within the city limits, and so even

though we have offered it to them twice, and they have told us they were not interested in having it as a park, that may change. The way to do this is to go to the Planning Commission and express your concerns and suggest that they vote this proposal down, and then it will come back to the County and we will once again see to figure out what can be done.

But once again, the City is in violation of an annexation agreement for over three years. It expired in 2018. It is a court-ordered annexation agreement and both Katherine Miller, the County Manager, myself, and everyone on this Board has asked repeatedly for the City to complete annexation with us and move forward. So it is frustrating to all of us and thank you to everyone who made comments.

CHAIR ROYBAL: Thank you, Commissioner Hansen.

4. MISCELLANEOUS ACTION ITEMS

- A. **Request (1) Approval of Amendment No. 2 to Agreement No. 2020-0001-CMO/KE Between Santa Fe County and Griffin & Associates Marketing, dba Sunny 505 to Provide Advertising and Promotional Services, Increasing the Compensation an Additional \$315,000 for a Total Contract Sum of \$955,000, Inclusive of NM GRT, and Extending the Term an Additional Year, and (2) Delegation of Authority to the County Manager to Sign the Purchase Order**

[Commissioner Roybal read the case captions throughout the meeting.]

CHAIR ROYBAL: From the Purchasing Division we have Mr. Bill Taylor and Community Development Department, Ms. Lisa Katonak.

BILL TAYLOR (Purchasing Director): Thank you, Mr. Chair, Commissioners. The agreement between Santa Fe County and Sunny 505 is for the advancement of promotional advertising services to advance tourism in Santa Fe County. This agreement is due to expire October 8, 2021 and the County and the contractor wish to continue the services and this amendment before the Board today, amendment #2, extends the term of that contract and increases the compensation an additional \$315,000. With that, Mr. Chair, I'll stand for any questions.

CHAIR ROYBAL: Thank you, Mr. Taylor. Are there any questions from the Board? Okay, hearing none, what's the pleasure of the Board?

COMMISSIONER HANSEN: Mr. Chair, I want to move to approve but I want to make a comment, but I'll wait for a second.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: We have a motion and a second. Under discussion, Commissioner Hansen.

COMMISSIONER HANSEN: I want to thank Sunny 505 for all the work that they have done during this difficult time under COVID-19 and I appreciate their hard work in promoting the county and making us look at beautiful and as charming as we are and I just want to thank them.

CHAIR ROYBAL: Okay, thank you, Commissioner Hansen. Any other comments, questions from the Board? We have a motion from Commissioner Hansen and

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a second from Commissioner Hamilton.

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

4. B. Request Approval of Revised City-County San Juan-Chama Return Flow Project Agreement

CHAIR ROYBAL: We have our director, Mr. John Dupuis.

MR. SHAFFER: Mr. Chair and Commissioners, Mr. Dupuis and myself are going to tag-team this item and so I'm going to go ahead and start with a general overview of the differences between the draft of this agreement – that was on the Board's agenda on August 31st, and the current draft that is being recommended for approval by the Board by staff.

Secondly, I was going to address the additional changes to the agreement that were requested by the so-called Pipeline Coalition and might be or not included in the draft and staff is recommending for approval.

And third, Mr. Dupuis will just provide a general summary of why staff supports the version of the agreement that it does.

And so Tessa Jo, if you could please broadcast on Webex the redline of the agreement that shows the differences between the August 31st draft of the agreement and the current version that's being recommended by staff, I'd appreciate it.

At the bottom of the first page, Tessa Jo, if you could focus in on the recital F. The changes here were to add La Cieneguilla and El Cañon and La Bajada to the list of traditional water users that the County is generally seeking to support or protect, and to add Hyde Park Estates and Cañoncito to areas that are dependent on groundwater that the County has and is seeking to serve. And note as well that the agreement is consistent with the County Master Planning and Groundwater Modeling Projects.

If you go on, Tessa Jo, to paragraph 1.a of the agreement. The changes here were to specify that the costs associated with the Lower Santa Fe River planning process as required by Section 6.a of the agreement would be split 50-50 by the City and the County. From staff's perspective we view that as resolving the potential conflict, and in addition we also view it as demonstrating the City's commitment to the Lower Santa Fe River planning process, since it is agreeing unequivocally to pay 50 percent of the cost of that planning process.

If you move on to paragraph 6. a, Tessa Jo, the changes here were to specify that the general purpose of the planning process is to develop water management strategies to address river flows and legacy hydrologic impacts on the Lower Santa Fe River and its tributaries, assuming that no San Juan-Chama water is available for release in the Lower Santa Fe River. This provision and these revisions recognize that the community as we understand it wants existing legacy issues to be addressed as part of the planning process. It also recognizes that the tributaries of the Santa Fe River are included within the planning area of interest and further it maintains that the premise of the project, which is that San Juan-Chama water will not be available for release into the Lower Santa Fe River but instead will be utilized to provide project supply.

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In addition, paragraph 6. A requires the employment process to be established and underway within 180 days of the effective date of the agreement and two, before the office of the State Engineer application public notice is published. And this was in direct response to the desires of the Pipeline Coalition that the planning process be established and underway before the permitting process and got too far down the road.

In addition, the revised draft adds additional strategies to be discussed during the planning process, specifically aquifer recharge in detriment to the impacted areas and provisional or temporary recommendation for releases from the City's water treatment facility into the Lower Santa Fe River while other strategies await implementation.

I'm going to pause here just for a second. I want to ask Mr. Dupuis if he might be able to explain from the programmatic perspective how different things that are mentioned in the agreement sort of relate and bode on each other, namely the interconnection between the stakeholder-involved planning process and the County master planning process, and the interplay between that master planning process and potential future strategy implementation.

JOHN DUPUIS (Utilities Director): Thank you, Mr. Chair, Commissioners. I'd like to first start off by saying thank you because I appreciate the opportunity to have been able to meet with, have some time to meet with the Lower Santa Fe River Coalition, hear their concerns and make best efforts to include all the concerns that they have in some way, shape or form in the agreement that we're putting in front of you. It is a very difficult task to get it perfect and a large group inevitably entails those difficulties. But in terms of strategy regarding other components that we have and are currently working on, there is aquifer recharge in detrimentally impacted areas. This has been a concern of the County's for an extended period of time starting back beyond when I was here in 2014 where we took the state penitentiary off of groundwater. And it has had significant effects presented to you before showing the change in the decline of the groundwater in the local area because of those effects of us putting them on surface water.

We want to continue those types of activities including master planning funding that we just received which would intimately connect with the planning process so that we can use that planning process to inform the master planning work. It also lays the groundwork for the capital planning process. It helps to identify the costs associated with solutions that we can implement into the future, and also helps us in legislative requests having that information as part of a plan that was community supported. So thank you for the opportunity, Greg.

MR. SHAFFER: Thank you, John and Mr. Chair. Tessa Jo, if you could please go to the second document which is a different redline which shows differences between the version of the agreement that County staff is recommending and the specific language requests that have been made by the Pipeline Coalition. So starting on the first page the Coalition asked to insert the word "mitigation" into the description in the name of the planning process. We'll talk about that at length when we get to paragraph 6. A, so I'll skip over that now.

Second, in recital F the Coalition asked to include a new recital, recital G, that provides that aquifer recharge in detrimentally impacted areas will be considered as a priority in the Lower Santa Fe River and tributary water management and planning and

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mitigation process. Staff doesn't support that recommended change. We don't think that it's prudent to prioritize a specific strategy prior to the planning process running its course. In other words, in staff's view we think that the planning process is meant to evaluate all water management strategies and make recommendations ultimately to the governing bodies of the City and County as to which strategies ought to be implemented.

Moving on, Tessa Jo, to paragraphs 6. A and B, in paragraph 6. A the Coalition asked to describe and name the planning process as a mitigation process and use that terminology throughout, as well as to strike the premise of the project, which is that the San Juan-Chama project water will only be available for release to the Lower Santa Fe River, but instead would be used to supply the project with water. The Coalition also asked to use the word "maintain" or the phrase "maintain flows" as a stated purpose of the planning process.

County staff didn't support these changes because use of mitigation raises concerns with the separate and distinct NEPA process, since mitigation is a term of art. Use of the word "mitigation" also is intentioned with the legal premise of the permitting actions that the City will be undertaking which is that it has the right to fully consume its imported San Juan-Chama project water and therefore has no mitigation obligation when it exercises that right.

And the finally, "maintain flows" is susceptible to different meanings and could be read as being at odds with the premise of the project, again, that San Juan-Chama project water will not be available for release.

The Coalition also asked that the NEPA process, the beginning of it, the discovery process, be delayed until the planning process is established and underway. While the County has every intention to make that so, a hard contractual agreement was not recommended because our best efforts might prove to be inadequate and a slippage in the start of the NEPA process could push back the overall project timeline as a result. In contrast with the OSE permitting process, as I understand it there's never been a time delay between filing the permit and the actual public notice of it which allows that hard commitment relative to that process to be included.

In addition, the Coalition requested language in the provision that suggested that releases would be guaranteed, and again, ultimately, our view is that language suggests a commitment before the planning process has run its course in the governing bodies of the City and County had had an opportunity to consider ultimate recommendations that come out of the planning process.

So in sum, I want to underscore that John really being the representative of the County who interfaced directly with the Coalition certainly did listen to the Coalition's concerns and desires and he did work, as did the City representatives in good faith to come up with a revised version of the agreement that met some of those concerns and I want to thank him for his participation in that process. I think ultimately, to summarize, County staff recommends approval of the agreement and participation in the projects because it will facilitate a robust, far-reaching planning process that the community has wanted for some time to address its concerns, many of which exist regardless of whether or not the pipeline project goes forward, and it also provides to the County a significant drought-resistant source of supply that is cheaper than alternatives and which will facilitate, as Mr. Dupuis mentioned, the other strategies that the County hopes to deploy

including potential long-term agreement with Eldorado Area Water and Sanitation District.

In terms of the provisions or the suggestions that the Coalition has requested and that County staff does not support, we believe that some of these, in particular the delay of the NEPA process and the mitigation related provisions are proverbial poison pills, meaning that our working understanding is that if they're insisted for inclusion in the agreement that we won't be able to reach an agreement with the City, and that the City may want to move forward with the project, at least for now, without the County. And in that event the hoped for and requested planning process involving both the City and County wouldn't materialize and that the County would not achieve its goals relative to a sustainable community and backup sources of supply. So I would stand for any questions and just turn the floor over to John if he has anything that he wants to add or if he wants to correct anything in my words.

MR. DUPUIS: Thank you. I have nothing correct or add to your explanation, Greg.

CHAIR ROYBAL: Okay. Are you guys ready for questions? Did you have anything else to add? Any questions from the Board? Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, thank you. I just would like to thank staff for working with the community out there and for working with City staff because you guys have done an extremely awesome job in the last – what? Month and a half? Two months that we've been talking about this? You guys have brought everybody together to work on this and I really appreciate it.

Like I've said and Attorney Shaffer said this about a month or two ago, this is a monumental agreement that we're signing, and as I talked with staff this morning in regards to 50 years from now, 60 years from now, I actually want us policymakers to have our name on that. And so I just wanted to make sure that everybody in the community is communicating about this, because like I say, this is a very important agreement that we're signing for the entire community of Santa Fe, city and county.

And with that, Mr. Chair, I'd like to see if we can have Mr. Dickens actually speak. He's actually the Pipeline Coalition chairman.

CHAIR ROYBAL: We can have him speak. We did have Matters of Public Concern but I can have another Matters of Public Concern. He wants to speak specifically to this item, is that correct?

COMMISSIONER GARCIA: Yes. I honestly think he actually just wants to thank staff as well and what a good job that they did and it's nothing to take this out, add this in here, anything like that. It's just –

CHAIR ROYBAL: I realize it's probably just to come in positively but it's just kind of moving out of what we typically do. So I would rather open up another public comment later on and have him speak then, if that's okay, Commissioner Garcia.

COMMISSIONER GARCIA: Yes, Mr. Chair. That's fine.

CHAIR ROYBAL: Okay. So Commissioner Hamilton, did you have a question as well?

COMMISSIONER HAMILTON: Well, not a question but since we're in discussion, Commissioner Hansen has something. But I just wanted to take the moment to re-emphasize the point that Mr. Dupuis suggested that we postpone this last month for

a month so he would have time to speak to the Pipeline Coalition. That was really forethoughted and a wonderful thing for him to do. I really appreciate that we have senior staff that think that way and to thank him and Attorney Shaffer for the time they spent to really consider all of these – to strongly consider all of these inputs before we act on this. So thank you.

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

COMMISSIONER HANSEN: Yes. I want to thank Greg and John. Democracy means compromise. Not everyone gets everything they want and we see that everywhere and that is something that we as policymakers have to recognize and work with. I have supported this agreement from the beginning because of communication, because I believe that it is so important to have dialogue and if we can work with the City and work with the downstream users and talk about this process, this to me is really, really important.

And so like Commissioner Garcia said, this is monumental to be able to really work together. To work with the Water Department at the City, to work with our Utilities Department, to work with the downstream users past the Paseo Real plant. There's just a lot of issues. The Paseo Real plant is a plant that also needs a tremendous amount of work and qualities to improve the water that does come out of there, and this is another opportunity I see to include that in the dialogue because that is also important that the water that is released downstream is the best quality that we can release.

And I do have one question and that is who will – will Commissioners be on this and Councilors, or is this going to be a staff and community process? I'm interested. The Paseo Real plant is in my district and I'm interested in this pipeline, how it moves and what happens and how we plan for that. There's a lot of questions that I have. I understand that the Pipeline Coalition really wants the word "mitigate" in here but mitigate is a verb and it defines action but it's also a legal term according to NEPA, so it's better to stay out of those arenas and make sure that we are able to communicate in the best way possible. And so that's how I see this and I once again want to thank Greg and John Dupuis for all your hard work and the Pipeline Coalition, the acequia community, everybody for coming together because that is what it takes to build community and that is what is so important to make sure that we have happen. So thank you.

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

COMMISSIONER GARCIA: Once again, thank you, staff. Appreciate that. Very hard work. Thank you once again and if there's no other further questions from the County Commission I'd like to make a motion for approval.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: Okay, so we have a motion from Commissioner Garcia, a second from Commissioner Hamilton. Under discussion, is there any other questions or comments?

COMMISSIONER HUGHES: Mr. Chair, yes.

CHAIR ROYBAL: Yes. Go ahead, Commissioner Hughes.

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COMMISSIONER HUGHES: Thank you, Mr. Chair. It's my understanding I think that from the presentation and discussions that we've had that the Pipeline Coalition is better off with us being part of the agreement than not, and I think it's also fair to say that our staff negotiated the best deal they could get here. I think that some of the wording that the Coalition wanted would probably have improved the matter in my opinion but I understand that that would probably jeopardize our whole opportunity to participate, so I agree with Commissioner Hansen. You don't always get everything you want. But I do really appreciate that we have taken the time to work on this and to get a really good planning process for the downstream users and the lower river in whole. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hughes. So we do have a motion and a second. If there's nothing else under comment.

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

CHAIR ROYBAL: The motion carries unanimously. And I do want to encourage anybody that wants to make comments, I am going to reopen Matters of Public Concern after our next item so that we'll open it up for public comment to everybody.

MR. DUPUIS: Mr. Chair, before you move on, would it be possible for me to make an additional comment?

CHAIR ROYBAL: Sure., absolutely. Go ahead, Mr. Dupuis.

MR. DUPUIS: Thank you, Mr. Chair. In the context of thanking others who have participated in supporting us getting to this effort, I'm compelled to say my thanks to Anjali Bean. She has been an incredible support in ensuring we communicate effectively with the Coalition and I'm thankful for her efforts.

CHAIR ROYBAL: Thank you, Mr. Dupuis for recognizing Anjali for her help. The Commission is definitely really happy to know that she helped you quite a bit and also the fact that you recognized her. Thank you, sir. Appreciate that.

4. C. Request Approval of Amendment No. 4 to Collective Bargaining Agreement Between Santa Fe County and the American Federation of State, County, and Municipal Employees; New Mexico Council 18, Local 1782 AFL-CIO

CHAIR ROYBAL: From the HR Department we have our director, Sonya Quintana and from the County Attorney's Office we have Rachel Brown.

RACHEL BROWN (Deputy County Attorney): Good afternoon, Mr. Chair and Commissioners. We're here to present an agreement that we've reached with AFSCME Local 1782 regarding something that you allocated in this year's budget which was \$551,458 for non-recurring retention incentive pay in this calendar year.

We reached agreement with the bargaining unit to utilize the mechanism that you had encouraged which is that employees earning \$40,000 or less per year would receive a base amount of \$1,200 plus \$10 for each month of continuous employment up to a total of \$2,400 through the temporary retention incentive. Those earning \$40,001 to \$75,000 would earn \$1,100 plus \$10 for every year of continuous service up to \$2,400, and those

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earning \$75,000 or more would receive a base of \$1,000 plus \$10 for every consecutive month of employment for a total of \$2,400.

We also worked out the details of how those payments would be made over five pay periods between October 9th and December 17th, and we are asking that that agreement be approved today and we stand for questions.

CHAIR ROYBAL: Okay. Thank you, Ms. Brown and I'm really happy to see we're putting these initiatives forward and taking care of our employees, so thank you. Any other questions or comments from the Board? Okay. What's the pleasure of the Board? Commissioner Hamilton.

COMMISSIONER HAMILTON: I'd like to move to approve.

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hamilton, a second from Commissioner Hughes. Under discussion, Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, I just would like to thank Sonya and Rachel and whoever else worked on this agreement. Just like the previous agreement that we just did and you guys like almost did it over night. And I know the union representatives, thank them as well because obviously everybody collaborated together and communicated. But thank you to everybody who worked on this. I'm sure the AFSCME employees will actually be grateful to the County, for the staff putting it together. Appreciate that. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. So we have a motion and a second.

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

5. MATTERS OF PUBLIC CONCERN (cont.)

CHAIR ROYBAL: Okay, so I'm going to reopen Matters of Public Concern. Is there anybody from the public that would like to address the Board? And if so, please unmute yourself and state your name for the record.

CARL DICKENS: Carl Dickens.

CHAIR ROYBAL: Okay, Mr. Dickens. Go ahead, sir.

MR. DICKENS (via Webex): [Poor connection] Well, I want to, again, express my sincere appreciation of what Anjali Bean did in working with the Coalition. I really, truly appreciate it and I think the Commission as a whole appreciates it. As everyone knows, this is not a simple matter, something that can be easily solved. And I do have some comments. I'd like to read them, something I put together. And instead of speaking as the spokesperson for the Coalition I'm speaking as the co-chair of the Santa Fe River Traditional Communities Collaborative.

Felicity Brennan, former executive director of the Santa Fe Watershed Association and I have co-chaired the Collaborative for the last ten years. The Collaborative leadership group of Felicity Brennan, William Mee, Darren Munzberg, and I support the work of the Pipeline Coalition and their position on the City-County pipeline agreement. We would especially like to recognize the contributions of Enrique

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Romero, director of legal services, and Jaime Park, policy coordinator and staff attorney for the New Mexico Acequia Association. Thank you.

The Collaborative has become a resource on water issues in the lower Santa Fe Watershed. Our email list, managed by the Santa Fe Watershed Association has over 60 recipients who all share an interest in the health and history of the Santa Fe River. The Collaborative membership includes environmental organizations, non-profits, village and acequia associations, farmers, ranchers, and includes representatives from City, County and State government. Liaisons US Senator Ben Ray Lujan and US Representative Theresa Leger Fernandez have attended our meetings and are on our email distribution list.

The Santa Fe Watershed Association also hosts the Collaborative webpage which contains recordings of our Zoom meetings which are available for public viewing. Two years ago the Collaborative wrote a series of newspaper articles for the *New Mexican* to help educate area residents so they can better understand – so they would have a better understanding of the Santa Fe River water issues. We regularly schedule presenters to address specific water topics of interest. Here are a few examples of our presenters: Aaron English, senior engineer and practice leader for biohabitat to discuss constructive treatment of wetlands and cleaning wastewater through natural processes; Alex Rinehart, assistant professor in the Environmental Science Department at New Mexico Tech; and Stacy Timmons, associate director of hydrogeology programs, Bureau of Geology Resources who discussed the unique hydrological features of the La Cienega, La Cieneguilla, and La Bajada area; and Dr. Patrick Longmire, Water Protection Division of the New Mexico Environment Department to discuss remaining contaminants in processed wastewater.

The Collaborative has also assisted Dr. Jennifer Lindline, Department Chair and Professor of Geology, Department of Natural Resource Management at Highlands University, by writing a letter of support for a grant application that resulted in a graduate student conducting a one-year study of the river flow from La Cienega/La Cieneguilla to Pueblo of Cochiti land. Dr. Lindline attends our meetings regularly.

What the Collaborative hasn't had is the intention of policy and decision makers to effect changes we feel need to be made to protect and preserve the Santa Fe River. We know the river's problems and have found solutions for many of them, but we've had no ability or authority to effect change. As a simple example, we've not been able to get the treatment plant operators to notify us so we could in turn warn out downstream users of problem releases from the Paseo Real plant.

The Coalition has given us that voice and has reached out to wary downstream irrigators and given them hope. For that the Collaborative is deeply appreciative and we stand ready to assist the Coalition in any way possible, for a sense of how the river's traditions and farmers and ranchers have been directly impacted by the decisions made by decisions made by existing government entities, councils and commissions that they feel they have no control over.

I will close with the story of a farmer and friend of mine, Alonzo Gallegos. Alonzo has his own farm in La Bajada but also manages the Tres Rios Ranch in La Cienega, which includes a 24-acre organic farm. Alonzo is responsible for acquiring the organic certification for the ranch on the Tres Rios property. Both farms depend on the

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Santa Fe River water for irrigation. One time Alonzo and I were waiting for a business meeting. As we waited, he looked at me and said, "You know what my grandfather told me when I was growing up? He told me it was my job to feed my community." Alonzo continued by saying he thinks of his grandfather's message every day. Alonzo has not been able to meet his grandfather's request due to the year-to-year uncertainty of the river flow.

These are the farmers being directly affected by the City-County pipeline agreement. The Collaborative has a simple goal for the Santa Fe River: a certain, steady flow of clean water to maintain the health of the river and preserve its centuries-old history and agricultural traditions.

A couple other comments: Regarding the Paseo Real treatment plant, it just needs to be replaced. In all honesty, and that's just off the cuff my response to that. It continues to not function well. It has very expensive patches that last for a while and don't seem to ever fix the problems. So I think that as a part of the position from the Collaborative in the mitigation process – I'll use the work mitigation understanding this as limited – meaning for the agreement. But I think that has to be part of it.

But again, thank you all, the Commissioners, and thanks to all the County staff that assisted in this process. Your assistance is deeply appreciated. Thank you.

CHAIR ROYBAL: Thank you, Mr. Dickens for your comments and also for your collaboration with County staff. We appreciate it. Is there anybody else from the public that would like to address the Board? Seeing none, I'm going to close Matters of Public Concern.

MR. DICKENS: William Mee would like to speak.

CHAIR ROYBAL: I'm sorry, but we've closed Matters of Public Concern. Did you have one quick statement, Mr. Dickens?

MR. DICKENS: William Mee wanted to speak.

CHAIR ROYBAL: Oh. William Mee, you had another comment? Go ahead, sir, but we did close public comment but I'll go ahead and allow it.

MR. MEE: I just – I'm a member of the Pipeline Coalition and also the Santa Fe River Traditional Communities Collaborative and I just want to thank the County for supporting us and going forward. I actually did want to say something on the settlement annexation agreement but I can send that in a letter to you all. It's actually kind of shocking that many of the areas that have been annexed I've been compiling things and they're not receiving services from the City, including the lot right next to the traditional historic community. The police will not service that area and the sheriff is always bowing to go to those calls. I think it's pretty sad when that type of thing happens and I know that the cancellation of the City fire station on Meadows and also the police substation, and these types of things will not help these issues in that newly annexed people are really in a world of hurt. And I think that needs to be illuminated. Thank you.

CHAIR ROYBAL: Okay, thank you, Mr. Mee.

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

MANAGER MILLER: Thank you, Mr. Chair, Commissioners. So on the

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agenda for COVID updates, we just have a couple of updates and first of all, the New Mexico Department of Health this week reported that New Mexico seems to be experiencing a plateau of the new COVID-19 cases. At least they've leveled off that we're not increasing exponentially, which is a good sign. Santa Fe County has seen a reduction in the average number of cases and has been downgraded to a substantial level of transmission.

Current data includes the following averages from September 7th through September 20th, and that is our average number of cases per day is now at 13.5 per 100,000. The positivity rate is 2.93 percent. The percent of residents with at least one shot is 90.5 percent, and percent of residents with vaccination series completed is 80.4 percent. In the past week Assistant Fire Chief Martin Vigil has been at the Santa Fe Community College with his FEMA team and our vaccination van and they did 73 vaccinations, and they also were at the Harley Davidson dealership and the Tesuque Casino over the weekend. I have the exact numbers of those. They also did an event out at the Madrid ballfield park. We still don't have official direction or clear guidance about the boosters for individuals over the age of 65 from the Department of Health yet but hopefully that will be coming soon.

Also relative to policy actions regarding Santa Fe County employees, we have issued a policy that does require Santa Fe County employees to disclose their vaccination status to our Human Resources Department by Wednesday, September 29th or tomorrow. And this is put in place to enable the County to evaluate potential policies to address the ongoing COVID-19 emergency with our staff and the unions. That's all I have on COVID updates.

6. C. Miscellaneous Updates

MANAGER MILLER: Madam Chair, Commissioners, I have also – before we go to the – in just slightly different order before we go to the American Rescue Plan, just to give a couple other updates, and that is that election day is November 2nd and the regularly scheduled BCC meeting after that is November 9th, so we would like to schedule right before that meeting a Canvassing Board meeting prior to our regular BCC meeting. We'll be sending out an invitation to the Board members so that we can get that scheduled.

Also, as brought up at our last BCC meeting, we do need to complete redistricting. We have a slight imbalance in a couple of districts' population and Erle has provided a little bit of an update and that is that they're working on a simple redistricting plan and the ethnic and racial breakdown of each district. The plan would involve moving only three City of Santa Fe precincts between the five Commission districts. This plan will keep the unincorporated portions of each district unchanged. This plan will not split any existing traditional historic communities or unincorporated areas would remain unchanged. Population variances in each County Commission district would be kept under one percent total variance, and the plan will be presented to the Board at the October 12, 2021 Board meeting. If the Commission would like to see any other plans besides those I would need to know that and work with Erle to provide any other alternatives to those plans. So those are my miscellaneous updates. Any questions on

those before I move to the American Rescue Plan.

COMMISSIONER HUGHES: Mr. Chair.

CHAIR ROYBAL: Commissioner Hughes.

COMMISSIONER HUGHES: I'm just wondering where we can see the maps that Erle is working on or when we can get to look at that.

MANAGER MILLER: Mr. Chair, Commissioner Hughes, as soon as those are available we can put them on our website as well as make sure that we provide – if they're too large we'll provide a link but we can also email them to the Commissioners.

COMMISSIONER HUGHES: Okay. Great. Thank you.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen, you had a comment as well?

COMMISSIONER HANSEN: Yes. On the larger redistricting, I've looked at a few of the maps that affect us and I believe that the legislature or people are recommending the map that the Civic Justice – Civic and Progress – I'm not remembering the name but I think it's Map E. I haven't seen it for a while but I think it would be interesting for everyone to look at those and make comments about it because there are some things that would affect us as a county in the larger whole. So I just wanted to mention that too. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Any other comments or questions from the Board? Thank you, Manager Miller.

**6. B. Discussion and Possible Action Regarding ARPA Funds
Recommended Expenditures**

MANAGER MILLER: Mr. Chair, Commissioners, I didn't want to go over the American Rescue Plan recommendations until all of you are here. I think Tessa Jo is doing the screen, so if she could bring up, or whoever is helping – there it is – the proposed spending plan. This is pretty much a repeat of what I brought to the Board at our last meeting where we talked about in the final budget.

In the final budget, on June 29, 2021, the Finance Director put a final budget to the Board of County Commissioners and we had put the American Rescue Plan in buckets but we did not move it to specific line items. I had stated at that time we would come back to the Board with recommendations of those specific types of contracts or specific types of efforts that we would make within those buckets for County Commission approval.

So just a little quick reminder that on March 11, 2021 the American Rescue Plan Act, or ARPA as we now refer to it was signed into law. Santa Fe County received a direct allocation of \$29.2 million that will be paid in two tranches. We received the first tranche or 50 percent of that allocation, \$14.6 million on June 1, 2021, and then our second payment will be made no sooner than 12 months from the first payment, but most likely at the beginning of fiscal year 2023, or sometime after June 2022. Funds may be used for revenue replacement and COVID-19-related programs and expenditures through December 31, 2024, and for specific infrastructure projects through December 31, 2026.

So just as a reminder of what the Board authorized in the final budget is that we

would hold – and these are totals over the two-year period. This isn't for one year but over two years. We would hold \$12 million for revenue replacement. We allocated part of that \$6 million this year to cover new FTEs in Public Safety, Public Works, Community Development Department and implemented cost of living increases as well as other compensation packages, particularly at the lower end of the pay scale. We also allocated \$1.2 million for public awareness and public health related expenses, which would include any kind of testing or costs associated with vaccinations or PPE, and that sort of item.

We allocated \$1.5 million to economic development initiatives, \$8 million to infrastructure, and that infrastructure needs to be water or wastewater infrastructure or broadband. \$2 million to affordable housing, \$3 million to our CONNECT program specifically related to relief in areas associated with the pandemic, and \$1.5 million to behavioral health and our mobile crisis unit, for a total of \$29.2 million.

So if we go into specific programs what we'd be asking the Board for approval today is that in the economic development we set aside \$600,000 but out of that \$1.5 million we'd dedicate \$250,000 for job training programs, \$300,000 for tourism recovery programs, \$250,000 for technical assistance to support business recovery, and \$100,000 for business licensing software, specifically for online permitting. And that did not change, by the way, from the last presentation.

The next slide is the \$8 million in infrastructure for water and wastewater projects, and I added a couple of columns so that the Board could see what we were also in this area, what we have in the way of earmarks currently. In the federal budget on the Senate side of \$1.1 million from Senator Heinrich and \$1 million from Senator Lujan. We still have to wait for that to get through the entire budget process but at the moment those earmarks are indicated in specific programs that those two projects would be eligible for, but the other \$8 million, we're looking at \$515,000 for the Cañoncito water system, and this is rain for rent through completion, meters and past rain for rent, connecting existing TL2N line. That's a line that we've put into place but we need to create a pressure cutoff in case of emergencies; a bulk water station at Turquoise Trail School. This one changed slightly from the last one. We had talked about expanding the existing bulk water station but this is actually a better proposal and that is to move a new residential bulk water station at the end of our water line on Turquoise Trail. It gets it closer to those communities further down Highway 14 that are struggling with their wells, production from their own wells, and it would also separate residential individuals and residential customers from the commercial customers up by the Public Safety Complex, and it would help keep the line flushed and have better water quality in that line.

So that is a change and I do believe that staff met with Commissioner Garcia because it directly affects residents further down that line that utilize our bulk water station in his district in the communities of Cerrillos, Madrid and beyond.

Also Rancho Viejo tank improvements, \$188,000; Romero Park waterline reroute preventing us from hopefully having to wheel all of our water supply through the City system in the future. Eldorado-Cañoncito waterline, there's not any funding in there because we are counting on that funding from an earmark to complete that project. If that doesn't happen we would look to some of our other funding sources and capital outlay

GRT or potentially the utility system revenues.

Also Chupadero water system improvements. This is a project that we've had ongoing and is part of a resolution that was passed by the County Commission to incorporate Chupadero as part of the County's water system as we move forward in replacing their outdated system.

Then also the Pojoaque fire station septic connection, \$100,000; Eldorado station waterline, \$224,000; Abajo lift station redirect and co-located reuse line, that project would be a total of \$3.2 million, but we'd be looking at a million out of these funds and then putting the remainder of it in a bond question in 2022. Agua Fria wastewater improvements, \$1.1 million, and we also have \$2 million earmarked for that; and then the San Juan return flow pipeline, this would be the funding to back up the agreement that was approved earlier this evening if we get to that point with the City as they partner in the construction of the project, for a total of \$8 million.

So all of that pretty much remained the same except I did put those two earmarks in there so you could see the funding that's needed on all of those projects and what we're taking on. I would say that if we receive both earmarks from Heinrich and Lujan it might be difficult to spend that \$2 million plus the \$1.1 million plus the funding that we currently have on Agua Fria wastewater, so that might be one that revisit additionally if the San Juan return flow pipeline project doesn't move forward to a construction phase. We would likely want to revisit that \$2.2 million.

Recommended expenditures for affordable housing and shelter assistance, as I said, these really we're not asking for any allocation at this time or any direction on those but I did want to let the Board know that we have received some information relative to the Lamplighter Motel and staff is looking at that and there are some tax credit projects that could be in need of some gap funding that we might want to allocate some of the \$2 million, as well as potentially capitalizing on our own low income housing rehabilitation program. But as I said, we're not asking for any direction on that at this time.

CONNECT programs, the Board had allocated \$3 million and in that \$3 million we'd be looking at UpTogether, a million dollars in the first year, and that's Hub assistance. We'd work with the City of Santa Fe through their program to extent that out into individuals that live outside of the city limits. Rural food distribution, a total of \$300,000 – \$200,000 this year, \$100,000 next years. Rent and utilities assistance, \$200,000 this year, \$100,000 next year, and that's also with six providers, and you can see those amounts to each one of those providers. And then YouthWorks would also be another one of those providers that we would look to allocate through our current contracts with CONNECT and navigation services for rent and other utilities assistance. That includes housing repair, safety modifications – these are ongoing but we would be focusing on those who are in need in particular due to the pandemic.

And the next slide, this is the last one, behavioral health and crisis triage, we would be looking at \$400,000 per year on the mobile crisis and Edgewood crisis center, which we're trying to move forward and getting the Edgewood behavioral health crisis center located in Edgewood, and looking at buying a portable unit to get that up and running, and then we'd use some of those funds to supplement our County funds to get that operational, as well as using some for our mobile crisis unit, and then \$700,000 over two years for our youth services.

So those are the recommendations brought forward from Community Services, Community Development, and Public Works, as well as our capital infrastructure team that looks at infrastructure projects, and I would stand for questions.

CHAIR ROYBAL: Thank you, Manager Miller. Do we have questions from the Board? I'll go to Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Can you go over the project list? Just actually it's a very interesting project list and I understand all the projects and definitely the need for all those projects. I've seen them for a while. In regards to the earmarks from the Senators, United States Senators, is that actually in their budget or is that in the budget that the Congress is dealing with right now, the three trillion dollars that we're talking about? Does anybody know?

MANAGER MILLER: Mr. Chair, Commissioner Garcia, these are separate from that infrastructure bill. At least I believe so, because it was before that and it was through the Senate's regular budget process that we requested these, similar to how we received an earmark from Congresswomen Leger Fernandez for our housing. The federal government hasn't done earmarks in quite some time but this year through the regular budget process they were putting earmarks into particular appropriation bills relative to particular programs. So these would probably come through safe drinking water or revolving wastewater loan programs, but they would be just like our other earmark will come through a HUD budget.

So I don't think that they're in the \$1.9 trillion infrastructure. I think that will be a whole separate set of potential projects.

COMMISSIONER GARCIA: Mr. Chair, those gentlemen sitting there are going to be responsible for all those projects.

MANAGER MILLER: Mr. Chair, Commissioner Garcia, John Dupuis can't wait to get started on all these water and wastewater projects.

COMMISSIONER GARCIA: I totally appreciate you guys, gentlemen. And Mr. Chair, just one thing. I'd like to meet with you, Manager Miller in regards to behavioral health in Edgewood, because it's much needed down there. I was actually on the phone this morning for about an hour with a – there's some interesting things I didn't get to talk to you about that's happening down there, development-wise as well as government-wise, but you and I will talk about that. If we can really look at that and get that moving again.

Also, in regards to some of the money that you brought up, that we did hire some staff, so does that money go away once we've hired them? Or is it permanent money, or are we going to have to tap into our funds once this money does – how does that work?

MANAGER MILLER: So Mr. Chair, Commissioner Garcia, one of the things when we put the budget together is we did look at where do we have revenues that maybe aren't where they would have been pre-pandemic. And set aside in that revenue recovery, some money over the next two years in case our revenues don't come back. They're actually coming back pretty well. So there's a couple things with the ARPA funds. The federal act allowed for about a 4.1 percent growth rate, so you can get – you could do your reporting – so you could report a revenue loss if you still had a growth rate but maybe it wasn't 4.1 percent, you could actually report a revenue loss to the federal government which in essence helps us complete our reporting requirement on these

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funds. It's a little complicated.

But we didn't want to supplement the budget to a degree that put us over where we think we'll be in three years. What we did is we took about three main revenue sources to the general fund that we thought were not as robust as they would be given a normal economy and that was interest earnings. Interest rates right now are super-low. The Fed doesn't anticipate probably raising those until December 2022. When they do we'll start to see revenue there. That was one of our big ones.

Another one is care of other prisoners. We had a great deal less care of other prisoners for other entities but we're already seen the population go back up. What we need now is staff to make sure we have enough staff to care for the prisoners. So that revenue we estimated to be lower. I think that's going to recover in less than two years back to our regular rate of recovery.

Another area was gross receipts tax, but we have seen that actually come back quicker than anticipated. And property tax is another one. We did see a delay in payment of property tax, but what you find in property tax is most people, if they don't pay they may just not pay for a couple years but before they get sent to the state for collection and possible sale of their property they tend to catch that up too.

So what we did is we used this federal money for making our budget whole in those kind of four areas until we anticipate that those revenues will be back. So it's a little bit of a long-winded answer to your question but I wanted to say that we don't anticipate those revenues to stay as low as they were during 2020 and the beginning of – end of 2020, fiscal year 2021, and the beginning of this fiscal year. And we're already seeing increases except in the interest. Interest earning is probably going to stay low for a couple years.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you, Manager Miller, and your entire team. I have the utmost respect for you when it comes to Santa Fe County's budget as well as my colleagues up here because you understand it and I appreciate you and your team and everybody out there that works for the County on our excellent budget, and obviously our rating. But those are the questions I have, Mr. Chair. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Are there any comments or questions from the Board? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Manager Miller, for the explanation. I'll just let you know about the Agua Fria wastewater improvement. I'll go out and knock on doors again and continue to knock on doors. The people in Agua Fria are emailing me about sewers on a regular basis and I hope we can figure out how to get as many streets with sewers as possible. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Any other comments or questions? Okay, thank you for that, Manager Miller.

MANAGER MILLER: Mr. Chair, I would request approval of direction on those specific recommendations. I don't need to bring it to the Board in a budget adjustment, which I normally would, because you already budgeted it in those buckets. So there's already \$3 million in CONNECT but we have not spent any of it because I committed to the Board I would bring back a list of the specific items that we would move forward with, initiatives that we'd move forward with.

As I said, anything in those areas that we haven't indicated that we would like to spend it, if it's not able to move forward we would come back to the Board and ask for you to reallocate it somewhere else. So let's just take all of those items in CONNECT. If we find through the year that there just aren't people that need that type of assistance we would come back to the Board and maybe request shaving some of that off and moving it to economic development, or moving it to infrastructure or something like that. But in order for us to modify the existing contracts we have and start some of those initiatives I respectfully request approval of this list so we can start expending those funds.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: I would like to move to approve action regarding the ARPA funds and recommended expenditures.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: So we have a motion from Commissioner Hansen, a second from Commissioner Hamilton. Anything else under discussion? Commissioner Hamilton.

COMMISSIONER HAMILTON: I do have one brief question. It's a great distribution. There are funds over two years. Are we generally planning to start everything all at once? Or are there some things that are going to be started first? Are there some priorities?

MANAGER MILLER: Mr. Chair, Commissioner Hamilton, so for instance the CONNECT. Those contracts already exist so we'll do amendments to those contracts for the first year allocation. That money can carry over into next year so we wouldn't add next year's if it's not getting expended. But we would modify all of those contracts probably pretty much at the same time. Luckily we have a real good blueprint for doing it because we did it with the CARES Act money and we did that in a very short timeframe. And then as far as the infrastructure, some of those are little bit more ready to go than others. We might already have design or they're a project that's already in progress, so they're all in a little bit different status. But we'll start moving them forward.

The infrastructure, as I said, we have a little longer to spend the funding for infrastructure, thank goodness, because those always take a long time and what we're finding right now is it's hard to get bids. Contractors are having trouble with the subcontractors so some of these we might find it's easier to go to an existing state contract or a CES contract. So we'll look for our easiest routes of spending. As far as the funding to go to the Hub assistance, we've already talked to the City about doing an agreement with them that we would reimburse them for any of those individuals that receive assistance through that program that live outside of the city limits. So that's one we don't have to create a whole new program or new contract, other than an agreement with the City.

So we're trying to leverage what already exists and utilize the funds that way, and that stuff will happen faster than other things. The things that we need to do. And luckily, this is kind of spread out also amongst different staff. In behavioral health we have the contractors that work with us in behavioral health and the staff that work on behavioral health, so we'll push that money out to those providers. We'll push the CONNECT money out to the variety of providers there. So I won't say everything will get done

tomorrow but we are in the fortunate position that this is fairly spread out across the County and across departments with different initiatives that each individual will be working on.

COMMISSIONER HAMILTON: Thank you.

CHAIR ROYBAL: Okay. Thank you, Commissioner Hamilton. Any other questions or comments? Thanks again for that presentation, Manager Miller. We had a motion and a second.

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

7. MATTERS FROM COUNTY COMMISSIONERS AND OTHER ELECTED OFFICIALS

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

CHAIR ROYBAL: I'll go to Commissioner Hansen first.

COMMISSIONER HANSEN: Thank you very much. I have a letter to the Sheriff that I have written in support of his active bystander for law enforcement. It's called the ABLE Project. One of my constituents, Rachel Friedman, has been working with him and it is in line with our civil rights resolution that we recently wrote and I'm pleased to see that the ABLE Project is consistent with and supportive of our legislation, our objects and strengthens the civil rights our residents. So I wanted to share that with you. I've written it as a Commissioner from District 2 and some of you also might want to write a letter in support of that and I will be happy to share my letter.

On Saturday, this last Saturday, it was a really, really busy day. At 9:00 I was with the Agua Fria Mutual Domestic. They had their annual meeting and Senator Rodriguez and I were both there. I had the opportunity to address the board and the community. They were appreciative of all of the work that the County has done and thanked me a number of times for everything that we at the County have done for Agua Fria and they are extremely grateful.

Then at 10:00 I went over to my Coffee and Tea Under the Trees and Joseph Montoya joined us from housing and we had a really robust talk about the affordable housing plan and many other things that happened. Of course the South Meadows issue came up and I once again tried to explain it as well as I could to the people who were there. And we had a really good turnout so I find creating a theme like water and housing. One constituent said to me, you have brought really great County officials here and it gives me a lot of faith in the County. And so I want to thank John Dupuis and Joseph Montoya for their time on a Saturday morning to come and talk to constituents. I think it's really worthwhile.

I also had to opportunity to testify on the methane rule in front of the Environmental Improvement Board in support of the rules that the Environment Department has brought forward.

I had talked to the Manager about possibly going to the Western Interstate Region conference and the main reason I wanted to go was because they were having a tour of a

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wastewater plant and I have seen some really state of the art wastewater plants. Las Vegas, Nevada has an amazing wastewater plant. It's state of the art and it is always interesting to see what other communities are doing in wastewater and sewer, but unfortunately the transmission rate is really, really high on COVID in Salt Lake City and I decided to decline that. I think we still need people to get vaccinated and I hope people will do that. I was encouraged to do that we in Santa Fe County are getting lots of people vaccinated.

It was also a really beautiful memorial, remembrance, for Commissioner Moreno and where the County Manager spoke and myself and Commissioner Hamilton were there. I also attended a celebration and memorial for Sally Spencer who was the district attorney's mother, Mary Carmack Altwies, and that was at the botanical gardens, which I had never been too. Shame on me, but it was incredible to go there. It was a beautiful place; what they have done at the botanical garden is really amazing.

And last but not least there is a women's march on October 2nd, Saturday at the Roundhouse starting at 11:00 am. So I look forward to seeing everyone there at the women's march so please join us on Saturday, October 2nd. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Thank you for all those announcements. We appreciate that. It's really interesting to see everything that's going on and thank you for everything that you participate in. So good job.

COMMISSIONER HANSEN: Thank you, Mr. Chair.

CHAIR ROYBAL: So I'm going to go to Commissioner Hamilton.

COMMISSIONER HAMILTON: Thanks. I don't have that much. I wanted to mention that we'll do Coffee with the Commish this Saturday which is October 2nd, so we're basically – we're thinking about – we're going to do it virtually to be respectful of everybody's time and to especially make sure we'll start at 9:00 and end it early enough so that people have time to go to the women's march at 11:00 and I hope everybody that has something to talk about calls in. Thank you.

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

COMMISSIONER GARCIA: Just had a really good meeting with the Speaker on Saturday in Cerrillos and roughly had about nine or ten individuals, but I just would like to talk to you, Manager Miller, about some of the things out there. Not today but soon. Also, on that Saturday is the cancer walk starting at the mall. I think that's at 8:00. So that should be done before 11:00. That's all I had, Mr. Chair. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia. So from my district I had a really interesting meeting. I was invited to a community meeting that Commissioner James Martinez, District 1 Rio Arriba County. We share borders so I attended his meetings. It did have to do with infrastructure that the Santa Fe County has put about \$1.7 million into this infrastructure for fiber that's going to be running up State Road 76. So the communities of Chimayo, Cundiyo, Rio Chiquito and all those communities are really grateful. It looks like right now they have ISP providers that are already ready to provide service as soon as this fiber gets put in in this community, so it's really great to hear because sometimes we get fiber in places that we don't have ISP providers. So it was a really great meeting. Constituents were happy. They brought up other concerns as well and some of those in the meeting consisted of constituents that

were Santa Fe County, my constituents. The majority were probably Rio Arriba. But it was a really productive meeting and I look forward to having those joint meetings with Commissioner Martinez in the future. I think that in collaboration with other counties where we have borders that do coincide with one another that it's really beneficial for the constituents in that area for the two counties to work together. So it was a really good meeting and so I just wanted to say thank you to Commissioner Martinez for the invite to this community meeting.

As far as our next meeting I do have another meeting scheduled in October, which we've sent out notices, so I look forward to that meeting. I think that's really all that I had to announce at this point. So I just want to go back around to Commissioners. I want to go to Commissioner Hughes, and then also give the other Commissioners if they have any other comments. Commissioner Hughes.

COMMISSIONER HUGHES: Yes, thank you, Mr. Chair. Just a couple of things. Our next community meeting in District 5 will be October 7th at 5:30 and we'll do that virtually, as usual. I was hoping of course like all of us to get back to in person but we'll stick to virtually. And then I just wanted to mention, in case the other Commissioners have been hearing similar things. A lot of people have been telling me they're concerned about the current crime wave. So I just thought I would mention that. That came up yesterday in a meeting I had with Eldorado residents which was about infrastructure projects, but they also said that they're very concerned about crime. So thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hughes. Okay, are there any other comments or announcements from Commissioners before we go?

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

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

KATHARINE CLARK (County Clerk): Thank you, Chair Roybal. So as you may know that the regular local election is starting next week, so first, to kick us off is that today is National Voter Registration Day. So I would encourage everyone to go to nmvote.org and check to see if you're registered and if you're registered at the correct location.

Starting on Tuesday, October 5th is when we start opening voting. So it's an important day because three things go on. First, is voting will start at the County building at 100 Catron. So if you want to vote early in the regular local election you can always go to the County Clerk's Office or 100 Catron and cast your ballot. It is the last day to register online, so what's called the books, like for old school voter registration books close, and so you can no longer register to vote online. You have to do it at the same day voter registration process. So this year, every polling place through early voting will have same day voter registration. Bring your ID, a photo ID essentially and you can register to vote if you missed Tuesday's deadline and be able to cast your ballot in the regular local election.

We did have a winner of our sticker contest. I can actually show you the winning sticker design if someone lets me share my screen. Would that be possible? I'm logged in on the Webex. So this is the winning design, and this is by Cadence Gonzales. Let me get her bio. She is from the Academy of Technology and Classics in 12th grade. She won this design outright, so we actually were planning on doing ranked choice voting for the six submissions, and actually she ended up winning the first round. So she got 54.9 percent, so we didn't actually have to do any more ranking. She was the overwhelming majority for this design. This design will go out in every single absentee ballot and be at all of our early voting locations. So we're planning on putting regular local election 2021 and when you continue this program you'll be able to collect winning sticker designs from high school designs every year.

CHAIR ROYBAL: That's a great program and I like the way it was presented. As I said I voted on the other side. That's awesome. Thank you for doing that.

CLERK CLARK: Yes. We're a bilingual county and our ballots are bilingual and it's appropriate to have bilingual voting stickers.

CHAIR ROYBAL: Thank you, Katharine, for sharing that with us and with your constituents. Great job. Okay, do we have any other elected officials that would like to make any comments or share a message with their constituents? Tessa Jo, can you see if there's any other elected officials that are present?

MS. MASCARENAS: No, Mr. Chair. We do not.

CHAIR ROYBAL: Okay. Thank you. So I'm going to go ahead and close that item.

7. C. Resolution No. 2021-080, a Resolution Affirming Santa Fe County's Support for the New Mexico Safe Haven For Infants Act, in Order to Protect Innocent Life

CHAIR ROYBAL: This is a resolution that I brought forward and I just want to read a little bit more background and respectfully ask that the Commission approves this resolution. The New Mexico State Legislature first adopted the Safe Haven for Infants Act in 2005. The act seeks to promote the safety of infants and to immunize parents from criminal prosecution for leaving an infant 90 days of age or less in a safe haven site. The Santa Fe County Board of County Commissioners fully supports the legislative intent and practice of the act and commits itself and its dependents to participate as intended by law.

Action requested of Santa Fe County hereby affirms and commits itself to expanding public awareness of New Mexico Safe Haven for Infants Act and to provide training to ensure compliance with the act. Santa Fe County hereby affirms and commits itself to raising awareness regarding safe haven sites within Santa Fe County, including the following locations where parents may leave an infant 90 days of age or less without criminal prosecution: Santa Fe County Fire Department Station 50, Pojoaque Station 1; Station 60, La Cienega Station 1; Station 61, Agua Fria Station 2; Station 62, Agua Fria Station 1; Station 70, Edgewood Station 1; Station 80, Hondo Station 2; and the resolution I'll read into the record. The resolution affirms Santa Fe County's support for the New Mexico Safe Haven for Infants Act in order to protect innocent life.

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Whereas New Mexico State Legislature first adopt the Safe Haven for Infants Act in 2005

Whereas, the act seeks to protect the safety of infants and immunize parents from criminal prosecution for leaving an infant 90 days of age or less at a safe haven site;

Whereas Santa Fe County fully supports the legislative intent and practice of the act and commits itself to participating as intended by law.

Now, therefore, be it resolves that the Board of County Commissioners of Santa Fe County hereby affirms and commits itself to expanding public awareness of New Mexico Safe Haven for Infants Act and provide training to ensure compliance with the act.

Be it further resolved that Santa Fe County affirms and commits itself to raising awareness regarding safe haven sites within Santa Fe County including the following 24-hour Santa Fe County Fire Department locations where parents may leave an infant 90 days of age or less without criminal prosecution.

Those sites I've already read out previously. So I'd like to make a motion to approve and look for a second.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: We have a motion from Commissioner Roybal, a second from Commissioner Hansen. Under discussion, Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you for bringing this forward. I remember when this act was going through the state legislature. It was a very interesting act. It's kind of a sad act, but it's definitely needed out there in our communities. But thank you for bringing this forward. Good deal, Mr. Chair. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Are there any other questions or comments from the Board? Seeing none.

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

7. **D. Resolution No. 2021-__ Resolution Directing the County Manager to Establish a Working Group to Analyze and Make Recommendations Concerning an Ordinance Banning all Single-Use Plastic and Polystyrene Products in Santa Fe County; Urging the US Congress to Enact Senate Bill 984; and, Should the US Congress Fail to Act, Urging the New Mexico Legislature to Enact a Statewide Ban on Single-Use Plastic and Polystyrene Products**

CHAIR ROYBAL: The sponsors of this are Commissioner Hank Hughes and Commission Anna Hansen. Commissioner Hughes, I'll go to you first, sir.

COMMISSIONER HUGHES: Thank you, Mr. Chair, although I think I'll let Commissioner Hansen talk about recent events. I think there was some concern that we may not have the staff capacity right at this point to do this in the timeframe that's suggested in the resolution due to some recent changes, but I'll let Commissioner Hansen address that. I'm not sure whether we should just postpone this for a meeting or two, or whether we should change the timeframe in the resolution. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Commissioner Hughes. What I

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feel is that I know that we had a staff attorney working with us and he had to leave the County and I know that our Legal Department is overworked, to put it nicely, and out of respect for our departments and staff, we have a lot of things on our plate. We are working with the ARPA money, we are working with a broad range of things and even though this is incredibly important to me and I do not want it to fall through the cracks I completely believe that we need to ban single-use plastic. I believe we need to come up with solutions to that because it is killing us and it contaminating the world. But on the other hand, I also recognize the limitations of staff and the limitations of our own abilities to actually really produce good outcomes. And what I am more interested in is a good outcome, that we have the ability to really share this with our constituents.

There was a letter in the *Albuquerque Journal* talking about We're in the bag. We, in the resolution talk about the other counties and cities in New Mexico that have done this and we are not abandoning this or putting it off but we are being mindful of the resources that we have at the County and recognizing that it might be a good idea to postpone this for a while so that we can actually have a really successful outcome. And I hope that my colleagues will support me in that.

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: Commissioner Garcia.

COMMISSIONER GARCIA: I fully support my two colleagues. As we know what happened last week our world leaders actually were in a meeting in regards to what's happening to our Mother Earth. And hopefully they came up with some good outcome and this is actually dealing with pollution. So I think we need to educate the individuals out there. It's a lot but pollution is everywhere and it's just making our mother ship start failing or start – I agree with you, Commissioner. We just have to actually just educate the individuals out there more and more. If you want to table it, I'm good with it.

COMMISSIONER HANSEN: [microphone off]

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

COMMISSIONER HAMILTON: Thank you. I want to express my respect for the two Commissioners that brought this forward. It is really an important issue, and my further respect for recognizing that timing can be everything and there are so many very large things on our plate right now that are time-limited, as Commissioner Hansen mentioned, including working on ARPA funds. It is all time restricted. Like apparently everyone around the country, the County is having staffing issues. So we're hopefully coming out of a pandemic period but into a period that has put on very unusual pressures and has changed our ability to bring staff in and achieve some of these things that are also important to the community recovery. I fully feel like it is not an issue of one thing being more important but of having to deal with things in kind of an appropriate sequence. So I fully support bringing this back maybe early next year or in the spring when other things are under control and recognize this would be able to be moved forward in a better manner. So thank you very much for doing both of those things.

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

COMMISSIONER HANSEN: Yes, I want to recognize staff who have

worked so hard on this resolution – Olivia Romo and Sara Smith and Deputy Manager Bernardino, and everyone else that has worked very hard on this resolution. And of course my fellow Commissioner, Mr. Hughes, who is like myself, 100 percent behind this. So thank you for recognizing how important this is and at the same time recognizing that staff to extend and overwork staff is not to our benefit. So thank you very, very much, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hansen, and I look forward to this resolution coming forward in the future. Attorney Shaffer, do we need to make a motion to – or did you make a motion already, Commissioner Hansen?

COMMISSIONER HANSEN: Greg do I need to make a motion?

MR. SHAFFER: Mr. Chair and Commissioners, I think the sponsors from the item are withdrawing it from consideration so I don't think that a technical motion to table is necessary.

CHAIR ROYBAL: Okay, so then we're withdrawing this item and we'll look forward to it coming back in the future.

COMMISSIONER HANSEN: Thank you very much.

CHAIR ROYBAL: Thank you, Commissioner Hansen.

9. INFORMATION ITEMS/MONTHLY REPORTS

- A. Community Services Department August 2021 Monthly Report**
- B. Finance Division July 20121 Monthly Report**
- C. Growth Management Department August 2021 Monthly Report**
- D. Human Resources September 2021 Monthly Report**
- E. Public Safety August 2021 Monthly Report**
- F. Public Works August 2021 Monthly Report**

There were no questions regarding the monthly reports.

8. 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. Threatened Litigation Concerning Discharge of Statutory Duties**

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2. Breach of Settlement Agreement and Related Agreements Related to Annexation
3. Acquisition and Disposition of Real Property Interests for Solid Waste Convenience Center and Open Space

CHAIR ROYBAL: Attorney Shaffer, can you give us a summary of what we need to go into executive session for and also if you could let us know if there's anything that we would have to reconvene after this for.

MR. SHAFFER: Mr. Chair and Commissioners, no, I don't believe that there is anything that would require the Board to reconvene in open session this evening. So you could move to adjourn the meeting and go into executive session to discuss 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: threatened litigation concerning discharge of statutory duties and breach of settlement agreement and related agreements related to annexation and acquisition and disposition of real property interests for solid waste convenience center and open space.

CHAIR ROYBAL: Thank you, Attorney Shaffer. Can I get a motion?

COMMISSIONER GARCIA: So moved.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: So this motion is to go into executive session where we will adjourn from executive session, so we won't be coming back out to the open meeting. So we have a motion from Commissioner Garcia, a second from Commissioner Hamilton. Madam Clerk, can we get a roll call?

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

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

[The Commission adjourned to meet in executive session at 5:15.]

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

This item was deemed unnecessary.

CONCLUDING BUSINESS

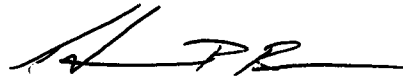
A. Announcements

B. Adjournment

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Having completed the agenda and with no further business to come before this body, Chair Roybal declared this meeting adjourned at 5:15 p.m.

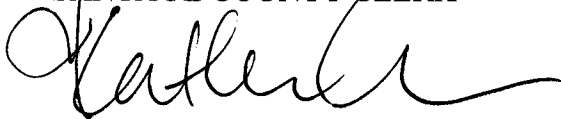
Approved by:




Henry Roybal, 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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