



**Board of County Commissioners of Santa Fe County
Regular BCC Meeting
Tuesday, October 31, 2023**

Commissioners Present

Anna C Hansen
Hank Hughes
Anna T Hamilton
Camilla Bustamante
Justin S Greene

1. Opening Business

- A. Call to Order - 2:15 p.m.
- B. Roll Call.
- C. Pledge of Allegiance. (Chair Anna C. Hansen)
- D. State Pledge. (Chair Anna C. Hansen)
- E. O'ga P'ogeh Owingeh Land Acknowledgement. (Chair Anna C. Hansen)
- F. Moment of Reflection. (County Assessor's Office/Lenin Armendariz)
- G. Approval of Agenda. (Action Item)

Motion & Voting

- Motion: Approval of agenda.
- Motion and second: Motion by Justin S Greene, second by Anna T Hamilton.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

- H. Years of Service, Retirements, and New Hire Recognitions. (County Manager's Office/Gregory S. Shaffer)
- I. Employee of the Quarter, 3rd Quarter 2023. (County Manager's Office/Gregory S. Shaffer)

2. Approval of Meeting Minutes (Action Item)

- A. Request Approval of the September 26, 2023, Board of County Commissioner Meeting Minutes.

Motion & Voting

- Motion: Approval of the September 26, 2023, Board of County Commissioner Meeting Minutes as Corrected.
- Motion and second: Motion by Camilla Bustamante, second by Anna T Hamilton.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

3. Consideration of Proclamations, Commissioner Resolutions, and/or Recognitions (Action Items)

A. Request Approval of Letter from Santa Fe Board of County Commissioners to the New Mexico Environment Department in Support of the their Statement of Basis for Selection of Remedy for Corrective Action at Los Alamos National Laboratory's Material Disposal Area C. (Commissioner Anna Hansen)

Motion & Voting

- Motion: Approval of Letter from Santa Fe Board of County Commissioners to the New Mexico Environment Department in Support of their Statement of Basis for Selection of Remedy for Corrective Action at Los Alamos National Laboratory's Material Disposal Area C as Amended.
- Motion and second: Motion by Justin S Greene, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

4. Consent Agenda (Action Items)

Motion & Voting

- Motion: Remove all Items from Consent Agenda to be Considered Separately.
- Motion and second: Motion by Anna T Hamilton, second by Justin S Greene
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

A. Resolution No. 2023-108, A Resolution Requesting a Budget Increase to Fire Protection Fund (209) for Various Fire Districts in the Amount of \$97,018. (Finance Division/Yvonne S. Herrera and Public Safety Department/Jacob Black)

Motion & Voting

(Items A & B)

- Motion: Approval of Resolution No. 2023-108, A Resolution Requesting a Budget Increase to Fire Protection Fund (209) for Various Fire Districts in the Amount of \$97,018.
- Motion and second: Motion by Justin S Greene, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

B. Resolution No. 2023-109, A Resolution Requesting a Budget Decrease to the Emergency Medical Services (EMS) Fund (206) in the Amount of \$2,834. (Finance Division/Yvonne S. Herrera and Public Safety Department/Jacob Black)

Motion & Voting

(Items A & B)

- Approval of Resolution No. 2023-109, A Resolution Requesting a Budget Decrease to the Emergency Medical Services (EMS) Fund (206) in the Amount of \$2,834.
- Motion and second: Motion by Justin S Greene, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

C. Request (1) Approval of Amendment No. 1 to Agreement No. 2022-0287-CORR/KE Between Santa Fe County and Mira Consulting, Inc. to Provide Dental Services at the Adult Detention Facility, Extending the Term an Additional Year, and Increasing Compensation an Additional \$168,000 for a Total Contract Sum of \$318,000, Exclusive of NM GRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s). (Purchasing Division/Bill Taylor and Public Safety Department/Derek J. Williams)

Motion & Voting

- Motion: (1) Approval of Amendment No. 1 to Agreement No. 2022-0287-CORR/KE Between Santa Fe County and Mira Consulting, Inc. to Provide Dental Services at the Adult Detention Facility, Extending the Term an Additional Year, and Increasing Compensation an Additional \$168,000 for a Total Contract Sum of \$318,000, Exclusive of NM GRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s).
- Motion and second: Motion by Justin S Greene, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

D. Request (1) Approval of Construction Contract No. 2023-0020-PW/APS Between Santa Fe County and Contreras Construction Corporation for Construction Services at the Madrid Fire Station Expansion in the Amount of \$1,107,828, Exclusive of NM GRT, and (2) Delegation of Authority to the County Manager to Sign All Necessary or Proper Agreements, Amendments, and Purchase Order. (Purchasing Division/Bill Taylor and Public Works Department/Miguel "Mike" Romero)

Motion & Voting

- Motion: (1) Approval of Construction Contract No. 2023-0020-PW/APS Between Santa Fe County and Contreras Construction Corporation for Construction Services at the Madrid Fire Station Expansion in the Amount of \$1,107,828, Exclusive of NM GRT, and (2) Delegation of Authority to the County Manager to Sign All Necessary or Proper Agreements, Amendments, and Purchase Order.
- Motion and second: Motion by Justin S Greene, second by Anna T Hamilton.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

E. Request (1) Approval to Purchase Two Kenworth Dump Trucks with Attachments Utilizing an Existing Contract with the Cooperative Education Services Agreement No. 2020-31B-C112-ALL for a Total Amount of \$707,685, Exclusive of NM GRT and (2) Delegation of Authority to the County Manager to Sign the Purchase Order. (Purchasing Division/Bill Taylor and Public Works Department/Brian K. Snyder)

Motion & Voting

- Motion: (1) Approval to Purchase Two Kenworth Dump Trucks with Attachments Utilizing an Existing Contract with the Cooperative Education Services Agreement No. 2020-31B-C112-ALL for a Total Amount of \$707,685, Exclusive of NM GRT and (2) Delegation of Authority to the County Manager to Sign the Purchase Order.
- Motion and second: Motion by Justin S Greene, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

F. Request (1) Approval of Amendment No. 6 to Agreement No. 2021-0010-CSD/CW Between Santa Fe County and Santa Fe Public Schools for Youth Substance Use Prevention Program Services, Extending the Term of the Agreement to December 8, 2024, and Increasing Compensation an Additional \$80,000 for a Total Contract Sum of \$420,000, Inclusive of NM GRT, and (2) Delegation of Authority to the County Manager to Sign the Purchase Order. (Purchasing Division/Bill Taylor and Community Services Department/Chanelle Delgado)

Motion & Voting

- Motion: (1) Approval of Amendment No. 6 to Agreement No. 2021-0010-CSD/CW Between Santa Fe County and Santa Fe Public Schools for Youth Substance Use Prevention Program Services, Extending the Term of the Agreement to December 8, 2024, and Increasing

Compensation an Additional \$80,000 for a Total Contract Sum of \$420,000, Inclusive of NM GRT, and (2) Delegation of Authority to the County Manager to Sign the Purchase Order.

- Motion and second: Motion by Justin S Greene, second by Anna T Hamilton.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

G. Request (1) Approval to Utilize the Statewide Price Agreement with Facility Build Contractors Construction Services for ADA Upgrades at the El Rancho Community Center in the Amount of \$675,361.95, Exclusive of NM GRT, and (2) Delegation of Authority to the County Manager to Negotiate and Sign All Necessary or Proper Agreements, Amendments and the Purchase Order. (Purchasing Division/Bill Taylor and Public Works Department/Robert Walton) (Packet Material Added)

Motion & Voting

- Motion: (1) Approval to Utilize the Statewide Price Agreement with Facility Build Contractors Construction Services for ADA Upgrades at the El Rancho Community Center in the Amount of \$675,361.95, Exclusive of NM GRT, and (2) Delegation of Authority to the County Manager to Negotiate and Sign All Necessary or Proper Agreements, Amendments and the Purchase Order.
- Motion and second: Motion by Justin S Greene, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

H. Request (1) Approval to Utilize the Statewide Price Agreement with Bohannon Huston Inc. to Provide Design Services for the Wastewater Infrastructure Within the Historic Village of Agua Fria, in the Amount of \$336,046.60, Exclusive of NM GRT, and (2) Delegation of Authority to the County Manager to Negotiate and Sign All Necessary or Proper Agreements, Amendments, and Purchase Order(s). (Purchasing Division/Bill Taylor and Public Works Department/Paul Choman) (Packet Material Added)

Motion & Voting

- Motion: (1) Approval to Utilize the Statewide Price Agreement with Bohannon Huston Inc. to Provide Design Services for the Wastewater Infrastructure Within the Historic Village of Agua Fria, in the Amount of \$336,046.60, Exclusive of NM GRT, and (2) Delegation of Authority to the County Manager to Negotiate and Sign All Necessary or Proper Agreements, Amendments, and Purchase Order(s).
- Motion and second: Motion by Justin S Greene, second by Anna T Hamilton.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

I. Request (1) Approval to Utilize an Existing Cooperative Contract for Job Order Contract Project Delivery Method for the Construction of Wastewater Infrastructure Within the Historic Village of Agua Fria, and (2) Delegation of Signature Authority to the County Manager to Negotiate and Sign All Necessary or Proper Contracts, Change Order(s) and Purchase Order(s). (Purchasing Division/Bill Taylor and Public Works Department/Paul Choman)

Motion & Voting

- Motion: (1) Approval to Utilize an Existing Cooperative Contract for Job Order Contract Project Delivery Method for the Construction of Wastewater Infrastructure Within the Historic Village of Agua Fria, and (2) Delegation of Signature Authority to the County Manager to Negotiate and Sign All Necessary or Proper Contracts, Change Order(s) and Purchase Order(s).
- Motion and second: Motion by Justin S Greene, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

J. Request Approval of Agreement No. 2024-0114-FI/BT with Bank of Oklahoma Financial, NA to Provide Registrar and Paying Agent Services for Each Series of the County's Outstanding Bonds. (Finance Division/Yvonne S. Herrera)

Motion & Voting

- Motion: Approval of Agreement No. 2024-0114-FI/BT with Bank of Oklahoma Financial, NA to Provide Registrar and Paying Agent Services for Each Series of the County's Outstanding Bonds.
- Motion and second: Motion by Justin S Greene, second by Anna T Hamilton.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

5. Appointments and Reappointments (Action Items)

A. Request Appointment of Members to the Transportation Advisory Committee (TAC). (Growth Management Department/Mike Galizio)

Motion & Voting

- Motion: Appointment of Members to the Transportation Advisory Committee (TAC). District 1 Reappointment Gillis Lang. District 3 Appointment Ruben Cedeno. District 4 Reappointment Bill Miller. District 5 Reappointment Daniel Painter. District 5 Appointment Phil Rowe. At-Large Reappointment John Nitzel. At-Large Appointment Jim Murphy. At-Large Appointment Jack Sullivan.
- Motion and second: Motion by Justin S Greene, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

B. Request Appointment of Members to the Santa Fe County DWI Planning Council. (Community Services Department/LeAnne Rodriguez)

Motion & Voting

- Motion: Appointment of Members to the Santa Fe County DWI Planning Council. Kathy Armijo-Etre, PhD. Esteban Trujillo. Omar Vega. Brett M. Barnes, J.D. Jonathan Fernandez. Katrina A. Latka. Jeffery Lossing. Mario Salbidrez. Richard Yoast.
- Motion and second: Motion by Hank Hughes, second by Camilla Bustamante.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

6. Miscellaneous Action Items

A. Request Approval of Agreement No. 2022-0181-TR/ with U.S. Bank to Provide All Banking Activities for Santa Fe County. (Purchasing Division/Bill Taylor and Finance Division/Yvonne S. Herrera and Treasurer Jennifer J. Manzanares)

Motion & Voting

- Motion: Approval of Agreement No. 2022-0181-TR/ with U.S. Bank to Provide All Banking Activities for Santa Fe County.
- Motion and second: Motion by Justin S Greene, second by Anna T Hamilton.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

B. **ITEM WITHDRAWN** Resolution No. 2023-___, A Resolution Identifying Santa Fe County's 2024 Legislative Priorities for Affordable Housing. (Community Development Department/J. Jordan Barela)

C. **ITEM WITHDRAWN** Resolution 2023 -____, A Resolution Identifying Santa Fe County 2024 Legislative Priorities for Community Development. (Community Development Department/Paul Olafson)

D. **ITEM WITHDRAWN** Resolutions 2023-____, A Resolution Identifying Santa Fe County 2024 State Legislative Priorities for Sustainability and Climate Action. (Community Development Department/Jacqueline Beam)

E. **ITEM WITHDRAWN.**

F. Consideration and Potential Action on a Department of Finance and Administration Grant Agreement for \$100,000 for the Department of Energy Collaboration Center in Santa Fe County. (Community Manager's Office/Gregory S. Shaffer)

Motion & Voting

- Motion: Conditional Approval of Department of Finance and Administration Grant Agreement for \$100,000 for the Department of Energy Collaboration Center in Santa Fe County Pending Inclusion in the Santa Fe County Strategic Plan.
- Motion and second: Motion by Hank Hughes, second by Justin S Greene.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

7. Short-Term Rental Presentation and Proposed Ordinance (Title Changed)

A. Presentation on the Analysis of the Impacts Related to Short-Term Rentals in Santa Fe County. (Growth Management Department/Erle Wright and Nate Crail and Southwest Planning & Marketing/Rachelle Howell and Chris Cordova) (Packet Material Added)

B. Request Authorization to Publish Title and General Summary of Ordinance No. 2023-____, An Emergency Ordinance Amending Ordinance No. 2022-07, The Short-Term Rental Regulation, Registration and Licensing Ordinance, and Ordinance No. 1992-3, The Business Registration and Licensing Ordinance, to Extend the Moratorium On Non-Owner-Occupied Short-Term Rentals. (Growth Management Department/Penny Ellis-Green and County Attorney's Office/Jeff Young) (Item Added) (Action Item)

Motion & Voting

- Motion: Request Authorization to Publish Title and General Summary of Ordinance No. 2023-____, An Emergency Ordinance Amending Ordinance No. 2022-07, The Short-Term Rental Regulation, Registration and Licensing Ordinance, and Ordinance No. 1992-3, The Business Registration and Licensing Ordinance, to Extend the Moratorium On Non-Owner-Occupied Short-Term Rentals.
- Motion and second: Motion by Camilla Bustamante, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Camilla Bustamante.
- No: Justin S Greene.
- Final Resolution: Motion Carries.

8. Matters of Public Concern (Subject to Three (3) Minutes or Other Time Limit Imposed by the Chair; Pre-Register at www.santafecountynm.gov/comment)

9. Matters from the County Manager

A. Miscellaneous Updates.

10. Matters from the County Commissioners and Other Elected Officials (Action/Non-Action Items)

- A. Commissioner Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions, and Requests for Updates or Future Presentations. (Non-Action Items)
- B. Other Elected Officials Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions, and Requests for Updates or Future Presentations. (Non-Action Items)

11. Matters from the County Attorney

A. *Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Administrative Adjudicatory Proceedings, Including Those on the Agenda Tonight for Public Hearing, as Allowed by Section 10-15-1(H)(3) NMSA 1978; Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Between the Board of County Commissioners and Collective Bargaining Units, as Allowed by Section 10-15-1(H)(5); Discussion of Contents of Competitive Sealed Proposals Pursuant to the Procurement Code During Contract Negotiations as Allowed by Section 10-15-1(H)(6); Threatened or Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(7) NMSA 1978; and, Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1(H)(8) NMSA 1978, including: (1) City of Santa Fe vs. Board of County Commissioners, First Judicial District Court, Case No. D-101-CV-2023-01555; (2) FMCS Case #230130-03039 Santa Fe County Deputy Sheriff's Association and Santa Fe County; (3) Emmens v. Santa Fe County, U.S. District Court, District of New Mexico, Case No. 1:23-CV-00588; and (4) David Garcia Tort Claims Notice.

12. Informational Items / Reports

- A. Community Development Department September 2023 Monthly Report.
- B. Community Services Department September Monthly Report
- C. Growth Management Department September 2023 Monthly Report.
- D. Human Resources Division October 2023 Monthly Report.
- E. Public Safety Department September 2023 Monthly Report.
- F. Public Works Department September 2023 Monthly Report.
- G. Quarterly Report on Restricted Housing at County Correctional Facilities Pursuant to Laws 2019, Chapter 194 (HB 364).

13. Concluding Business

- A. Announcements.
- B. Adjournment. (Action Items)

Motion & Voting

- Motion: Adjournment of Public Meeting Section of the Meeting. 5:42 p.m.
- Motion and second: Motion by Justin S Greene, second by Camilla Bustamante.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final Resolution: Motion Carries.

Meeting adjourned at 5:42 p.m.