

SANTA FE COUNTY

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

April 14, 2020

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:07 p.m. by Chair Henry Roybal.

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

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

B. Roll Call

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

Members Present:

Commissioner Henry Roybal, Chair
Commissioner Anna Hansen, Vice Chair
Commissioner Rudy Garcia
Commissioner Anna Hamilton
Commissioner Ed Moreno

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 Kathryn Urioste of the Public Safety Department.

I. F. Approval of Agenda

1. Amendments

2. Tabled or Withdrawn Items

CHAIR ROYBAL: Do we have any changes to the agenda?

KATHERINE MILLER (County Manager): Mr. Chair, the agenda was

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

SFC CLERK RECORDED 05/20/2020
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amended on 4/10 and we just had a couple of items that were moved or added. On page 2 of the agenda, item 4. Miscellaneous Action Items, 4. C, that was originally on Consent, but because there were some questions we moved that to Miscellaneous Action Items.

Then under item 7. Matters from the County Manager, Recognition of National Telecommunicator Week was added. And then also under item 10. Matters from the County Attorney, item 2 was added. Those are the only changes to the agenda as it was originally posted a week ago.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Okay, thank you for that update, Manager Miller. Are there any other changes to the agenda or items that should be moved?

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I was wondering if Pablo's update could be moved up somewhere. It's just an informational item but I thought it might be important for him to just say a few words.

CHAIR ROYBAL: Do you know which number that is; is it under staff?

MS. MILLER: Mr. Chair, it's under 12, Informational Items.

COMMISSIONER HANSEN: Commissioner Roybal, it could be moved up to by the Manager's update.

CHAIR ROYBAL: Okay. I was going to move it up to right after Consent but we can do it after the Manager's Update.

COMMISSIONER HANSEN: Okay. I think that's the appropriate place for it.

CHAIR ROYBAL: Okay.

COMMISSIONER HANSEN: And with all those changes, I would like to move to approve the agenda.

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

COMMISSIONER HAMILTON: Second.

COMMISSIONER GARCIA: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hamilton and I think from Commissioner Garcia as well. Is there anything under discussion? Okay. We'll go to a roll call vote.

The motion passed by unanimous roll call vote as follows:

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

I. G. Approval of Minutes: March 10, 2020

CHAIR ROYBAL: Commissioner Hansen, you usually have some changes.

COMMISSIONER HANSEN: Yes, I do and I have given them to the stenographer, and with that I would like to move to approve the minutes.

COMMISSIONER GARCIA: Second.

CHAIR ROYBAL: So that's a motion from Commissioner Hansen and a second from Commissioner Garcia. Let's go to roll call vote.

The motion passed by unanimous roll call vote as follows:

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

2. CONSENT AGENDA

- A. **Resolution No. 2020-29, a Resolution Requesting an Increase to the Fire Operations Fund (244) to Budget Additional Funding for the State Opioid Response Grant Award in the Amount of \$37,824 (Finance Division/Yvonne S. Herrera)**
- B. **Request (1) Approval of Amendment No. 1 to Agreement No. 2019-0201-FD/CW Between Santa Fe County and Shane Therapeutics, LLC, Increasing the Compensation in the Amount of \$136,976.00, for a Total Contract Sum of \$311,976.00, Inclusive of NMGRT, and Extending the Term an Additional Year and (2) Authorization for the County Manager to Sign the Purchase Order(s) (Purchasing Division/Bill Taylor and Fire Department/Erik Litzenberg)**
- C. **Resolution No. 2020-30, a Resolution Requesting a Budget Increase to the Law Enforcement Operational Fund (246) in the Amount of \$143,229 (Finance Division/Yvonne S. Herrera)**

CHAIR ROYBAL: Is there anything on the Consent Agenda that the Commissioners would like to have pulled for clarification. There's three items. And if not, then what's the pleasure of the Board?

COMMISSIONER GARCIA: Mr. Chair, move for approval.

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

COMMISSIONER HAMILTON: Second.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: We have a second from Commissioners Hansen and Hamilton. Is there anything else under discussion? Hearing none.

The motion passed by unanimous roll call vote as follows:

Commissioner Garcia	Aye
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Moreno	Aye

Commissioner Roybal

Aye

3. APPOINTMENTS/REAPPOINTMENTS

A. Request Appointment of Staff to Serve on the Santa Fe City and County Advisory Council on Food Policy

CHAIR ROYBAL: I believe we have Robert Griego.

MS. MILLER: Mr. Chair, I think he's having difficulty getting on the line. The City of Santa Fe has a City-County Advisory Council on Food Policy, and it was established by resolution back in 2008, and the resolution identifies that there are different members, ten of which come from the City of Santa Fe employees and two which are Santa Fe County employees. Our previous senior planner, Erin Ortigoza, and Patricia Boies have been on the council since January 2018 through January 2021 but Erin Ortigoza is no longer a County employee and so we need to replace her and we are recommending Lucy Foma from Growth Management. She's also a senior planner in Santa Fe County and coordinates long-range planning efforts communicating with community groups and manages the AgriGate program. So we would just recommend Lucy for that appointment.

COMMISSIONER GARCIA: Mr. Chair, move for approval.

COMMISSIONER HANSEN: Second.

COMMISSIONER HANSEN: Mr. Chair, I would like to make a comment.

CHAIR ROYBAL: Commissioner Hansen, go ahead.

COMMISSIONER HANSEN: I feel that we are incredibly lucky to have Lucy working for Santa Fe County. Her background is quite impressive and it was wonderful to read her background and so I am really grateful for that piece of information and I'm looking forward to hearing her report and especially I would like an update on the AgriGate program and how it is moving along at this point. Thank you.

CHAIR ROYBAL: Okay. Thank you for those comments, Commissioner Hansen. I couldn't agree more. She's doing a great job for the County. Are there any other comments from other Commissioners?

COMMISSIONER HAMILTON: Actually, Mr. Chair, this is Commissioner Hamilton.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: So I just want to follow up on what Commissioner Hansen said and indicate I think it would be a wonderful idea to have a follow-up report to the Board at some time, given that food policy – hunger and what not and the ability to support our community in terms of food and keeping those programs going is becoming an issue. So it would be good in the near term to hear what is going on. I've actually been on a couple of the Food Policy Council calls and Lucy has been doing a good job. So I just wanted to support the idea of getting a report back on that matter.

COMMISSIONER HANSEN: Mr. Chair. Thank you, Commissioner Hamilton. I just feel that at this time that our food production also is somewhat under

attack. The AgriGate program, they've been working on it for a number of years and I think this would be an opportune time to start getting this moving and making sure that we're helping our farmers out in the county. Thank you.

MS. MILLER: Mr. Chair.

CHAIR ROYBAL: Yes, Manager Miller.

MS. MILLER: So Robert Griego was prepared to speak to that. If he does figure out how – on the call list he doesn't have a microphone. So if he can figure it out before the end of the meeting when we get to Matters from the Manager I can have him give you an update but he was prepared to speak to this and AgriGate and also what we are doing relative to food supply. [See page 28.]

CHAIR ROYBAL: Okay. I appreciate that. I think that would be really informational and it may answer some of the questions that the Commissioners have. Thank you, Manager Miller. Hopefully we'll hear from Robert later, right around the Manager's comments or Matters from the County Manager. So we do have a motion and a second.

The motion passed by unanimous roll call vote as follows:

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

COMMISSIONER MORENO: Thank you, Mr. Chair. I had the good opportunity to see Lucy in action with a San Marcos group that has been working for one or more years and she's a good hand and I hope, Lucy, you have a good experience in your position.

4. MISCELLANEOUS

- A. Request (1) Approval of Amendment No. 2 to Agreement No. 2019-0110-CSD/CW Between Santa Fe County and Santa Fe Recovery Center Increasing the Compensation an Additional \$321,245.00, for a Total Contract Sum of \$642,245, Inclusive of NMGRT, and Extending the Term of the Agreement an Additional Year and (2) Authorization for the County Manager to Sign the Purchase Order**

BILL TAYLOR (Purchasing Manager): Thank you, Mr. Chair. Good afternoon, Commissioners. This amendment No. 2 between Santa Fe County and Santa Fe Recovery not only increases the compensation, the additional amount of money of \$321,245 and extends the term. This does require the BCC approval. This program provides assistance for short-term and provides short-term and residential treatment services. This amendment will also readjust the compensation for both residential and outpatient services reducing the amount of short-term residential treatment services and increasing the amount payable basically as a result of the funding from State DWI funding source. There is a break between reporting between May and June of 2020 that's

not required due to the availability of the funding between that 60-day period. So there was just a readjustment of fees that we'll pay for those services and the reporting requirements will fall back into place after June of 2020.

In addition, Santa Fe Recovery has put in place a variety of protocols related to COVID-19, designed to ensure that these needed services are provided during this public health emergency crisis that we're in for as safe a manner as possible. With that, Mr. Chair, I'll stand for any questions and request approval of amendment 2.

CHAIR ROYBAL: Thank you, Mr. Taylor. We appreciate your summary there about this approval request. Is there any questions from any of the Commissioners for Mr. Taylor?

COMMISSIONER GARCIA: Mr. Chair, I have a question.

CHAIR ROYBAL: Okay, Commissioner Garcia.

COMMISSIONER GARCIA: So Mr. Taylor, this is actually not out of the County's general fund? This is kind of reimbursement from the state legislature, through the DWI, Department of Finance and Administration. Correct?

MR. TAYLOR: That's correct, Mr. Chair and Commissioner. That's correct.

COMMISSIONER GARCIA: This is an excellent program here in the community. Nancy Rodriguez has appropriated some money for this effort in the community, but what an excellent – I can't say enough. But move for approval, Mr. Chair. Thank you.

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

COMMISSIONER MORENO: Second.

CHAIR ROYBAL: And a second from Commissioner Moreno. Under discussion, any other comments or questions from any of the other Commissioners? Okay, I'd just like to reiterate what Commissioner Garcia did state, that this is a great program that affects a lot of people, so I really look forward to seeing how it evolves in the future and gets even better. Again, any comments from Commissioners? Okay, seeing none I'll go for the vote.

The motion passed by unanimous roll call vote as follows:

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

4. **B. Request Authorization for the County Manager to Negotiate and Execute All Documents, Contract(s), and Purchase Orders Necessary or Proper with a Contractor to Provide Ambulance Billing and Collection Services to the Santa Fe County Fire Department**

MR. TAYLOR: Thank you, Mr. Chair. Good afternoon, Commissioners,

again. What we're doing here is trying to request approval by the Board to grant authority to the County Manager to negotiate and execute the documents or contracts. We are currently in a procurement process RFP in selecting a third party firm to provide ambulance billing for the Santa Fe County Fire Department. Historically, we've been underachieving in this area with billing and collections and approximately 50 percent of billable amounts have been able to be collected.

So in order to correct this deficiency we've issued the RFP. We've received five proposals to date. The evaluation committee is now reviewing proposals and because of vacancies, really we're not in the billing and collection business, so to speak, in the Fire Department so it's a deficiency that we're trying to correct. They've been providing that service for billing since the inception of the Fire Department in 1987. Historically, as I mentioned, we've only been able to achieve about 50 percent. We expect and expect to achieve and improve approximately 85 percent if not better, using a third party billing and collection contractor. With that, Mr. Chair, we will stand for any questions from the Commission.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: I just wanted to state that, one, I think that this is important. There was an article in the paper that did not really explain what we are doing. I did get a phone call from the Speaker and he felt looked a little bad because what we're trying to do in this crisis is to reduce people's debt and not incur more debt on people, and that we need – maybe in the agreement we need to make sure to put something in the contract that states that if people have suffered from this pandemic and are unable to pay that they can have an exception, or something like that, because at this time, people who are losing jobs and have no means to pay bills – it's a difficult situation and by no means are we trying to look like we are trying to be a debt collector at this point. This is something that has been in the works for quite some time. Both Commissioner Hamilton and I sit on the Audit Committee and the Fire Department has been audited for this and this has been an ongoing issue that needs to be resolved, but at the same time, being in this challenging situation with coronavirus we need to be conscious of people who might not be able to pay and make sure that we give plenty of leeway.

I know we haven't even signed a contract yet but in the process I probably would like to hear from the County Manager on this and how we could add something like that into the contract. But I am in favor of us moving to this billing system because I feel like we are definitely losing money and eventually we will be out of this pandemic and we will be back to not normal – I don't think we will ever return to what is normal – but we will be back to a different situation.

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

MS. MILLER: Mr. Chair, there's a misperception as to what this is and I actually did respond to the Speaker because he sent a comment to me as well. This isn't a collection service; it's a billing service. We currently use internal staff to do – and it's medical billing, predominantly of insurance companies for ambulance services. So 93 percent or more of our ambulance billing goes to insurance companies. There's only

about six, seven percent that are private payers.

We're not changing our collection policy. We are merely changing doing our ambulance billing internally versus externally with a contractor. There are contractors that are set up to do this. This is what they do for multiple agencies. We are not really set up to do it. We have two positions to do it and it's not sufficient. They frequently get behind in billing the insurance companies. It's hard to catch up. It's not something that's a typical County job. I'd say just about every public entity in New Mexico of any size that has any significant ambulance volume uses a private billing entity.

So the contract is for that. It's not for bad debt collection; that's not the point of it. They have to follow our policy for collection, and if the Board wants to change the County's collection policy, that's a different process. We're not asking for a change to our ambulance billing collection policy. We're merely trying to award a contract to somebody to do our billing and receive those payments and distribute them to the County.

CHAIR ROYBAL: Okay. Thank you, Manager Miller. Thank you for the clarification. That's how I understood it and I'm glad that you actually clarified that. I got a little concerned for a minute there but that's how I understood it. Is there any other questions or comments from the Board?

COMMISSIONER HANSEN: Also, Mr. Chair, I really appreciate Katherine making everything clear, because it was not in the paper. So I feel that it is important that those comments be clear for the public. And with that I'll move to approve.

CHAIR ROYBAL: So I have a motion. Do I hear a second?

COMMISSIONER MORENO: Second.

COMMISSIONER GARCIA: I have a couple of questions really quick.

CHAIR ROYBAL: Okay. So we do have a motion from Commissioner Hansen and a second from Commissioner Moreno. So under comment we're going to Commissioner Garcia.

COMMISSIONER GARCIA: Just really quick. How much is the RFP for? That's one question. One. And second of all, what guarantee does Santa Fe County have that the RFP respondents are actually going to collect the money that we're paying the RFP for? And also what does the state or the City of Santa Fe or City of Albuquerque do for these uncollected debts? How do they handle it?

MS. MILLER: Mr. Chair, the City of Santa Fe uses a contractor, and it's not for uncollected debts. As I said, this is for ambulance billing. So if somebody has a ride in an ambulance, we specifically would bill their insurance company or Medicaid or Medicare for the ambulance service, and insurance pays those bills. Very little of this is private payers. Most of our ambulance revenue is from insurance companies. There is a percentage that are private payers who don't have insurance or choose not to have insurance that covers that. Maybe they only have major medical or something like that. But that's a small percentage.

Almost every large ambulance service uses a billing company. They don't do it themselves. So the City of Santa Fe, City of Albuquerque, Bernalillo County, those that provide ambulance service use a billing contractor. The billing contractor gets paid as a percentage of what's collected. We typically have \$2 to \$2.5 million worth of ambulance

billing in a year but we're collecting less than \$2 million. So we're leaving several hundred thousands of dollars of billable insurance payments on the table because our staff is not able to handle the volume and the complexity of the billing. So the vendor gets paid on each ambulance bill that gets paid to us by insurance companies or a private payer. They get a small percentage. I can't tell you what that is at the moment because we're in the process of evaluating the contractors.

COMMISSIONER GARCIA: Thank you, Manager Miller. No further questions, Mr. Chair.

CHAIR ROYBAL: Okay, so we have a motion and a second. So I'm going to go to roll call.

The motion passed by unanimous roll call vote as follows:

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

4. C. Request Authorization for the County Attorney's Office to File in District Court a Petition on Behalf of the Board of County Commissioners Seeking to Change Precinct Boundaries and to Designate a New Polling Place/Voter Convenience Center for a Consolidated Precinct

CRISTELLA VALDEZ (Assistant County Attorney): Chair Roybal, Commissioners, the County Clerk's Office is asking for two things and because we're so close to the primary election we need a court order to accomplish both these things. The first thing is to adjust precinct boundaries. So when the County Clerk's Office was preparing for precinct designation in 2019 they used the US Census data which will be used for legislative reapportionment in 2021 for reapportionment after the census is complete. And because reapportionment hasn't occurred there is a discrepancy in what was designated by the Board of County Commissioners in July of 2019, precinct boundaries for certain precincts, which we've included an overview showing where those precincts are within the county and I believe this change won't affect any voters on how they will be voting. It's just to readjust the precinct boundary back so that we are not violating law which only allows the state legislature to change those precinct boundaries that would affect districts.

So what happened is we did inadvertently change some Senate district boundaries and so we're just trying to move those precinct lines back for the 2020 election cycle so that we're compliant with state law, and we do need a court order to do that.

And the second change that the County Clerk is asking for is to change a polling place in Edgewood for the consolidated precincts that were to be voting at the Legacy Church, which is no longer able to host the election. So we'll need to designate the Town of Edgewood administrative offices as the new polling place for those consolidated

precincts. And I stand for any questions.

CHAIR ROYBAL: Is there any questions from any of the Commissioners?

COMMISSIONER GARCIA: Mr. Chair, yes, I have questions.

CHAIR ROYBAL: Commissioner Garcia.

COMMISSIONER GARCIA: So let's take my precinct, 86, 89, 12B, 12A, La Cienega. So are these boundaries being adjusted as into where you're going to vote? Where you're not going to vote? I didn't understand. And my other question, what does it mean, inadvertently we actually change the Senate boundaries is in where they could be down in the Edgewood area? What does inadvertently mean and who allowed that and why we have to get a court approval now for this?

MS. VALDEZ: Mr. Chair, Commissioner Garcia, I believe the error came from some data that the Clerk's Office was using from a consultant that is participating in the boundary changes for the legislative reapportionment. So I think it was inadvertent because they were using data that would be valid for the 2021 election cycle but not the 2020 election cycle. And we're kind of in an anomaly. When the BCC approved the precinct boundaries in 2019 it was kind of an unusual year because we have the census in 2020. So I think that any time you're going to have a census year there probably could be two different precinct designations. One for the pre-census elections and then one after.

So I think here we did as we were supposed to a precinct designation that would work in 2021 after the census but it doesn't work for the election cycle before that. So what we're actually asking for is to allow it to revert back for the next election cycle in 2021 because we will need those designations. They're likely to be consistent with legislative reapportionment. So it's just that the Clerk's Office use the data too soon.

COMMISSIONER GARCIA: So hold on. I have some concerns. Did the Clerk's Office use 2021 possibly census data and we should have been using 2019, or 2018, 2016, 2017 census data. I guess I'm – I don't know. I just have a challenge as to – I guess I don't know what's going on. I don't understand it. How could we actually – the 2021 census, let's see what'd going to happen so let's create these different precincts in my part of the county, Edgewood, and let's move these Senator districts, or these Senator or representatives election points, and now I guess I just don't understand. Could you please make it a little bit more clear to me please?

COMMISSIONER HANSEN: So also, Mr. Chair, Cristella, I don't see on my map any place in Edgewood where this realigning is taking place. Most of this realigning is taking place in District 1 and District 2 and District 4, possibly. There might be a little bit in District 3 near La Cienega but it looks like they used some lines – they moved the lines just a little further than they should have, and I also don't understand how this could have happened since we don't have 2021 census data.

COMMISSIONER GARCIA: Just on that note, Mr. Chair, also I guess I still don't understand, but just on Commissioner Hansen's note, how can we adjust these boundaries? Senator districts, representative district? How can we just do that like right now with this – I don't get it. If somebody could explain it to me.

COMMISSIONER HANSEN: Commissioner Garcia, I believe they are moving it back to the original place, the original lines, that you have to go get a district court order in order to do that.

COMMISSIONER GARCIA: Thank you, Commissioner Hansen. Really quick. [inaudible]

CHAIR ROYBAL: I'd like to hear from Mr. Fresquez.

COMMISSIONER GARCIA: Just really quick, Mr. Chair, so let's just take La Cienega, 12B and 12A. That's La Cienega. Half of La Cienega is 12A; the other half is 12B. So my question is if we adjust that line from one street to the other street, one arroyo to the arroyo, do those people in those precincts still get to go to any designated precinct place, whether it be the rodeo grounds [poor audio quality] Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Steve, if you could answer those questions.

COMMISSIONER GARCIA: Is the County Clerk not available? Or the Deputy County Clerk?

STEVE FRESQUEZ (Bureau of Elections): Let me give you a little bit of background on this. We didn't use any census data at all. What we did is use House Bill 407, which mandated that any precincts that have more than 750 voters in the 2018 and 2016 general elections had to be split for redistricting. So that's what we did last year in July. So while we were doing these splits we were also looking – we were planning for future growth, so in Exhibits A and B, along the Agua Fria area, we were trying to keep the community together, because the census likes to keep communities of interest. So therefore we used the river as the boundary there instead of Agua Fria Street so we could bring those people that were between the river and Agua Fria into those precincts there. So that was a House and a city boundary.

We realized when we were reviewing the precincts in January, after the Secretary of State approved them, we found the discrepancies. And it was too late in January to get on an agenda for a meeting. State law 1-3-5 dictates that no precinct shall be created, divided, abolished or combined, or the boundaries adjusted less than four months prior to a statewide election. So that's why we are seeking the court order. None of these boundaries are affecting any voters. One of the exhibits shows the area by the super Walmart where a city line goes through Nina Otero School. Most of these boundaries that were adjusted were used because they were better boundaries than the existing ones, even though they're just lines on a map from 2002. We decided that it would be better to revert back in those areas where there are discrepancies since it was a presidential election and that way there would be no basis for any type of protest later on.

As far as the precinct replacement down in Edgewood. We had planned to use the Legacy Church for voting. They contacted us last month to let us know that they would no longer be able to provide the building for us. So that's when we had to get a replacement polling place for that area down there. The reason that all of this was done was so after the census data was accumulated they could populate the new precincts with the new census data so that they could draw new House and Senate district lines, and eventually County Commission.

So does that give you any more of a basis of understanding as to why we're doing this?

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: Yes, Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Fresquez, thank you for the

explanation. I'd like to ask the County Clerk or the Deputy County Clerk, how come this is being brought up now like a month or two before the primary?

MR. FRESQUEZ: Well, we reviewed all the boundaries –

COMMISSIONER GARCIA: No, no, no. I want to hear from the Deputy County Clerk, Julia Valdez, or the County Clerk. Are they available?

JULIA VALDEZ (Deputy County Clerk): Mr. Chair, Commissioners, this is really the venue of the Deputy of the Bureau of Elections. So I think this is really under Mr. Fresquez' purview.

COMMISSIONER GARCIA: Thank you, Deputy Clerk. The responsibility for this is actually with the County Clerk and the Bureau of Elections Manager is actually doing an excellent job. But Mr. Fresquez, whenever you're asked about adjusting Commissioner boundary lines or state representative boundary lines, or state senator boundary lines, is this affecting any existing boundary lines that we currently have? Because it's interesting for me to hear that we're utilizing – and it's not your fault – you're actually under the County Clerk and the Deputy County Clerk, and it's interesting for me to hear that we utilize the projected census data that we shouldn't have never utilized. I'm just perplexed as to how and why. And my question is, does this actually – is this going to affect any Senator or Representative or County Commissioners or any elected officials' boundary lines? Or is it [inaudible] Thank you.

MS. VALDEZ: Mr. Chair, Commissioner Garcia, every ten years that they do the census, since 2010, they have to go in and redistrict due to the way that the population moves around. And so from my understanding, from what I've learned from Steve was the precincts were the same, they just split differently. But it was the same original precinct with the same splits. And so it was due to the population expectations, the movement of the population expectations. And so that's where the census comes in, because we have to know.

So the census is done every ten year but every year there are smaller censuses that are being done in order to see the movement of the population and the way it moves. And so what happens is that as he explained, it was this statute that cost passed. Was it this year, Steve? It was 2012, correct me if I'm wrong. But what happened was we had to rush it because of the fact that the legislature passed this bill. The Secretary of State, we are under their statutes. That's why we had to follow it.

COMMISSIONER GARCIA: Thank you, Deputy County Clerk Julia Valdez. We all know what we're doing with these days, and you see the papers and news media and this whole Republican, Democrat mail-in ballots and so on and so forth throughout the nation, and I just want to ask the question as into why would be going off the 2020 census when the census hasn't even been done and project it to population areas. So my question is Santa Fe County, Rancho Viejo, Commissioner Moreno's district, and the growth is growing there because the County tasked the SLDC, and that's where we want all the growth to go, right? So are we going to come back next month or two months or four months and say hold on. Now we have a population of 12,000, 6,000, 8,000, 10,000 people or so. Is Commission District going to get a lot more voters and a lot more precincts? I'm just thinking ahead and how does this work and where are we at with all this.

Because Santa Fe County does have growth and I can see some other

communities that don't have growth but I'm just wondering [inaudible] as in to start adjusting more precincts with the Commission district, more precinct numbers and more precinct voting places within the Senate districts or more voting precincts within the state Representative district – where are we going with this? Why did the state law create this or mandate this? Maybe it's not [inaudible]

MR. FRESQUEZ: Chair Roybal, Commissioner Garcia, let me clarify one thing. We did not use any census data at all, projected or otherwise, to do this. This is all – the reason for this is this order [poor audio quality] That's the reason that these splits are created. We are not going to create any more polling places. We are not going to do any more precinct splits. We just wanted to adjust these boundaries because even though the US Census accepted them – all these are actually they're just placeholders for the data, once the data is accumulated.

We did keep the boundaries the same for the 2020 presidential election. At the end of 2020, from January 1st, the reason we're asking for these boundaries to revert, these are the boundaries that the Census Department is going to populate their census data. We're doing this now because [poor audio quality] focus was to move all the borders to the current precincts before voting started. We've been working on this resolution. We are still double-checking all the boundaries to make sure that we don't [poor audio quality] any more. There were no Commission boundaries affected. The boundaries that were affected were just in the areas of the exhibits that you have. Some of them just used roads to replace arroyos. We try to use clearer, more defined boundaries when we did this. We didn't really – I didn't catch this until after the Secretary of State approved them. We started moving voters into their proper precincts and GIS, Erle Wright and myself, were doing a review when we found these. It was already too late to correct this with a County Commission resolution. Therefore we had to ask for a court order because that's what state law requires.

This is all we're going to do for the remainder of this year. We're not going to be creating any other precincts. Next year, possibly, depending on voter turnout in this election the legislature might have to split additional precincts based on the 750 voters per precinct. But all this was is to correct the boundaries in the exhibits. It will not affect any voters. It will not affect anything at all as far as the House and Senate districts. We cannot change House and Senate district boundaries because only the legislature can do that. That's why these corrections had to be made.

COMMISSIONER GARCIA: Thank you, Mr. Fresquez. Excellent job that you do there for the Bureau of Elections in Santa Fe County. Appreciate that. One last question. So this will not eliminate any voting sites in any Commission district, correct?

MR. FRESQUEZ: That's correct. The only reason there's oversight on this at all is because the Legacy Church is unable to provide us with the site for this election. Therefore we needed an alternate site in Edgewood so the Town of Edgewood administrative office is going to allow us to do voting there so that we have a voting convenience center down in that area for the voters.

COMMISSIONER GARCIA: Mr. Chair, Mr. Fresquez, once again, thank you very much. And also, have we contacted the mayor as well as the town council in Edgewood about this?

MR. FRESQUEZ: Yes. We talked to them. They sent us a written

authorization to use their site for early voting and election day voting this year.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you, Mr. Fresquez. And once again, if there's no further questions from the County Commission I'd like to make a motion for approval, Mr. Chair.

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

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: And a second from Commissioner Hansen. Is there any other questions or comments? We have a motion and a second. Are there any other questions or comments relative to this issues? Seeing none, I'm going to go to the vote.

The motion passed by unanimous roll call vote as follows:

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

CHAIR ROYBAL: Thank you, Mr. Fresquez, for the difficult questions that you were able to answer for us. We appreciate you being here today.

5. MATTERS OF PUBLIC CONCERN

CHAIR ROYBAL: Is there anyone from the public that would like to address the Commission today?

TESSA JO MASCARENAS (County Manager's Office.): Mr. Chair, we have Sam Chavez with AFSCME who signed up to speak.

CHAIR ROYBAL: Okay, Mr. Chavez, are you there?

SAM CHAVEZ: Mr. Chair, members of the Board, to make a statement about the coronavirus going around in Santa Fe County. The union has worked with the Commission, with HR and the Attorney's Office about the emergency responders to get a response on essential staff. You've got some people that have been traveling out of state on County business. When they arrive back in New Mexico they were told to quarantine and they had to use their own leave. You had an employee at the DA's office who was asked by the Department of Health to have self-quarantine and he actually is only [poor audio quality].

Right now we don't know how many employees could be exposed. What needs to happen or what we're asking to do is for the County, if these people that are working for Santa Fe County who are on the clock or doing Santa Fe County-related business, with Santa Fe County being the one who gave the quarantine days to them, some of your employees and for the employees, for them to use their own leaves, it's just wrong. And that's what I ask of you, the Commissioners, to please look into.

CHAIR ROYBAL: Thank you, Mr. Chavez. I think those are some good points that we'll consider. Thank you, sir.

MR. CHAVEZ: Thank you, sir.

CHAIR ROYBAL: Okay, is there anybody else from the public that would like to address the Commission? Is there anybody else? Staff would be able to answer that if we've got anybody else that would like to address the Commission.

MS. MASCARENAS: Mr. Chavez was the only person that previously stated he'd like to address the Commission.

CHAIR ROYBAL: Okay, with that being said, I'm going to go ahead and close public comment.

6. PRESENTATIONS

There were no presentations.

7. MATTERS FROM THE COUNTY MANAGER

A. Miscellaneous Updates

B. Recognition of National Telecommunicator Week, April 12-18, 2020

MS. MILLER: Mr. Chair, under Miscellaneous Updates I just had the recognition of the National Telecommunicator Week, which is April 12th through the 18th. Every year it is the second full week of April. It's dedicated to the men and women who serve their community as public safety telecommunicators. It was first conceived by Patricia Anderson by the Contra Costa County, California Sheriff's Office in 1981. This recognition was observed only at that agency for three years. Then members of the Virginia, North Carolina chapters of the Association of Public Safety Communications Officials took note and became involved in the mid-1980s and by the early 1990s the National APCO organization convinced Congress of the need for a formal proclamation and Representative Edward J. Markey, a Democrat from Massachusetts introduced what became House Joint Resolution 284 to create National Public Safety Telecommunicator Week.

According to congressional procedure, it was introduced twice more in 1993 and 1994, and then became permanent, without the need for yearly introductions. So I just wanted to take this opportunity to honor and thank all of our local Santa Fe 911 operators for their hard work, dedication and continued service to the citizens of Santa Fe County.

CHAIR ROYBAL: Thank you, Manager Miller. Do we have any questions or comments from the Commission?

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: Yes, Commissioner Garcia.

COMMISSIONER GARCIA: Just really quick, I want to thank you to our public safety individuals out there. Thank you to everybody that's out there that's working. And one of the things that people may or may not realize – correct me if I'm wrong – back in 1995, year 2000, from the federal government mandated each local government to create a 911 address. And the reason why it was a 911 address, and sometimes we wonder why we have those little red tags that say whatever your address is on the street there, especially with rural areas, because we've all been working towards actually when you call 911, when you call the Emergency Dispatch Center, Hi, what's your emergency, and those individuals there that are working behind the scenes can

dispatch an ambulance or whatever needs to be dispatched out there, because that rural addressing, it helps communicate and get people to get there within three, five seven minutes.

A lot of times people don't realize when you call 911 those individuals answering the phones, 911 dispatch, are all public safety individuals. Thank you for bringing this forward, Manager Miller. This is actually great because everybody has a communication part in this and we all need to communicate and work together. Thank you, Manager Miller. Appreciate that. Thank you, Mr. Chair.

CHAIR ROYBAL: I would just like to agree with Commissioner Garcia and just thank Manager Miller for bringing this forward, the recognition of National Telecommunicators Week. Is there any other comments? Commissioner Hamilton.

COMMISSIONER HAMILTON: We can go on quickly, but I just wanted to add my voice to what a difficult job it is to be an emergency operator and the burden they carry to be accurate and efficient and the hard work they do. In Santa Fe County they've been carrying lots of hours and we really, really appreciate their effort.

COMMISSIONER GARCIA: Yes. Thank you, Commissioner. Thank you.

MS. MILLER: I had one more and it's somewhat related, Mr. Chair, as far as Miscellaneous Updates and that's on our YDP or juvenile facility closure. The youth have been relocated to San Juan County and we are using the facility to spread out the number of inmates to create greater distancing. As we said, one of the things that we wanted to have the use of the youth facility for at this time is in case we had any positive cases of COVID-19 at the adult detention facility that we would be able to use the youth facility to help us isolate inmates or spread inmates out. So we are currently using that facility in order to allow for greater distancing among both male and female populations at the adult facility.

All of the employees had job offers made to them and with four exceptions, employees stationed at YDP accepted the jobs offered. One affirmatively declined a job offer, two did not respond to their job offers, which is considered a denial, and one has until tomorrow to decide. Several of them did respond and have already accepted other positions.

So that's all I have on the YDP closure.

COMMISSIONER GARCIA: Mr. Chair, if I could, really quick. I appreciate Manager Miller talking about job offers and so on and so forth because this has all been new to us so I appreciate her and her staff working with giving some job offers because she's actually doing a very good job as into how do we keep the County moving forward. And one of the other things is that individuals may or may not realize Manager Miller texted us all on Easter Sunday and said there's some bad news. Sorry to interrupt you on an Easter Sunday, not interrupting, because she's actually like our superintendent working 24/7 as into what's happening with the women who moved from the facility to the juvenile facility, and so appreciate that, Manager Miller, because sometimes people don't realize that you're actually working on a Sunday, Easter Sunday. Thank you for that.

Also just really quick, on the juvenile facility, all those pods that were not being used, they're up to par, correct? They actually have heating, cooling, water, running

water, sanitary facilities and so forth? I just want to make sure about that, so we don't get called on that. Is that correct?

MS. MILLER: Mr. Chair, Commissioner Garcia, yes. The facility was all in operation. We did have the other side of the facility that we used to call the ARC and we've been using that for storage. But the rest of the facility with the juveniles in it was all operating properly and in good working order.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you, Manager Miller.

CHAIR ROYBAL: Thank you, Commissioner Garcia.

7. C. COVID-19 Emergency Updates

MS. MILLER: The COVID-19 emergency update is that, as I said we did have one inmate test positive, and that inmate was an inmate that was tested back on March 28th and we tested nine inmates on March 28th. We received the results on March 30th and all nine were negative. They were housed in a pod together and about a week later one of the inmates that had been tested wasn't feeling well. We isolated him in medical and retested him on April 7th, and on April 12th we received notification that he tested positive. We immediately got a list of anybody that had been in contact with that inmate to include 33 inmates and eight staff members.

We tested all 41 of them yesterday and we received all but three of those test results back today. All 33 inmates came back negative and all five staff members that were tested got results that came back negative. We're still waiting for three of those test results that got sent with the original batch.

PABLO SEDILLO (Public Safety Director): Mr. Chair, Manager Miller.

CHAIR ROYBAL: Director Sedillo.

MR. SEDILLO: I was just notified we have one more negative from a staff member. Just came in about 15 minutes ago.

MS. MILLER: That's good news.

CHAIR ROYBAL: Thank you.

MR. SEDILLO: So we're pending two more and we should get that.

CHAIR ROYBAL: Thank you for that update, sir.

MS. MILLER: So we've had a lot of inquiry from the media about it. I've talked to – Carmelina has talked to them, provided them the information that we have. There's been some suggestion we should test every inmate. The problem with testing every inmate is that a test is just a moment in time. You can see by the results of this particular inmate's test on March 30th he was negative on April 7th he was positive. And he had been in the facility the entire time. So it's difficult to say what created the delay in a positive response and additionally the guards, they leave the facility to go home in the evenings and testing them every day is also impractical.

So we are testing per the DOH guidelines and probably a little more extensively where we want to take an abundance of caution in trying to make sure that our inmates and our employees are safe. We continue, as I said, to spread the inmates out as much as possible, and isolate them without leaving them completely isolated. So we're trying to make sure that we do not have any additional COVID-19 positives in our facility or with

any of our staff.

Also we are providing additional support for homeless and domestic abuse populations. We have increased our contracts with our four shelters at \$20,000 apiece at the homeless shelters and another \$20,000 to the domestic abuse shelters, for a total of an additional \$100,000. We're also working – we've been working with the City with their midtown campus and have directed our contractor that provides mobile crisis response and have repurposed them to serve the chronically mentally ill and homeless clients at the City's midtown campus. We're also working with the City on food distribution and how we might be able to partner with them with a project that they are trying to do with locally grown foods, the chefs, and delivering thousands of meals a week.

We also – tomorrow at 3:00 we have our Connect Program. We're still jointly kicking off the City and County Connect program and we're going to do a press release and public-facing Connect program for county residents, and this program may allow navigators to connect people to food, housing and other resources. And that's that program, Santa Fe Connect, that we've been working on for quite some time and it can't be more appropriate than right not to try to connect people to the needed services.

That is what I have on our COVID-19 update.

CHAIR ROYBAL: Okay. Great. Thank you for that update. Are there any questions or comments from the Commissioners?

COMMISSIONER GARCIA: Mr. Chair, I have some comments but I can bring it up under Matters from Elected Officials and Matters from the County Commissioners, whatever you would like.

CHAIR ROYBAL: Okay. You can bring it up under Matters from County Commissioners.

COMMISSIONER GARCIA: Thank you, sir.

CHAIR ROYBAL: Relative to what Manager Miller was just discussing, actually you can bring it up now.

COMMISSIONER GARCIA: I'm fine. Thank you, sir.

CHAIR ROYBAL: Thank you, Commissioner Garcia. So that concluded all the COVID-19 emergency update.

7. D. Fiscal Year 2020 Budget Update: Revenue Outlook, Austerity Measures, and Other Matters

MS. MILLER: Mr. Chair, we were originally scheduled to do the first budget study session for fiscal year 2021 this morning but unfortunately, the COVID-19 emergency has turned our financial situation upside down. As you know, every restaurant, every dining, eating, retail store, museum, entertainment facility, has been closed and that, aside from how many people have lost their jobs, it also means that economic activity has basically come to a standstill in Santa Fe and in New Mexico and across the whole country if not in numerous places around the world.

While we won't feel the impact for another month or two because of our two-month delay from they're collected, we will start to feel that effect, feel the loss of revenues and we anticipate that it will be severe.

So what we did instead of trying to present you with what was submitted from the

departments and the elected officials for next year's budget requests is we actually went back to the departments and asked them to go back over all their budget requests for fiscal year 2021 and remove anything they could remove from that request that wasn't critical to their mission. And we're asking that those be back to Finance on the 15th, tomorrow.

The point of that is that we'd still like to present an FY 20-21 budget to you but it will just be what I'd say a mark in time, because we anticipate having to modify the budget. I would be shocked if we get it dead-on on our first shot that we estimate the revenues and needed expenditures under these circumstances exactly correct. So what I've asked Joey to do, and she's over in her office, is to present – to put a presentation together that talks about what we're doing right now from April through June 30. How we start our next fiscal year is completely dependent on how we end this fiscal year and we already have tightened our belts. While we haven't done any furloughs or layoffs or anything of that nature.

The union commented on a request for administrative leave. So many people and today, Christus St. Vincent just laid off 300 employees, but so many entities aren't even able to keep their employees. We have the goal of trying to keep every employee that's currently employed with us that wants to stay employed with us in this storm, but it does mean we really have to reduce our expenditures and do what we can to mutually share in this difficult situation.

So it is correct that we have asked our employees to use their generous leave balances. The County has millions of dollars of annual and sick leave on the books. The Fire Department has over a million. Corrections has close to a million dollars, and so we have asked that they share in this expense of responding to this emergency. That doesn't mean that it has to stay that way. It's just that that's where we are at the moment, trying to make sure that we keep our expenditures down, we keep our payroll as manageable as possible, and we stop spending on anything that isn't absolutely critical through June 30th, and that we build a budget for next year that we believe we can sustain.

So with that I'm going to turn it over to Joey. She's put together – I want to say it's about 15 to 20 slides, 16 slides to let you know kind of where we are and what we've done to date and where we'll go next.

JOEY ROWE (Budget Administrator): Good afternoon, Chair Roybal, Commissioners. I appreciate that IT gave me a camera for my desk top computer this afternoon but then I realized I didn't know if I had a mike on this computer, so excellent. So I'm here to give you a budget update on our revenue outlook and some austerity measures. The status of the United States economy right now, as well all know, jobless claims are way up. It strengthens the economists' expectations of job losses up to 20 million in April and their conviction that the economy is in a deep recession.

So with more than 95 percent of Americans under a stay at home or shelter in place order, reports continue to mount of state employment offices being overwhelmed by a deluge of applications. So the economists say the economy did enter a recession already, in March. This is from Reuters. In the first month alone the coronavirus crisis is poised to exceed any comparison to the great recession.

The status of the New Mexico economy is that nearly 73,000 people in New Mexico have lost their jobs over the last three weeks as new numbers show another surge

in unemployment claims for the state, according to the federal data that was made public last Thursday. That most the most recent data that I could locate and that was on www.kob.com. It appears increasingly clear that the \$7.6 billion budget plan that was approved by lawmakers in February for the state for the fiscal year that starts July 1 will have to be scaled back significantly. They're talking about going back again to the drawing board similarly to what we're going to be doing here in Santa Fe County for our budget here.

Obviously, our world has changed and nobody could have guessed it a month or so ago and nobody really knows what this is going to do, so we've decided, like the County Manager said, we're starting to tighten our belts now because we're not sure what the revenues are going to do next year.

The general fund unassigned balance as of this week is \$37,883,280. The total original FY 2020 general fund budget was just over \$93, almost \$93.5 million. Unassigned fund balance equates up to about 40 percent of the general fund budget. Total original 2020 operating budget is \$141.7 million. The unassigned fund balance equates to 26.7 percent of operating budget. What all those numbers mean is that if we were to not get any revenues whatsoever – which is not true. We will get some revenues; we just don't know what it's going to do. We have enough revenues to sustain our current operations at the level that they are in our operating budget for several months, but after that we will exhaust our fund balance.

Next year's revenue projections: I spoke with the elected officials and we were discussing the property tax revenue at an estimate of 90 percent, so about a ten percent decrease in next year's revenues, which would equate to about a \$6.8 million annual decrease, and we've also – we're looking at the current fiscal year property tax revenue for the second half, and since most people pay through escrow most of those have already been collected. So we're hoping that we still receive the second half of the FY 20 property tax revenue that will happen in the current fiscal year. We're still hoping that that comes in as budgeted.

The GRT revenues, we are estimating at 70 percent for next year for the total annual amount, so that would be a 30 percent decrease for a \$17 million loss. And again, the revenue collections in fiscal year 20 are expected to meet the current budgeted amount of \$56.6 million, or \$56.7 million.

The hold harmless revenue, since we typically look at that as non-recurring, we are not going to budget that for next year because we're not sure what the state is going to do at this point, so that will equate to a \$3.3 million decrease. However, this year we will meet that budget amount.

CHAIR ROYBAL: I think we have a question. Commissioner Hamilton.

COMMISSIONER HAMILTON: Do you mind if we interrupt with questions relevant to what you're just talking about.

MS. ROWE: Absolutely not.

COMMISSIONER HAMILTON: So on the GRT estimate, I recognize trying to estimate what the decrease is going to be is difficult, so that's not why I'm asking the question. I'm trying to get a feel for whether you think 70 percent is conservative, middle of the road – so the question is how did you ballpark that number in?

MS. ROWE: Chair Roybal, Commissioner Hamilton, we looked at how we anticipate the revenues starting to decrease in the last two months of collections for the current fiscal year. So in other words, the revenues that we will be receiving in April are those that were collected in February. So when we receive the revenues this month we should receive them pretty much as anticipated, as if this hadn't happened, because it hadn't happened yet in February really for New Mexico.

So the last few months of this fiscal year, we're anticipating we're going to see that decrease because people have really stopped purchasing and what they're purchasing are medical supplies and food, which we don't collect GRT on. So I basically looked at all 12 months of next fiscal year, and if we continue seeing that decrease in the expenditures through the summer months, which again, we would be two months behind in receiving those revenues, so we won't really start collecting – if this starts turning around by the summer months we'll start collecting again with people going out and starting to purchase things, we'll start collecting again towards the fall.

So we're gradually shifting those up from, even say 40 and 50 percent estimates for the first few months, and then gradually getting back up towards the end of the year where people are starting to purchase things as normal again. I feel like that's hopeful, but it's also a conservative estimate as well. So it's kind of a – it's a shot in the dark right now, Commissioner.

MS. MILLER: Commissioner Hamilton, also we had the recession back in 2008/2009. Our GRT dropped 25 percent. We anticipate it will drop at least that, if not more, but we also believe it will come back if all things as we currently have been led to believe by economists and that is the economy will bounce back quicker than it did in 2008/2009, because of some of the underlying issues that caused the economy to crash are not here under this circumstance. But our GRTs were down by 25 percent in the midst of that recession. So we felt like estimating next year being down 30 percent is not far from reality.

COMMISSIONER HAMILTON: Okay. It's probably good. I'm glad to see it's a little higher than the 25 percent from 2008 because of the more severe, more acute impacts, the way I see it, and I'm also concerned that I think that while the economy will bounce back, most people will have a real lag by the time they make money, get jobs back and what not, and things can start opening up. I believe there will be a lag of a few months, predictably, before people are spending at a full rate. So if we took that into account, that would give me some assurance that it's a reasonable but conservative estimate. Thank you.

CHAIR ROYBAL: Are there other questions from Commissioners. Thank you, Commissioner Hamilton. Okay, so if you want to continue, Ms. Rowe.

MS. ROWE: Thank you, Chair Roybal. The possible revenue decrease, based on the assumptions above, equate to about \$27.1 million for next year.

The status of the fiscal year 21 budget as Manager Miller had mentioned, typically, Finance would be coming to the Board today to workshop the fiscal year 21 budget requests from the departments. We had just completed the budget hearings when the COVID-19 health emergency happened, resulting now in the economic downturn. So while the fiscal year 21 budget deadline to complete and submit to DFA has actually not changed, determining cost savings in the current year took precedence over presenting

the 21 budget to you today. So as Manager Miller stated, we really need to know what we're going to end up with this year to be able to carry forward that revenue into next year to help maintain our services that we provide to our citizens.

So what's being presented to you today is the work that's been done by departments in an effort to demonstrate fiscal responsibility and sustainability while maintaining services to our citizens and meeting our strategic goals. Due to the financial crisis that resulted due to this global health emergency there is no standardized guidance with which to project a feasible 21 budget for Santa Fe County. The Finance Department will use past experience from the latest recession with which to build next year's budget. And there are several of us, including Manager Miller – thank you – that were working in County government in the last recession so it took a long time to get out of that one and we're hoping, we're very hopeful that this one will turn around because a lot of the factors don't exist with this economic downturn.

So because a decline in revenue is anticipated, expenditure budgets from the departments have to show a corresponding decrease to those. Departments were asked to review their 20 budgets to identify any line items that are projected to have a balance at the end of the fiscal year and these line items savings or cost avoidances, really, can be used to carry forward into next year's budget to help sustain operations, as we said.

Departments also reviewed their current funds that were encumbered on purchase orders to determine if any balances could be liquidated. Those reduced amounts are also going to be used to carry forward into savings for next year's budget and as of today's presentation there are several departments that are still working diligently with Purchasing to liquidate or reduce those purchase orders. So they've all done a fantastic job. I know Purchasing got a lot of purchasing orders to liquidate this past week so I'd like to thank Bill and his staff over in Purchasing. They've been working hard to put that money back into our funds for next year.

Departments were also asked to review their current vacant positions in an effort to hold hiring to those that are only mission-critical. So in effect a hiring freeze.

So the total of all possible reductions that we came up with last week working together, the departments were able to find \$3.7 million in their budgets that they decided that they did not have to spend. They were not mission-critical items that needed to happen. Encumbrances, that as I mentioned, are being liquidated were over \$341,000. The hiring freeze would almost \$2.8 million into the cash fund balance at the end of the year. So the total of all those reductions would put back about \$6.8 million into the cash balance.

So I think we've got a good start to be able to help shore up that deficit that we may be looking at in next year's revenues. The total of all line item reductions in all departments – this is by category, so there was some – in addition to the frozen positions or positions currently not filled, the vacancies, there was a department that had some certifications that are not going to be – they're not going to spend that money this year, so that totaled \$24,000. Obviously, we stopped training and travel a while back so most of that money that is remaining in those lines across departments is able to be offered up to not be spent this year - \$288,000.

Vehicle expenses, \$125,000. There were some maintenance expenses that we are not going to spend those budgets. We have \$68,000. Services was a large amount of this

reduction at \$1,456,000, and I can explain what those services are if you'd like. Supplies, they reduced those lines by \$152,000. Operating costs by \$528,000. And then there were several capital purchases that departments said we don't really need to purchase those items this year and if the economy doesn't turn around quickly we can possibly even look into those in fiscal year 2022. [poor audio quality]

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Yes.

COMMISSIONER HANSEN: Could you explain the services?

MS. ROWE: Sure. Let me look. I printed them out by departments.

Community Services Department. They had a very large amount with unencumbered budget balance for Connect, they have \$250,000 of theirs that won't be used in this fiscal year by the organizations and Rachel O'Connor indicated that there will be no services to citizens that will be eliminated by this budget cut, and then another \$500,000 in contractual services funding that was set aside for the behavioral health crisis center, which, as we know, is still not operating, so there was the amount that could be reduced there. So that was most of it.

And then Public Works also had quite a few – they had \$80,000 from the MS4 permitting that has not taken place, and \$30,000 for unforeseen engineering or architect services, \$79,000 in Solid Waste tipping fees that have been lower than in previous years. They feel like they will have enough budget in those lines at this time.

And then in Aamodt they cut out \$82,000 this year because of not having conference gatherings. And I think those were the large ones in the services category. So it's not cutting services to citizens in any way; it's basically there was enough budget remaining this last quarter of the fiscal year that we can't really do anything with those at this time.

COMMISSIONER HAMILTON: Mr. Chair. Could you also give us a brief idea of what the capital purchases were? There was savings on services; that's good to hear.

MS. ROWE: The capital purchases – the elected officials had the – I believe it was the GIS, Manager Miller, if I'm correct on that one. They actually did not print out that detail but I do have it in my backup here that I can pull.

MS. MILLER: Commissioners, there was some – we had a scheduled flyover between GIS and the Assessor and they're going to forego that this year.

COMMISSIONER HAMILTON: Thank you.

MS. MILLER: It's data collection. We had been doing it every other year, part of the county, and the other part – we were going to go to, if you recall, with the Assessor was going to go to doing it every year to monitor the increase in building activity, but they're going to forego that this year and still going to put it in their request for next year but we'll have to see how the budget plays out for that recommendation as well. But the Assessor is going to include it in his request.

MS. ROWE: Chair Roybal, Commissioners, Manager Miller, half of that reduction in the capital purchases was the Assessor's Office and it was for some software, satellite imagery, and that slide, the GIS flyover. So that was about half of that. And then the rest of it was all the other departments coming together with not purchasing computer equipment or things of that nature.

CHAIR ROYBAL: Okay. Is there any other questions from Commissioners? Comments? Does that conclude your presentation or your update?

MS. ROWE: No, sir. There's a few more slides.

CHAIR ROYBAL: Okay.

MS. ROWE: So there were other reductions in all the departments. As I mentioned, most of the departments were able to look through all of their encumbrances and determined that where they had balances left over on possibly a purchase order that they didn't need any longer, that total was \$341,177. And you can see all the different departments there, what they submitted for their encumbrances. Thank you to all the departments that did that time-consuming job of going through each line. I believe we had 100 pages of encumbrances out there, so they were able to eliminate quite a few of those.

Also, the hiring freeze – if we had a hiring freeze through the end of fiscal year 20 the non-public safety positions, and this is the 133 non-public safety positions and the 96 public safety positions, that number is going to fluctuate because Human Resources is constantly doing the EPAs and people being transferred and everything, so those numbers are not absolute set numbers. As of today they were last week's numbers. So I just wanted to make sure that you knew that. But if we didn't fill the non-public safety positions through the end of the year, that would leave us about \$1.4 million in the budget, and then the public safety positions, which we know most of those are going to be mission-critical, but because there are vacancies right now it's going to take a while possibly to hire those anyway, so we could have a realization of about \$1.4 million.

So the total of all the department would be almost \$2.8 million in the hiring freeze or savings on the vacant positions.

What I did with these next few slides – I believe there's like seven slides here, this is by department. We already had it rolled up in a previous slide that showed the total by category. So these are really just a little bit more detail for you if you wanted to look in to see where each of the different departments were able to reduce their line items. So it's whatever the pleasure of the Board. Chairman Roybal, however – if you want to go through each of these we can. Otherwise we've already seen the total of these on a previous slide. These are just really there for more information for you.

CHAIR ROYBAL: I think I'm comfortable with not going through the additional slides but I'd like to get some feedback from the other Commissioners.

COMMISSIONER HAMILTON: That's fine. I had reviewed them earlier and with the extra explanation for Joey I have a good grasp and really appreciate it.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you.

CHAIR ROYBAL: Commissioner Moreno. Commissioner Garcia.

COMMISSIONER GARCIA: I'm sorry, Mr. Chair. Are we voting on it? I got disconnected really quick.

CHAIR ROYBAL: No, sir. There were some additional slides that are a little bit more [poor audio quality] I think Joey has already given us the information in the beginning here. She was wondering whether we would like for her to go more in depth on some of the other slides.

COMMISSIONER GARCIA: No, I'm okay with that. Thank you.

CHAIR ROYBAL: Thank you, sir. Commissioner Moreno, did you have a comment, sir?

COMMISSIONER MORENO: Yes. It's regrettable, but we're all in the same boat. Every entity has to look real hard and we're looking at some tough times from our state and federal partners. Thank you, Katherine and your team for giving us a good picture of what it's looking like. Thank you very much.

CHAIR ROYBAL: I do just want to thank you for all your hard work and our staff who has looked for areas where we could tighten up our belts. I think it's definitely something that we needed to put together and be pro-active for the fiscal year and make sure that we put our best foot forward. So I appreciate that. Any other comments from Commissioners? Commissioner Hamilton.

COMMISSIONER HAMILTON: [poor audio quality] that's captured on the last slide about [poor audio quality] It's really good for background of some possible discussion. [poor audio quality] She indicated that for the public safety workers that number is put in there because there's a lot of training, a lot of delay in achieving those hires so it represents money we might save even if we're not freezing public safety worker hires. That was a good piece of information. I have some general questions if nothing else about steps moving forward and how to implement these, what kind of feedback you might need for Manager Miller and senior staff to move forward with these.

MS. ROWE: Chair Roybal, Commissioners, is it possible to put up the last slide? I believe it would be slide #17, Current Assumptions and Board Discussion.

COMMISSIONER HAMILTON: Daniel's doing it.

MS. ROWE: So basically what I've done on the final slide is just recapped what we've discussed, what I've presented in here, just letting you know what our cost saving measures were that we outlined in the presentation and the revenue projections. We kind of discussed the 70 percent GRT a little bit, the hiring freeze, the use of unassigned fund balances, if we needed to, and then overall, depending on the severity of the economic downturn, this may be time to start thinking about what are the County's core services and how would we prioritize those services in the event that our revenues didn't come in at 90 percent of our property taxes or 70 percent of our GRTs, or we started losing grant money or the state had to pull back some of their capital funding or something of that nature.

COMMISSIONER HAMILTON: Mr. Chair.

CHAIR ROYBAL: Yes, Commissioner Hamilton.

COMMISSIONER HAMILTON: I certainly have a question, because this was a great analysis. Basically, all of these cost saving measures that you've presented potentially cover about a third of the projected revenue loss. So moving forward into the 20/21 budget, there would be other things that might have to be done. So what we're saving, what we can save this year is going to put us 30 percent of the way to a better situation but that's not 100 percent of the way. We still have to make those two ends meet.

MS. MILLER: Mr. Chair, Commissioners, Commissioner Hamilton, that's [poor audio quality] and some of these things, clearly we couldn't sustain a hiring freeze on certain positions through the full next year if we start to move out of this. Part of the issue, like, with a hiring freeze right now, we typically don't do one in public safety but if

you can't get everybody in a room together to test, and we don't have an alternative way of doing testing, it's not likely we're going to get some of those positions filled before July 1st anyway. But that would not be a continued cut or necessarily a recommended continued cut. We would want to keep our public safety positions filled. We have difficulty filling some of them anyway.

So we have to really analyze. You can't make as blanket of a statement saying, okay, yes, we'll keep those same freezes in place next year. So that's a one-time savings we're presenting you with, the \$6, \$7 million is one-time savings. We have to look in next year's budget for what I'll call recurring savings, something that we can save throughout the whole year, because our costs, truth be told, the majority, \$92 million of our operating budget is salaries and benefits. So of that total operating budget that was given to you by Joey in one of the early slides, you can see there's not a whole lot of – we don't have \$30 million or \$27 million of discretionary, bloated spending.

We run a good budget, but we don't have a bloated budget. Next year when we look at where can we afford to not expend money it's likely going to be in capital purchases, in some of our discretionary contracts for services. Those are the things that will be removed from the budget requests that departments have made but it's not going to be a \$30 million cut. Let's just take public safety, for instance. While our population is down at the jail, so are contracts for food and pharmacy and what not may come down, they're not going to be gone, because the fixed costs to operate the jail are still there. Required staffing to operate the jail, still there. So that's not something where we might be able to squeeze a little bit of money out of the Corrections budget, due to a lower population in the jail, I don't know how long we'll have a lower population, but there's not much in that budget that is discretionary.

Same with except to defer maintenance and fixed asset acquisitions and stretch the life out of your existing assets as long as you possibly can. That's the same with the Sheriff's Department. There's not a lot in there that is: oh, this is nice to have. The area where you can cut in public safety. And public safety, by the way, is the largest segment of our budget. So the area that you can cut is, okay, instead of replacing 30 vehicles you only replace the absolute worst. You replace five or ten vehicles. It just stretches out when we have to make that up at some point but that's what we'll be looking at, because otherwise, where we go if we can't get our budget into something that we can sustain, and I would say we want to sustain for a couple of years, supplementing our operating budget with some of that [inaudible] fund balance.

So we're not looking at just next year, oh, we have \$30 million, plug the hole. You know, you lose \$30 million, plug it with cash and there you go. That would really be unwise. We'd be looking at trying to stretch that out over two to three years, because it could realistically take the economy that long to recovery. It took us more like five or six years to recover from 2009/2009. But I would say all cost of living increases are off the table. All additional FTE requests, off the table. Hiring freeze for non-critical positions.

We didn't say that anybody in the County was non-essential and the governor's order and the presidential act or the congressional act actually indicated that most local government employees are considered essential. What we did is we tried to identified who could work from home so that we could socially distance, physically distance, but we have everybody working. Everybody is still working. We have not put anybody on

administrative leave. We have not furloughed anybody. We have everybody producing.

But where it comes down to over time is first you don't fill positions, but if we can't get our budget to a long-term sustainability, that's when you look at furloughs or not just hiring freezes but taking from everybody who's currently employed. That would be, in my opinion, our absolute last resort. I think that we'd like to be able to maintain what we currently have and just try to weather the storm that way.

But as I said, we'll be getting all the responses – Joey will be getting all of those back from the departments and we will take our first shot at bringing next year's budget down to something within what we estimate revenues to be and hopefully be able to present you with something that we think might get us through next year. As I said, if we continue to stay in this sheltering at home and businesses are not functioning through May, June – people ask me, well, when do you think we'll start to go back to normal? I have no idea. It's not my call. I just have to make sure we're prepared for the long haul and that we try to stretch out our financial reserves as long as possible.

CHAIR ROYBAL: Okay. Thank you for that, Manager Miller. Any questions or comments from the Commissioners? Okay.

COMMISSIONER MORENO: Depressing.

CHAIR ROYBAL: Yes.

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: Commissioner Garcia.

COMMISSIONER GARCIA: Just a couple of things I'd like to make some comments on in regards to – as an individual, I worked for the County for almost 30 years of my life and grew up there and seen the different outcomes and different turns as into what's happening at the County, and one of the things is is like as a policymaker now, it's a bit different, different role and it's a bit different, challenging time for myself. Many individuals out in the community or employees may not realize what we actually deal with, us five individuals. Yes, we do talk to Manager Miller on a regular basis. We go through the HR director as into – and I guess the bottom line as to what Manager Miller is doing, our HR Director, Sonya, all the directors, all the employees. When you work with the maintenance individuals to individuals serving meals to managers as into Katherine's ultimate goal is actually to save all of our employees from not getting laid off.

And that's her ultimate goal. She told me that about three or four weeks ago because we didn't know where we were going with all this stuff. And Santa Fe County is very fortunate in that we have a great budgetary manager and a great Manager and all of her staff and all the employees in Santa Fe because there are some communities out there that are not fortunate like we are.

So, yes, as a policymaker, being in the driver's seat as into, Rudy, you have to make some hard decisions now. What do you want to do? How are you'd going to be? What are you going to cut? And with the recommendations of Manager Miller and her team and the entire employees as – for everybody out there that's listening, she's actually taking care of the employee base and she's actually wanting to help out the employees, not only – we don't have to lay off individuals. We don't have to lay off sheriffs. We don't have to lay off firefighters.

And one time when my mom was – her anniversary was five years ago. Six years

ago last month and I had to use all my annual [inaudible] hours, 195 sick leave and so I just really respect that we have a good Santa Fe County team, from our elected officials all the way down to our employee staff as into the Manager is actually trying to work it out. Let's get through this and let's get through this hurricane, let's get to where we need to get, because we don't want to lay anybody off and so her and her team and all the employees are doing a good job of making cuts and so on and so forth, I really, really appreciate that. I just wanted to say that for the record because [poor audio quality] it's hard.

I talked to an elected official, day-to-day, and he said, you know I tell my employees, we're fine. This is a management nightmare, he said. And he said, you know this is something that the Manager and the policymakers are having to deal with. He said they're all trying to save what we have going on – programs, jobs, what we're doing in the County and it's definitely what they have to do.

One last thing is we're actually trying to – we don't want to lay anybody off and we want to keep all of our programs, employees and the County going. And I thank Manager Miller, thank you and your team for actually [poor audio quality] You have employees out there, you have individuals out there, you have program people out there in the community saying we're not doing this and thing. You know what? It's challenging. It's hard. How do we do it? Just thank you for all of us, everybody, employees, and everybody else out there in the community for bearing with us because we're trying and we're doing our best. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Great words. I couldn't agree with you more. Any other comments from Commissioners? Okay. Manager Miller.

MS. MILLER: So Mr. Chair, I think that's everything that we have on the budget right now but I do think Robert Griego, he did message me that they were back on the line. I think Robert wanted – Lucy is on there and maybe she could give an update on the AgriGate.

CHAIR ROYBAL: Yes, that would be great. I think later we'll have the quarterly report from Pablo Sedillo but if Lucy Foma is on the line that would be great.

3. A. Request Appointment of Staff to Serve on the Santa Fe City and County Advisory Council on Food Policy (cont. from page 5)

ROBERT GRIEGO (Planning Manager): This is Robert on the line.

CHAIR ROYBAL: Robert, welcome, sir.

MR. GRIEGO: Yes, I'm back now. Lucy was going to do a presentation on the AgriGate and I believe Daniel has the presentation on line.

LUCY FOMA (Senior Planner): Thank you, Commissioners, for having a moment to receive an update about the AgriGate program. The AgriGate was launched in the fall to connect food producers with some buyers in the community. This is an innovative platform that uses profiles in a profile setting to populate a map that I will give a little more explanation about in a minute.

So there are a couple of features about the AgriGate. As I mentioned, there's a searchable food community map which I'll get into. There are also the profiles for food

producers, food buyers and resource providers, and there's a short film you can watch on your own time just giving a little bit of the heritage of agriculture in northern New Mexico.

We also have a section on the front page for news and events, so this is notices from the community about land that is available for exchange that can be cultivated. There's also training opportunities and places where people can sell produce. This is updated regularly. Again, these are the features.

So quickly, I just wanted to walk you through how the searchable food community map works. It's an actual map and on the left side there are searchable items. So for food producers, you can search for different products that you're looking for.

So I'm going to run you through an example looking for greens. So I clicked greens, and press search and these are marker groups that came up. Each of those markers is associated with the profile of the food producer, not just in Santa Fe County but in the region. And so then that would bring up all of the profile information about that particular provider and you can see it there in abbreviated form, or you could go into the full profile on the next slide. That's the page that the actual producer has.

So we've been working with the Santa Fe Food Policy Council Food Security Working Group which has the City and other food distributors, also the ESHIP Program with Erin Ortigoza who was the brains, I guess, because the AgriGate Program, we've all been working together to make a proposed response to how we can get food, both purchasing it and distributing it to our whole community in need. The food community map, as I'll show you in a minute, demonstrates the potential of utilizing all of these resources.

This is the spreadsheet that as the working group we've been populating and it has the food suppliers, possible places for aggregation and distribution, possible preparation locations with kitchens. We thought we could transport those items and funding and labor sources. So as a group I'd say there's about 15 people who are regularly on the working group calls which happen twice a week. We've been populating this and then Alex Fitzgerald and I have been using this information to make additional profiles on the AgriGate.

So as you can see, these markers show the three different kinds of resources that can be viewed on the AgriGate website. There's the food producers in green, food buyers in orange, and then resource providers in yellow. And so the functionality of this is that we can list attributes of food buyers such as meal distribution, food depots, senior centers – things that we're looking for in terms of this crisis. And because this is being populated so quickly and they are the kinds of things we are trying to utilize as a region not just for the city or Albuquerque or just the county, we see this as a tool that we can use to analyze what are the key infrastructure and other investments that we could make to help secure food supply and distribution, for now during the crisis and beyond. Thank you.

CHAIR ROYBAL: Thank you, Lucy, for your presentation. Is there any questions from the Commissioners?

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Lucy, very much, for the

presentation. What kind of response are you getting from the farmers right now with this coronavirus?

MS. FOMA: We are hearing from farmers through the working group, the Food Policy Council working group, but they are ready to plant and they are wanting to step up as local heroes who can help solve this problem in the near and long term. They do want to have some sort of security in knowing that what they're planting and producing now will be purchased. And so we have put together as the Food Policy Council a short list, which the County could support this work, which I don't think I'm presenting now or soon. But I think they're ready to go ahead. They just want some support – funding and otherwise from us.

COMMISSIONER HANSEN: So Mr. Chair, what kind of funding do we think we can – do we have in the pipeline?

MS. FOMA: What kind of funding do we have in the pipeline? I can't answer that. Sorry, Commissioner.

COMMISSIONER HANSEN: That's okay. I appreciate you getting this out in the community and as we begin to connect with the people who are providing food, this is certainly a way of life in northern New Mexico and important to continue.

MS. FOMA: Thank you, Commissioner.

CHAIR ROYBAL: Thank you, Commissioner Hansen. That was a great question. I kind of had something similar that I had constituents ask about, how the AgriGate was working with the acequias in not on the valley in my district but in all of Santa Fe County where there are parciantes that can help us, utilizing their network to move local products, even including the hay and livestock.

MS. FOMA: Commissioner, if I may answer that to the best of my ability. We are definitely still in the marketing phase of this website. The crisis has exponentially increased the awareness and the data on this site, but we're still in the phase of trying to partner and collaborate and build this out to the highest capacity so that we can activate all the resources that are available to us.

CHAIR ROYBAL: Great. Glad to hear that. Any other questions or comments from Commissioners?

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: Yes, Commissioner Garcia.

COMMISSIONER GARCIA: Just really quick, thank you for the presentation. Can you just be sure and coordinate, communicate with the schools, Farm to Table, City of Santa Fe, non-profit organizations, everybody that's actually out there to help out the community. Let's all work together and all communicate and get things done for the betterment of the situation happening. Thank you, Mr. Chair.

CHAIR ROYBAL: Yes, sir. Thank you, Commissioner Garcia. Any other questions or comments from any Commissioners? Manager Miller? No? Thank you, Lucy. We appreciate the presentation, and thank you for all your hard work.

MS. FOMA: Thank you all for your support.

CHAIR ROYBAL: And congratulations.

MS. FOMA: Thank you.

12. INFORMATION ITEMS/MONTHLY REPORTS

A. Quarterly Report on Restricted Housing at County Correctional Facilities Pursuant to Laws 2019, Chapter 194 (HB 364)

CHAIR ROYBAL: I believe we have Pablo Sedillo.

MR. SEDILLO: Yes. Good afternoon, Mr. Chair, members of the Commission. As you're well aware, House Bill 364 went into effect on July 1, 2019. This is our third report out on restricted housing. Basically restricted housing tells you who goes in, how long they stay and for what reason. And you have to report out the age, gender, ethnicity, as well. And I understand that Commissioner Hansen had some questions on this report and I'm here to respond to those questions.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: It looks like most of the people that go into restricted housing come in and then are released out of the jail. Is that true?

MR. SEDILLO: Not entirely, Commissioner Hansen. If you look at the report it gives the time that they go in and the time that they're released out of restricted housing. So the date says date released is when they get released out of restricted housing. The longest time an individual has stayed in there from this quarter right is 13 days.

COMMISSIONER HANSEN: Okay. I just wanted to hear what you had to say about the restricted housing and how it was moving along.

MR. SEDILLO: Mr. Chair, Commissioner Hansen, I can tell you that just by this list here and you have individuals that are here for 13 days, that's the longest for the last quarter, I think that the administration is doing an excellent job and given the appropriate time, plus the required two hours that they're out of the cell, and there's a lot of communication between our staff and those individuals in restricted housing. Therefore, as you see, 13 days is the longest.

Before there used to be people, not in our facility, but this is one of the reasons they drafted up this House Bill 364 because individuals were staying in restricted housing for long periods of time.

CHAIR ROYBAL: Okay. Did you have any other questions, Commissioner Hansen?

COMMISSIONER HANSEN: No. Thank you very much.

COMMISSIONER GARCIA: Mr. Chair, I have some questions.

CHAIR ROYBAL: Commissioner Garcia.

COMMISSIONER GARCIA: As an individual that actually has unfortunately been in the place, so is restricted housing called – is that a different term for lockdown? When you're in the cell, you're in a segregated area for 23 hours a day? Is that a different word for that now? Lockdown, in the dungeon? Is that what segregated housing is now?

MR. SEDILLO: Chair Roybal, Commissioner Garcia, those are antiquated terms. I don't think they use them. We call it special management units. House Bill 364 calls it restricted housing.

COMMISSIONER GARCIA: As I'm talking, the way as into back in the day, when you're locked in for 23 hours a day in a cell by yourself, and you get out one or two hours a day and see daylight. Is that correct?

MR. SEDILLO: Commissioner Garcia, are you talking about back in the day or are you talking currently?

COMMISSIONER GARCIA: I'm talking, if somebody goes into restricted housing, does that mean you can be locked up in a cell for 22, 23 hours a day and not see any of the population, not see daylight, now see a window, not see a guard for 23 hours? Is that restricted housing?

MR. SEDILLO: Chairperson Roybal, Commissioner Garcia, again, that's antiquated. They do have windows in their cells. They have plenty of communication, programming, in there as well. They do get out 2 ½ hours plus, out of their cell, to shower, to recreate, and to just kind of walk around in the pod. And then they're secured back into their cells at that time. But the communication is always there with our case managers, with our administration, with the officers, so we don't throw them in the cell and throw away the key and never talk to them again until the next day. Again, those are all antiquated scenarios and terms.

COMMISSIONER GARCIA: Thank you, Mr. Chair. I appreciate the terminology, and it's kind of like throw them in the cell, throw away the key, because this is coming to fruition is for the general public to understand is in Doña Ana there was an inmate that was locked up for months and months and months and months, and this is why the state legislature actually passed this bill, because like I said, there was an individual that was there in Doña Ana jail, not prison, in jail, and he was forgotten for many, many months. Months, months, months. And so I just have a little bit of concern, and I think Santa Fe County is doing a great job as how we incarcerate and how we handle individuals that are incarcerated, because they are human beings as well, just like we all are. And I just want to make sure for the record that everybody in that facility or any other facility is taken care of because as policymakers, we need to make sure that everybody's treated equally. So that's just my whole point for the record. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia.

MR. SEDILLO: Chairperson Roybal, and thank you, Commissioner Garcia. Like I said, if you look at the log here for the last three months, 13 days is the longest time somebody's spent there, and you're absolutely right. Our obligation and responsibility is for custodial care, not only the custody of care providing the necessities but also providing that extra care for them for anybody in SMU or in restricted housing.

COMMISSIONER GARCIA: Thank you, Mr. Sedillo, because just for the record once again, can anybody out there realize what is the convenience in an isolated cell for 13 days? And you only get two hours to go out and exercise, do what every you need to do and get fed. And I just want to make sure, if there's an individual or individuals out there – we don't want to deal with this right now. But if there's somebody out there that needs some care or help or something, as policymakers we need to help out those individuals. There's no way somebody needs to be locked up for 13 days in a four by four cell. But that's it. I just wanted to make that for the record, Mr. Chair. Thank you, Mr. Sedillo.

MR. SEDILLO: Thank you.

CHAIR ROYBAL: Okay, is there any other questions from Commissioners? Mr. Sedillo?

MR. SEDILLO: I just want to thank the County Commission for taking the time to review this quarterly report and ask the questions that they needed to ask.

CHAIR ROYBAL: Thank you, Mr. Sedillo and thank you for your time today, sir.

MR. SEDILLO: No problem. Thank you very much.

COMMISSIONER GARCIA: Mr. Chair, just really quick. Can you just give us a little one-minute, two-minute as in our accreditation for the jail facility? Because we're one of the top three, two jails in New Mexico, out of the 33 counties that are accredited. If you can just give us a really brief – for the general public to understand. Or actually, for lack of a better term, we're actually [poor audio quality]

MR. SEDILLO: Chair Roybal and Commissioner Garcia, you're absolutely correct on that. We pride ourselves on providing quality care to the inmates and to the staff as well. That's our responsibility and obligation. We just went through a re-accreditation, our third one since 2012. We passed with 100 percent on everything. There were a couple issues that action plans were already put in place and we submitted the action plans back to the New Mexico Association of Counties accreditation team. We haven't heard back from them as yet. They're supposed to be back at our facility within 60 days, I believe. Either 60 or 90 days and that should be coming up pretty soon to kind of look at our action plans once we were and that we kind of enhanced and implemented. I'm very confident that we'll get our re-accreditation, our third one, since 2012.

I take pride in the staff, the administration over there and what they do. It's a very difficult job. A lot of people don't understand the complexities of a correctional institution, especially the detention center. We have a lot of individuals coming in and out of the facility and our staff does a really good job. I'm very proud to be a part of this for the County of Santa Fe.

COMMISSIONER GARCIA: Thank you, Mr. Sedillo. Mr. Chair, just so the general public understands, the County Commission as policymakers, we go out there at least once a year to tour our jail. And when I say our jail, the Santa Fe County Commission jail. It's not the Santa Fe County jail, it's actually every taxpayer in Santa Fe County pays for that facility out there. So as policymakers we need to make sure that our staff and all the staff that works out there are actually credible and they do an excellent job. I just wanted to make that for the record. Because it's the community's jail. It's not the Santa Fe County jail, or the City's jail, it's all of our jail. Thank you, Mr. Sedillo. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you.

MR. SEDILLO: Thank you.

CHAIR ROYBAL: Thank you, Mr. Sedillo. Thank you, Commissioner Garcia.

8. MATTERS FROM COUNTY COMMISSIONERS

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

Future Presentations

CHAIR ROYBAL: Are there any Commissioners – I'm just going to go through the line. So I'm going to start with Commissioner Hansen.

COMMISSIONER HANSEN: I don't have any updates except for that there is a SWMA meeting on Thursday at 5:00 and SWMA is the Solid Waste Management Agency and they have reduced the hours at BuRRT to from 8:00 to 4:45 and they have asked that only people bring essential items to the BuRRT facility. They were being overrun by people not wanting to stay home. I know it's difficult for people to stay home at this particular time. The governor has requested this stay at home order and so non-essential items will not be accepted – our trash from spring cleaning, trash from cleanup of garage and the backyard, waste from remodeling projects, bulk items such as old furniture, mattresses, appliances, tires, recycled material including glass bottles, household hazardous waste and e-waste. So if people can just please hold on to these things until we can come out of this stay at home order and our numbers are going down. That is the main thing that we have to have happen for this to be over is to start having our numbers go down. So that's what I wanted to share. Thank you.

CHAIR ROYBAL: Commissioner Moreno, do you have an announcement or anything to share with us today?

COMMISSIONER MORENO: Yes, Chair. Here in Eldorado it's usually kind of sleepy, but in some ways it's a good thing. I've been driving around. We have a new trail that has been installed recently and a lot of people are taking the opportunity to just get around on our trails, thanks to Santa Fe County. I hope everybody is taking the opportunity to downshift and take opportunity to appreciate what we do have, and that's my take. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Moreno. Good words. I'm going to go to Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you, Mr. Chair. I don't have very much to share. I did want to mention that the first Saturday in April, a couple weeks ago, we made a valiant attempt to do Coffee with the Commish virtually and had some success but some real difficulties just because the first time trotting something out that we were going to use that broadly, it was pretty early in the month. So I wanted to both apologize to all my constituents and all the people who were really looking forward to keeping this going for that technical glitch, but we will be doing it again the first Saturday in May, which is the 2nd.

I also wanted to thank Tessa Jo and Daniel Fresquez and Tina Salazar for really working through on that Saturday and making all the fixes that did bring us live. So obviously there were challenges doing everything virtually, but there was also a lot of public interest, so we will definitely try again.

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

COMMISSIONER GARCIA: Well, [inaudible] said a few important things, but just everybody be safe out there and take precautions. Actually one community, one government, one union, one world and let's get over this and everybody be safe and thank you for everybody that's participated and doing what we all got to do.

Be safe. Thank you, all.

CHAIR ROYBAL: Thank you, Commissioner Garcia. I also – I wanted to bring up myself, we had some things, just to bring to everybody's attention I have had a few calls on trash again, unfortunately getting dumped in areas. I did actually witness somebody throwing branches in one of the rivers and so I know that I've gotten a couple of calls relative to that. I don't know if some of the trash that's being thrown is because people at this point can't afford to buy the punch tickets or if it's just a trend that's getting worse, but I wanted to see if there could be something we could put in place to consider, if somebody's lost their job and can't afford to buy a punch ticket and if there's any kind of help out there that might be able to allow them to throw their trash for free or at a prorated amount and especially if they can show that they aren't working right now and having a hard time doing this COVID-19 pandemic.

I don't know if there's a possibility or if we've thought about that or not, but I think it's something that might get worse if people can't afford to throw their trash.

The other thing, and I don't know if that's something that Manager Miller might be able to talk to a little bit and see if there's anything that we might be able to do to help with that type of situation.

MS. MILLER: Mr. Chair, I have a response to you.

CHAIR ROYBAL: Okay.

MS. MILLER: Actually just trying to work with Greg to develop a two part plan to alleviate strain on county resident and one of them is with our utility bills making sure that we waive any penalties and interest for late payment and [poor audio quality] any shut offs. [poor audio quality] contact us and get on a payment plan. So that would be one. And the second is to allow people to go into the transfer stations as long as they have a permit, but we won't punch it. So we use the permits to know that they are actually a county resident, so we would still want them to have a current permit, but we would not punch the card so that their trip is free.

CHAIR ROYBAL: I appreciate that. And I think that's all I had at this point.

9. MATTERS FROM OTHER ELECTED OFFICIALS.

CHAIR ROYBAL: We'll go on to other elected officials. I want to thank the County Sheriff. I saw him. He was on line earlier and I'm not sure if there's any other elected officials that were on line and have any kind of announcements that they would like to share. We are on the next item which is Matters from Other Elected Officials. Are there any other elected officials that have comments that they'd like to share on public record? Seeing none, I'm going to call ahead and close item number 9.

MS. MILLER: Mr. Chair, we were going to recommend, since it's almost 5:00 that we take a ten-minute break and actually go to the Public Hearing at 5:00 and to the Matters from the County Attorney at the end of the meeting.

CHAIR ROYBAL: I'm fine with going ahead and moving item number 10 down to the bottom, Matters from the County Attorney, and we'll go ahead and move our Public Hearings up at 5:00. So if I could get a motion to go into recess and we'll return at 5:00.

COMMISSIONER HAMILTON: So moved.

COMMISSIONER GARCIA: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hamilton and a second from Commissioner Garcia.

The motion passed by unanimous [5-0] roll call vote as follows:

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

[The Commission recessed from 4:51 to 5:05.]

11. PUBLIC HEARINGS

- A. **Case #20-5010 Spirit Wind West Subdivision Plat Extension. Joseph F. Miller & Kathy A. Miller, Applicants, Land Development Planning, Agent, Request a Time Extension of the Previous Approved Spirit Wind West Subdivision, Which Consists of 39 Lots to be Developed in 4 Phases, on 133 (±) Acres. The Property is Located off of Cerro Alto Road, via US Highway 285, within Section 5, Township 14 North, Range 10 East, and Section 32, Township 15 North, Range 10 East, within the Bishop John Lamy Grant (Commission District 5)**
- B. **Case #20-5020 Tierra Bello Subdivision Plat Extension. Joseph F. Miller & Kathy A. Miller, Applicants, Land Development Planning, Agent, Request a Time Extension of the Previous Approved Tierra Bello Subdivision, Which Consists of 73 Lots to be Developed in Eight Phases, on 263 (±) Acres. The Property is Located off of Avenida de Compadres, via Avenida Eldorado, Within Sections 24 & 25, Township 17 North, Range 9 East Within the Cañada de los Alamos Grant (Commission District 5)**

CHAIR ROYBAL: Okay, I wanted to just see if we had all the Commissioners back. I can see Commissioner Hansen is back.

COMMISSIONER HAMILTON: And Commissioner Hamilton.

CHAIR ROYBAL: And Commissioner Hamilton. Okay. Commissioner Moreno, are you back? Commissioner Moreno? How about Commissioner Garcia?

COMMISSIONER MORENO: I'm here.

CHAIR ROYBAL: Okay, Commissioner Moreno. Commissioner Garcia are you back, sir? Commissioner Garcia, are you back?

MS. MASCARENAS: I believe he signing off and signing back on to see if his webcam would work.

CHAIR ROYBAL: Okay. We'll give him a couple minutes then.

MS. MASCARENAS: It looks like he signed back on.

CHAIR ROYBAL: Okay. Great. Okay, Commissioner Garcia, are you getting back on sir? You are? Okay. I got you now, sir. Okay, we're going to come out of our recess and go ahead and get started with item number 11. These are public hearings. It's after 5:00 so we're okay to start with them. The first one we're going to do is 11. A.

MR. SHAFFER: Mr. Chair, this is Greg Shaffer, the County Attorney. We've been contacted by the applicant's agent who has requested that the two matters scheduled to be heard this evening be tabled until May. If I could ask either the agent or Ms. Ellis Green to confirm that for the record I would appreciate it, but that's my understanding of where we are now with regard to these two cases.

CHAIR ROYBAL: Okay, Mr. Martinez.

DANNY MARTINEZ: Yes, I'm here. Can you hear me?

CHAIR ROYBAL: We can hear you now, sir.

MR. MARTINEZ: Mr. Chair and members of the Commission, again, we're in a quandary over here because we've received over the last couple of days a number of [poor audio quality] These are petitions that we feel that are – a lot of them are unwarranted because we have been involved in this project for close to 15 years. We are coming back. We find ourselves in a situation where we're going to fight, battle, and we don't have a chance to win. Our best bet is to try and table and negotiate with the neighborhood groups and others so we can be in a positive position, versus a negative position.

And it's a real big concern on us because a lot of the comments that are coming back at us are personal attacks against Joe Miller. Mr. Miller is no longer capable due to health concerns to defend himself against the negative attacks. Some of them are pretty vicious and some of them are downright wrong, because what happened back in 2012, 2013, 2014, they're telling us it's 2020 and it's a whole different game.

Again, this is incredible. It's just gotten harder and harder, because without this extension we will lose our development rights and we're not willing to accept that. The tabling was based on a County – our attorney, Ron Van Amberg requests that maybe it's a good idea that we table for a while to see if we can sit down with these community organizations, which we know is not possible because of the current virus conditions. But what it does is it puts us in the quandary because we don't want our projects to die. We want our projects to continue.

The concern that I have is this is about affordable housing. This is about market rate housing. And a lot of the concerns that we're getting are people that are dissatisfied with modular homes, which were approved based on our previous approvals, so it shouldn't be an issue for us now that homes are replaced, that people are happy. They love their homes, and because they're not equal or greater than the homes that are around us, they're being targeted as affordable houses that don't fit into this community. That's a big concern for us, because I know the County's attempt is not to discourage affordable housing or market rate affordable housing but to allow us to move forward and continue with what we think is needed in the community of Eldorado where the average price of a home is well over \$400,000 in some cases.

Our homes are not that high and what we're doing is – I've got people that are lined up that are willing to talk to the Commission and say we live in a modular home. We live in this community and we are very proud to have this opportunity to be able to

do what they have done. Well, now, the opposition, which again, like I say, is very negative because they don't like Joe Miller. They don't like modular homes. They call them mobile home communities, which they're not; they're modular home communities.

Our efforts to keep our projects in order are so dependent on this ability to get this extension. The extension that we're requesting is based on the fact that for 2 ½ years we have been working diligently to amend an existing approved affordable housing agreement plan that was approved by Commissioner Stefanics and was recorded with the County Clerk's Office that was pretty much set in place. That's how we got our first phases of the developments approved.

Now we're told that our affordable housing has to be changed. The effort to change it – we made an application for Spirit Wind in July of 2018, development fees were paid, everything went out to state agencies, and now we're told, sorry, the affordable housing agreement and plan are not acceptable; we have to modify them.

So for two years this delay has been caused we're still waiting for a final word on what are we going to do? Again, affordable housing is viable, but it's impacting us because this community, the community of Eldorado does not want affordable housing. They don't want affordable market rate housing. It's called not in my backyard. They only want what's comparable with what they have and nothing more. Again, it's really sad when you see some of the comments that are personal attacks against Mr. Miller who cannot defend himself.

So we're finding ourselves in a quandary. So should we table and continue to try to negotiate with these people? I'm willing to do it. But when you have that negative mentality, what it does is it destroys the ability to come before you, the Board of County Commission, and get a fair treatment for these development projects.

CHAIR ROYBAL: Thank you, Mr. Martinez. I want to go to our County Attorney. In this situation where the client would like to table, I don't believe we need public comment. Is that correct?

COMMISSIONER GARCIA: Mr. Chair, I have a question please.

Just really quick, before Attorney Shaffer gets on the call. I have a question as into – I don't know about stereotyping the community of Eldorado as to whether they want approval of not, because back in the day the County said a dwelling unit is a dwelling unit. And so I just want to make sure if the applicant tables this, that's not going to be held against the applicant as into because he tabled it trying to work with the community, he's not going to – his expiration date for his zoning will not expire. Is that correct?

MR. SHAFFER: Mr. Chair, Commissioner, I believe there were two questions that were posed. Does the Board have to take public comment on a request to table as well as the decision to take public comment would be the discretion of the Board of County Commissioners. So the short answer is no. I don't believe that anything in our regulations would require the Board to take public comment on the request to table, if that's the Board's desire.

With regard to the second question of whether or not by asking that the case be tabled for a month, that that would be somehow used as an initiative against the applicant in future proceedings on the request for an extension. Commissioner Garcia, I believe the answer is no. The applicant is, as I understand it, requesting time to try and meet with

neighborhood community groups to understand and potentially try to address their concerns, but no, I don't believe that their desire and willingness to do so would be an admission that would be used against them in future proceedings. I hope that answer your question, Commissioner Garcia.

COMMISSIONER HAMILTON: Mr. Chair, I have a technical question.

COMMISSIONER GARCIA: Yes, Attorney Shaffer. I appreciate the answer to the question. Thank you.

COMMISSIONER HAMILTON: Mr. Chair.

CHAIR ROYBAL: Go ahead.

COMMISSIONER HAMILTON: I thought in the materials that this extension, the current extension expires at the end of April. So at the end of this month. I could be wrong. I have no problem with tabling. I think it's for a good reason. But to table for a month, if they come back after the expiration, do we have to take some sort of note so that that is not held against the applicant?

COMMISSIONER GARCIA: Thank you, Commissioner Hamilton. that's the question I have as into I don't want the applicant – say we table for a month or two, trying to work with the community. Now you have to start all over again. Good question, Commissioner. Thank you.

COMMISSIONER MORENO: Mr. Chair.

CHAIR ROYBAL: Commissioner Moreno.

COMMISSIONER MORENO: I would support a move to table this matter. The communities are in dialogue but it's kind of a raw, tough topic and I would support a postponement.

CHAIR ROYBAL: Okay. Commissioner Moreno is the Commissioner from this district. I would like to ask Attorney Shaffer, is the Commissioner correct in that this would expire and could we do an amendment to the motion extending that until it comes back to the BCC?

MR. SHAFFER: Mr. Chair, I am informed by the Land Use Administrator that the Land Use Administrator historic position has been that as long as the application is made prior to expiration of the master plan that the Board has the authority to grant the extension even though that formal approval may occur after expiration of the master plan. In other words, it's the date of application that is controlling rather than the date of the Board's actual decision. I don't believe that that interpretation is foreclosed by any language in the SLDC relative to approved master plans and I think that that concept is pretty clearly and expressly set forth in other provisions concerning preliminary plats and final plats. So the short answer is I think it's the time of the application rather than the action that would be controlling. I think that's defensible under the SLDC and I'm informed that it is consistent with the Land Use Administrator's actual administration of the SLDC.

COMMISSIONER GARCIA: So Mr. Chair, once again, Greg, so if we table this today and he comes back in two or three months, he still has – his preliminary or final plat does not expire. Correct?

MR. SHAFFER: Mr. Chair, Commissioner Garcia, I think that would be a permissible interpretation should the Board of County Commissioners adopt it and we are dealing here with a master plan extension, not a plat extension.

MR. MARTINEZ: Correct.

COMMISSIONER GARCIA: I just wanted to make it clear because I just want to make sure if we do table this that the applicant still has the ability to come forward after working with the residents that he can still get an extension if the Commission grants that.

COMMISSIONER MORENO: That would be my understanding as well.

CHAIR ROYBAL: That would be my understanding. I believe that's what Attorney Shaffer has indicated.

COMMISSIONER HAMILTON: So Mr. Chair, did we actually have a motion from Commissioner Moreno?

CHAIR ROYBAL: He said he did support it, but if you would like to make a motion, Commissioner Moreno.

COMMISSIONER MORENO: Well, I will so move.

COMMISSIONER HAMILTON: Second.

COMMISSIONER GARCIA: Mr. Chair, just for discussion, at the applicant's request we're tabling to work with the residents, I would support the applicant's request so long as it actually does not miss or interrupt his extension.

COMMISSIONER MORENO: Okay.

CHAIR ROYBAL: Okay. And I just want to say that I think it's commendable that they would have more outreach and be willing to do that with the community, so I think it's a good reason to table this item and bring it back in maybe.

COMMISSIONER MORENO: Or maybe even June.

CHAIR ROYBAL: It would be up the client, the client that's bringing this forward. Is Mr. Martinez still on the line.

MR. MARTINEZ: To speak with members of the community. The hard part about it is it's hard to talk to 100 different people, but I will go to the homeowner associations and I will again – the issue of should I have a public meeting versus should I just do this informally and try to communicate with them – this particular case does not require a public hearing. If I came in and I was asking for preliminary and final development plat approval, yes, I would be asking for a community meeting because that's what's required. In this particular case it does not require a public hearing but I would be more than willing to reach out and express our concerns to the community, hear them out. Again, I can't promise that we're going to satisfy everybody but I think it's an effort that I really need to take forth because it's going to kill a project that has been in the making for many, many years and a lot of money has been spent. Right now we have people who are waiting on a list to buy lots out there. But if we're going to go through this and get denied and have to fight the battle, I'd rather see if I could work with the community and see if there's any ability to agree to something.

Again, like I said, it's all about one thing. Two things: affordable housing and affordable market rate housing. It's not about can I compete with what they have. It's nothing more than in today's world we've got to meet market rate housing that appeals to people that cannot afford the costs that are being paid for in the Eldorado community, and we really believe that we have created this market in the two developments that we've gotten. The homes that are out there that are modular homes, people are really thrilled. They would love to talk to you. But again, like I say, I've got to stop and I've got to give

the community the option to give me a chance to call them, work with them and see if I can come up with something [inaudible].

CHAIR ROYBAL: Okay, Mr. Martinez. We really appreciate that. Do you have a timeline? We talked about May or June. Is there a month that you would prefer?

MR. MARTINEZ: It's my understanding from talking to the Land Use Administrator that I will come before you guys monthly and I'll have to request a tabling of the next month and the next month, and I'm entitled to three tablings before we would have to move forth. Again, I'd like to tell you on our part, we're willing to work with the communities. I just don't know what kind of responses I'm going to get. So is next month going to work? I really couldn't say that it's going to work. Is the next month going to work? I would hope that within two months – in that 30 days to 60 days that we would have some kind of agreement that is not going to be detrimental to our project.

CHAIR ROYBAL: So, Commissioner Moreno, you had the motion. Do you want to table it to a specific – either the first of the second BCC meeting in May?

MR. SHAFFER: Mr. Chair, Commissioner Moreno.

CHAIR ROYBAL: Attorney Shaffer.

MR. SHAFFER: I would recommend, consistent with the practice described that this be tabled to the first meeting in May, and then as the applicant described, if additional tablings are desired then they can follow the normal process to do that. I think that would be the cleanest way to proceed, Mr. Chair.

CHAIR ROYBAL: Okay. So is that going to be your motion, Commissioner Moreno, to table until May?

COMMISSIONER MORENO: Yes. That will work.

CHAIR ROYBAL: And your second, Commissioner Hamilton?

COMMISSIONER HAMILTON: I'm fine with that.

CHAIR ROYBAL: So we have a motion and a second. Under discussion, are there any other comments from Commissioners? Concerns? No.

UNIDENTIFIED SPEAKER: Can the residents ask a question?

CHAIR ROYBAL: No, there's no public comment.

UNIDENTIFIED SPEAKER: Okay. We just live in the area so we thought we would share how much we love the area.

CHAIR ROYBAL: Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, just for the record, on a tabling there is no public comment, I believe. Mr. Shaffer can correct me if I'm wrong.

CHAIR ROYBAL: That's basically what I just said. That we would have public comment the next time that we come back.

COMMISSIONER GARCIA: Thank you.

CHAIR ROYBAL: So I'm going to go to roll call vote.

The motion to table both cases passed by unanimous roll call vote as follows:

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

CHAIR ROYBAL: Thank you all for being here.

MR. MARTINEZ: Thank you, Commissioner Roybal. And again, I'd like to say, we will pursue this immediately tomorrow and see if I can get in communication with the neighborhood groups.

MR. SHAFFER: Mr. Chair, I would just confirm for the record if I could the tabling motion encompassed both cases: Case No. 20-5010 and Case No. 20-5020. Thank you.

CHAIR ROYBAL: Thank you.

COMMISSIONER MORENO: Thank you.

10. **MATTERS FROM THE COUNTY ATTORNEY**

A. **Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Public Hearing(s) on the Agenda, as Allowed by Section 10-15-1(H)(3) NMSA 1978; Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Between the Board of County Commissioners and Collective Bargaining Units, as Allowed by Section 10-15-1(H)(5); Discussion of Contents of Competitive Sealed Proposals Pursuant to the Procurement Code During Contract Negotiations as Allowed by Section 10-15-1(H)(6); Threatened or Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(7) NMSA 1978; and, Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1 (H)(8) NMSA 1978, including:**

1. **Charges of Discrimination Filed with the Equal Employment Opportunity Commission and Human Rights Bureau**
2. **Aamodt Litigation/Pojoaque Basin Regional Water System**

CHAIR ROYBAL: We're going to go back to item number 10 and this is Matters from the County Attorney. Mr. Shaffer, can you give us a brief summary of what we're going into executive session for?

MR. SHAFFER: Certainly, Mr. Chair. Before we do that, I would respectfully request that we take care of a housekeeping item under the Open Meetings Act with regard to the March 31st meeting of the Board of County Commissioners. As you may recall, at that meeting the Board of County Commissioners went into executive session at the end of the meeting and did not reconvene in open session. Instead, the meeting was adjourned and the Board went into executive session. I therefore would respectfully request that someone make a motion to have the minutes of this meeting reflect that the matters discussed, during the March 31, 2020 executive session were limited to only those specified in the agenda.

CHAIR ROYBAL: Okay. Thank you, Attorney Shaffer. Can I have a motion in that regard?

COMMISSIONER HAMILTON: I would so move.

COMMISSIONER MORENO: Second.

CHAIR ROYBAL: So we have a motion from Commissioner Hamilton and a second from Commissioner Moreno.

The motion to have the minutes reflect that the matters discussed during the executive session of the March 31, 2020 meeting were only those specified in the agenda passed by unanimous voice vote.

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

MR. SHAFFER: Mr. Chair, I would recommend that the Board of County Commissioners do the same thing this evening, which is to move to adjourn the open meeting and to convene executive session to discuss charges of discrimination filed with the Equal Employment Opportunity Commission and Human Rights Bureau, as well as the Aamodt water rights litigation and Pojoaque Basin Regional Water system. And the statutory grounds for discussing those matters in executive session would be threatened or pending litigation where Santa Fe County is or may become a participant as allowed by Section 10-15-1(H)(7) NMSA 1978, and the discussion of the purchase, acquisition or disposal of real property or water rights as allowed by Section 10-15-1(H)(8) NMSA 1978.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I move that we go into executive session to discuss items that our Attorney Greg Shaffer just stated.

COMMISSIONER HAMILTON: I'd second. I assume that we'll close out of executive session and make the necessary statements next meeting rather than reconvene.

CHAIR ROYBAL: Correct.

COMMISSIONER HANSEN: I agree.

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

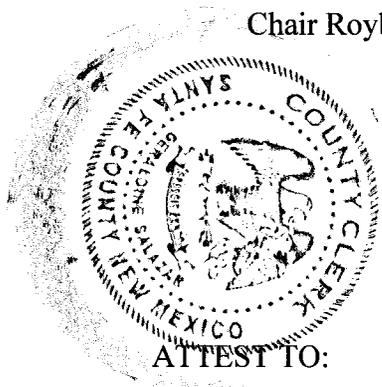
The motion to adjourn the meeting and go into executive session pursuant to NMSA Section 10-15-1-H (7, and 8) to discuss the matters delineated above passed by unanimous roll call vote as follows:

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

CONCLUDING BUSINESS

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

Chair Roybal declared this meeting adjourned at approximately 5:32 p.m.



Approved by:

[Signature]
 Board of County Commissioners
 Henry Roybal, Chair

GERALDINE SALAZAR
 SANTA FE COUNTY CLERK

[Signature: Geraldine Salazar]
 Respectfully submitted:
[Signature: Karen Farrell]
 Karen Farrell, Wordswork
 453 Cerrillos Road
 Santa Fe, NM 87501

May 13, 2020

SFC CLERK RECORDED 05/20/2020
 SFC CLERK RECORDED 05/28/2020

COUNTY OF SANTA FE)
 STATE OF NEW MEXICO) ss

BCC MINUTES
 PAGES: 45

I Hereby Certify That This Instrument Was Filed for
 Record On The 20TH Day Of May, 2020 at 11:22:29 AM
 and Was Duly Recorded as Instrument # 1916733
 of The Records Of Santa Fe County



Deputy *[Signature: Estrella Martinez]* Witness My Hand And Seal Of Office
 Geraldine Salazar
 County Clerk, Santa Fe, NM