

**SANTA FE COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**MEETING**

**February 13, 2018**

Anna Hansen, Chair - District 2  
Anna Hamilton, Vice Chair - District 4  
Robert A. Anaya - District 3  
Ed Moreno - District 5  
Henry Roybal, Chair - District 1

SFC CLERK RECORDED 03/15/2018

**SANTA FE COUNTY**  
**REGULAR MEETING**  
**BOARD OF COUNTY COMMISSIONERS**

**February 13, 2018**

I. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:09 p.m. by Chair Anna Hansen in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

**B. Roll Call**

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

**Members Present:**

Commissioner Anna Hansen, Chair  
Commissioner Anna Hamilton, Vice Chair  
Commissioner Robert A. Anaya [2:45 arrival]  
Commissioner Ed Moreno  
Commissioner Henry Roybal

**Members Excused:**

None

**C. Pledge of Allegiance**

**D. State Pledge**

**E. Moment of Reflection**

The Pledge of Allegiance was led by John Tennyson, the State Pledge by Roxanne Lujan and the Moment of Reflection by Michelle Marmion of the Finance Department.

I. F. **Approval of Agenda**

1. **Amendments**
2. **Tabled or Withdrawn Items**

KATHERINE MILLER (County Manager): Madam Chair, Commissioners, we have on Friday at 11:34 a.m. we posted the amended agenda. On page 3, under Action Items, III. B. 2. a, b, c, d and e were added. And then on page 5, public hearings, the land use case has been tabled at the request of the applicant. And then I just wanted to note we do not – it's not an error – we do not have an executive

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session today.

CHAIR HANSEN: Okay. Thank you.

amended.  
COMMISSIONER HAMILTON: Move to approve the agenda as

CHAIR HANSEN: Do I have a second?

COMMISSIONER ROYBAL: I'll second.

CHAIR HANSEN: Thank you, Commissioner Roybal. We have a motion  
and a second.

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

**I. G. Approval of Minutes**

**1. Approval of January 9, 2018, Board of County Commissioner  
Meeting Minutes**

CHAIR HANSEN: Did we have any additions or changes? I have some.  
So on page 5, down by Commissioner Anaya, "I some experience," "I've had some  
experience." I don't think that he said I some experience. And then on page 31, fifth line  
down, Secretary of the Interior and Chairman of our department. I'm adding "of", but it  
could have been Chairman our department, although I was not at that meeting. And that  
is all that I have in the way of changes. Do I have a motion to approve?

COMMISSIONER ROYBAL: Madam Chair, I'd like to make a motion to  
approve the minutes with the amendments that you've made.

COMMISSIONER HAMILTON: Second.

COMMISSIONER MORENO: Second.

CHAIR HANSEN: Okay, I have a motion and multiple seconds. Thank  
you.

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

**2. Approval of January 23, 2018, Board of County Commissioner  
Special Meeting Minutes**

minutes?  
CHAIR HANSEN: Do we have any additions or changes to those

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HANSEN: Yes.

minutes.  
COMMISSIONER ROYBAL: I'd like to move for approval of the

COMMISSIONER MORENO: Second.

CHAIR HANSEN: Okay, we have a motion and a second.

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

## II. CONSENT AGENDA

### A. Final Orders

1. CASE # MIS 17-5222 Jerry West Reconsideration of a Condition. Jerry West, Applicant, Sommer, Karnes & Associates, LLP, Agent, request the reconsideration of a condition imposed by the Board of County Commissioners on a lot size variance for Jerry West. The variance allowed the division of 10.9 acres into two lots and was conditioned that no additional dwellings (beyond what was existing) would be allowed on the property. The Applicant is requesting an amendment to the condition imposed by the BCC to allow 4 dwelling units on 5.963-acre lot. The property is located within the San Marcos Community Overlay District at 2 Loma Oriente Road within, Section 26, Township 15 North, Range 8 East (Commission District 5) Mathew Martinez, Case Manager (APPROVED 5-0)
2. CASE # APP 17-5021 Appeal of Jerry West Variance. Santa Fe County, Appellant, is appealing the Santa Fe County Planning Commission's decision to approve a density variance (Jerry West Variance case # V17-5020) of Chapter 9, Table 9-14-4: Dimensional Standards of the San Marcos Community District overlay Rural Residential (SMCD RUR-R) zoning district. the Planning Commission approved a variance to exceed the density requirement of one dwelling unit per ten acres by allowing 4 dwelling units on a 5.963-acre lot. The property is located within the San Marcos Community Overlay District at 2 Loma Oriente Road within, Section 26, Township 15 North, Range 8 East, and (Commission District 5) Mathew Martinez, Case Manager. (APPROVED 5-0)

### B. Resolutions

1. Resolution No. 2018-14, a Resolution Confirming the Land Use Administrator's Determination That the Extraterritorial Zoning Authority Order For Case No. 07-4400, Culver Request, Henry Culver, Applicant, Granted the Applicant Relief From A Previously Approved Condition of Approval of A Variance (Growth Management Department/Vicki Lucero)
2. Resolution No. 2018-15, a Resolution Amending Resolution 2016-137 to Update the Employees Authorized to Enforce by the Issuance of Citations and by Prosecution Violations of Santa Fe County Ordinance No. 1991-7, as Amended by Ordinance No. 1998-11, the Fire Prevention Code, and Santa

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**Fe County Ordinance No. 2001-11, the Santa Fe County Urban Wildland Interface Code (Public Safety/Fire Marshal, Jaome Blay)**

3. **Resolution No. 2018-16, a Resolution Amending the Santa Fe County Road Map and Certifying a Report of the Public Roads in Santa Fe County (Public Works Department/Robert Martinez)**
4. **Resolution No. 2018-17, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget Supplemental Funding Awarded Through the HIDTA Grant Program /\$65,000 (Finance Division/Stephanie Schardin Clarke) [*Exhibit 1: Supplemental Information*]**
5. **Resolution No. 2018-18, a Resolution Requesting Supplemental Funding from the 2015 Edward Byrne Justice Assistance Grant Program, Requesting A Budget / \$15,107 (Finance Division/Stephanie Schardin Clarke)**
6. **Resolution No. 2018-19, a Resolution Authorizing the County Manager to Prepare, Execute and Submit on Behalf of Santa Fe County a Local DWI Grant Program Application Along with all Related Documents and Agreements (Community Services Department/Lupe Sanchez)**

CHAIR HANSEN: Does anyone have anything on the Consent Agenda that needs extended discussion or is there a motion?

COMMISSIONER ROYBAL: I'd like to make a motion to approve our Consent Agenda.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: Thank you.

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

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

### **III. ACTION ITEMS**

#### **B. Miscellaneous**

1. **Request Approval of Amendment No. 3 to Agreement No. 2015-0063-CORR/IC with Keefe Group for Commissary Services for the Adult Detention Facility and Youth Development Program to Extend the Term of the Agreement and Increase Compensation in the Amount of \$300,000 for a Total Contract Sum Not to Exceed Amount of \$1,500,000, Exclusive of New Mexico Gross Receipts Tax**

BILL TAYLOR (Purchasing Director): Thank you, Madam Chair,

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Commissioners. We're here before you to ask for approval by the Board for the third amendment to this agreement. This will be the final amendment to the agreement and then the County will be required to go out for a new solicitation. With that I can stand for questions on this item.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HANSEN: Yes, Commissioner Roybal.

COMMISSIONER ROYBAL: Mr. Taylor, the \$300,000 on the increase, is that just for the extension of the term or is that for any other services, or just the extension?

MR. TAYLOR: Madam Chair, Commissioner Roybal, the initial contract in 2015 was for \$1.2 million to allow the contract that amount of authorization. The funds are coming from the inmate welfare fund and so based on usage and what's remaining in that initial \$1.2 the department felt they needed to add that additional to raise the not-to-exceed amount, another \$300,000. So with this approval they will have a balance really for this last final year of about \$475,000. But over the full four-year term it will total \$1.5 million.

COMMISSIONER ROYBAL: Okay. Thank you for the clarity. I have no other questions.

CHAIR HANSEN: So are we satisfied with their services?

MR. TAYLOR: They are. We have – the vendor has been very negotiable with both the director of the department and Purchasing with working out the terms of the agreement and their services have been, from what we understand from the department, they've been satisfactory. And if the department – if the director would like to add to that, I'll stand.

CHAIR HANSEN: Director Sedillo, would you like to add anything?

PABLO SEDILLO (Public Safety Director): Good afternoon, Madam Chair. Madam Chair, Commissioners we do have a really good relationship with Keefe for our commissary. They are looking to actually increase some of our items in our commissary. I think the warden and his staff – I was present at the meeting – has kind of debated that because of what is important was personal hygiene items for the individuals and that is something that we have to have. The other items that they buy in commissary, meaning the inmates, that is a privilege for them to purchase, so we've been a good partnership with them.

CHAIR HANSEN: Okay. Thank you very, very much. What is the pleasure of the Board?

COMMISSIONER ROYBAL: I'd like to move for approval.

CHAIR HANSEN: We have a motion to approve.

COMMISSIONER MORENO: Second.

CHAIR HANSEN: And a second from Commissioner Moreno.

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

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**III. B. 2. East Mountain Regional Health Facility [Exhibit 2: Information Packet]**

TONY FLORES (Deputy County Manager): Thank you, Madam Chair. Good afternoon, Commissioners. Before you on the amended agenda we have five specific items as it relates to the development of the new facility down in Edgewood. Each item has to be acted on individually and I'll go through them. The memo I've included summarizes the information but I'll touch upon each one as we go through. I'd also like to let the Board know that Krista Kelley from Motiva Corp. who is the representative from First Choice has also joined us today in case there's any questions I muddle through if you need an answer.

So Madam Chair, as you recall, the Board authorized the East Mountain Health Facility as part of the 16 general obligation bond as a project. So the voters approved and this Board budgeted \$3 million of general obligation bond funding towards this project. And late last year, in October, the Board authorized the use of a design-build procurement methodology for this facility. It's about 20,935 square feet of building, but you authorized the design-build process for this project.

Subsequent to that, after the solicitation was let and during the final evaluations on December 12<sup>th</sup> the Board delegated authority to the County Manager to actually finalize all the necessary construction documents with the highest rated offeror for the construction of this project. We awarded a contract to Jaynes Corporation as the design-build primary contract with Studio Southwest as their design professional.

Now that we have gotten 90 percent construction documents, which were received January 31<sup>st</sup>, and I bring that up because from December 12<sup>th</sup> or December 20<sup>th</sup> to January 31<sup>st</sup> the architect actually has prepared all the construction documents and we're in for permit for the foundation for the Construction Industries Division this week. The goal was, and still remains, to have this facility meet substantial completion by the middle of December and full occupancy by the end of December of this year. And that is being driven by some of the funding requirements through out other partners at the Department of Health.

So I can tell you today we've been reviewing the 76-page construction set that they've submitted and we're pretty close to actually starting turning dirt out in Edgewood. We had a meeting with the Town of Edgewood last week, Mr. Garcia and myself to go over the plans with them since the property is on State land, trust property within the Town of Edgewood so they are partners as well.

Today the items on the agenda start putting together the framework for not only completion of the funding but also the requirements of the First Choice as our partner in this project. They have received funding through HRSA and we have to go through a series of things to give the authority as the County to First Choice back to HRSA.

**III. B. 2. a. Request Approval of a Memorandum of Agreement  
Between Santa Fe County and First Choice Community  
Health Care Incorporated, which Provides Santa Fe  
County \$1,000,000 in Project Funding for the Planning,  
Design and Construction of the New Regional Health  
Facility**

MR. FLORES: So Madam Chair, the first item on the agenda is subcategory a. and we're requesting approval of the MOA between Santa Fe County and First Choice Community Health Care Incorporated, which they provide a million dollars to Santa Fe County for this project. And on the memo I've indicated where the funding has come from to make up our total of a little over \$5 million in funding. we issued the contract for \$4.9 million but GRT, that will take it up to a little bit, \$5.15 million to \$5.2 million.

So the first item that I request Board approval on is the MOA between Santa Fe County and First Choice, and please note that the MOA is the same template that the Board approved with the Department of Health when they provided their \$996,000, and that contract is going through the process for review and approval by our Legal office and our Finance Division, and ultimately back to the Board if you approve this. So with that, Madam Chair, I'll stand for questions on a. on the agenda.

CHAIR HANSEN: Do we have any questions from the Board? I have a question and I don't know where exactly to put this and I feel remiss in bringing this up at this late date but I would like to know what kind of sustainability and green building features this building will have.

MR. FLORES: So Madam Chair, based upon the limited amount of budget and the requirement for the Department of Health and the federal HRSA requirements, the building has passive solar and sustainability elements but it does not have active solar elements. The building will be green energy efficient and it will be set up in a way that we can add solar panels to it in the future but it's not part of the existing budget that we have today.

CHAIR HANSEN: So it will be plumbed, so to speak, for solar panels in the future.

MR. FLORES: Madam Chair, plumbed is I guess the kind of loose term, but yes, we'll have double runs of conduit and other things. But yes, it would have the capability in the future. But I'm being very honest with the Board, based upon the limited budget, solar and those types of amenities are not included in this construction today.

CHAIR HANSEN: Okay. But I just want to make sure that they're capable of adding that in the future since we have put it on the firehouse in Edgewood, so I think it would be good for us to look at ways that maybe even the Town of Edgewood could find some resources or grants to make the building solar also.

MR. FLORES: I'll note that, Madam Chair. Thank you.

CHAIR HANSEN: Any other comments from anybody else?

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HANSEN: Yes, Commissioner Roybal.

COMMISSIONER ROYBAL: I'm glad to hear that we are looking at the



future to add solar, and I also want to just recognize and say thank you for all the hard work that you guys have done to keep this project on track. I really appreciate it. It's going to be a great project so I'm glad to see it's going in the right direction and we're still working hard at it. Thank you.

MR. FLORES: Thank you.

CHAIR HANSEN: Anyone else? I too want to say that I think it's really important for Edgewood to have this facility and to be providing the kind of services that they will be providing in the southern part of the county because it is really important for that type of service to be provided. So we look forward to it being up and running. Thank you. So with that, can I have a motion?

COMMISSIONER ROYBAL: I'd like to move for approval.

COMMISSIONER MORENO: Second.

CHAIR HANSEN: Okay, I have a motion by Commissioner Roybal, a second by Commissioner Moreno.

**The motion passed by unanimous [5-0] voice vote.** [Commissioner Anaya voting after the fact - see page 14]

**III. B. 2. b. Resolution No. 2018-20, a Resolution Requesting a Budget Increase to the General Fund (101) to Budget Revenues Received Pursuant to an MOA with First Choice Community Healthcare, Inc., to Construct the Regional Health Facility in the amount of \$1,000,000**

MR. FLORES: Thank you, Madam Chair. So the next item is b. which basically is the budget adjustment resolution budgeting the funding that you just approved the MOA for. We've placed them on the agenda together so we wouldn't have to come back and do a resolution in the future. So with that one, Madam Chair, I'll stand for questions.

CHAIR HANSEN: So how much is the increase in the budget?

MR. FLORES: Madam Chair, the MOA that you just approved was with a million dollars. This budget is the corresponding budgeting.

CHAIR HANSEN: Okay so this –

MR. FLORES: It's taking it from a contract and putting it in the budget, of a million dollars.

CHAIR HANSEN: Okay. I just want it to be clear. Thank you very much. Any other questions from the Board? Can I have a motion please?

COMMISSIONER MORENO: I so move.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: Commissioner Moreno has moved to approve III. 2. b. and Commissioner Hamilton has seconded.

**The motion passed by unanimous [5-0] voice vote.** [Commissioner Anaya voting after the fact - see page 14]

**III. B. 2. c. Request Approval of a Notice of Federal Interest**

MR. FLORES: So thank you, Madam Chair. So this one is actually the Notice of Federal Interest. Because HRSA, which is the Health Resources and Services Administration awarded a grant to First Choice for this project that you just budgeted the money for and approved the MOA, contingent upon the routing of signatures, this document is required under that federal program that basically identifies the property that this facility is being built upon, and then also the sub-conditions that would be required of us, similar to the La Familia Medical Center at Romero Park, and I'm asking approval of this Notice of Federal Interest. And I stand for questions.

CHAIR HANSEN: What is the pleasure of the Board?

COMMISSIONER ROYBAL: Madam Chair, I'd like to move for approval.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: We have a motion by Commissioner Roybal, second by Commissioner Hamilton.

**The motion passed by unanimous [5-0] voice vote.** [Commissioner Anaya voting after the fact - see page 14]

**III. B. 2. d. Request Approval of a Landlord Letter of Consent Statement**

MR. FLORES: Madam Chair, the next item is a request of approval of the Landlord Letter of Consent. Again, because this has federal funding as one of the leveraged sources of revenue for the project, the New Mexico State Land Office is the owner of the property through the Trust Act. They have submitted a letter of consent as the owner of the property to HRSA on behalf of First Choice. Since the County is leasing the property from the State Land Office and then will be subleasing the property back to First Choice as our operator, we too have to enter into a landlord letter of consent. That's why this document indicates that the State Land Office is the owner of the property. It's currently leased by us. That lease expires, the first period expires in October of 2042.

We then, in our sublease with First Choice, have to include the conditions that are included in this landlord letter of consent. It's one of the federal requirements as the Notice of Federal Interest is and this is part of the funding that First Choice received for this project. So I hope I confused you all but I stand for any questions.

CHAIR HANSEN: What is the pleasure of the Board?

COMMISSIONER MORENO: Madam Chair, I move approval.

CHAIR HANSEN: Okay, do I have –

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: I have a motion by Commissioner Moreno, a second by Commissioner Hamilton.

**The motion passed by unanimous [5-0] voice vote.** [Commissioner Anaya voting after

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the fact - see page 14]

**III. B. 2. e. Resolution No. 2018-21, a Resolution Requesting a Budget Increase to the General Fund (101) to Budget Revenues Received Pursuant to an MOA with the Town of Edgewood for the Design, Construction and/or the Purchase of Furnishings or Equipment for the Regional Health Facility in the Amount of \$35,000**

MR. FLORES: Thank you, Madam Chair. So this item again is a budget resolution bringing into the County's budget the \$35,000 that was approved by the Board when the Town of Edgewood submitted the MOA. In other words, the Town of Edgewood is providing \$35,000 in capital funding to this project. I was remiss at the time I brought that forward and I didn't bring the correlating budget adjustment resolution at the same time I brought the MOA. So on this one I blew it and I'm having to bring it back to you now so I can actually get it into the budget. And I stand for questions.

CHAIR HANSEN: Are there any questions from the Board? Can I have a motion?

COMMISSIONER MORENO: Madam Chair, I move to approve.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: Okay, I have a motion from Commissioner Moreno and a second by Commissioner Hamilton.

**The motion passed by unanimous [5-0] voice vote.** [Commissioner Anaya voting after the fact - see page 14]

MS. MILLER: Madam Chair, before Tony leaves on this, Bruce had some questions about the landlord letter of consent, whether that mirrors the property owner letter of consent in the property owner's requirements, because there's a lot of things in there that says the property owner will do this, this, this and this.

MR. FLORES: Yes. So Madam Chair, Manager Miller and Attorney Robert the Bruce, our letter of consent mirrors the State Land Office landowner letter of consent. Madam Chair, if I can, I'd like to have Krista Kelley from Motiva. She wanted to say a few words to the Commission if appropriate.

CHAIR HANSEN: I would love that because I have a few questions for her myself.

COMMISSIONER HAMILTON: Good historic reference.

KRISTA KELLEY: Good afternoon, Madam Chair, members of the Commission, I stand for any questions you have. If you're open to it I'd like to just say a quick statement.

CHAIR HANSEN: Yes, please.

MS. KELLEY: Thank you so much for all of the work that I know that you all have put into ensuring that this clinic is where it's at now and I also want to thank Manager Miller and Deputy County Manager Flores, if it weren't for such a great team that you have here we wouldn't be as far as we are today. We have just completed the

design phase of this in record time and I know that the community and the members of the county will be really pleased to see that the County Commission and the staff here are just top notch and really have moved forward quickly on this project.

CHAIR HANSEN: Any questions from the Board? Commissioner Hamilton.

COMMISSIONER HAMILTON: Just by way of getting a little more information, because it is sort of – it's so important and everybody clearly agrees with that as this is moving forward. So how do you feel like this is advancing the ball, or a little bit on the next steps where you are.

MS. KELLEY: Commissioner Hamilton, members of the Commission, this is going to be a huge impact to the community up there and also for the community, to see how quickly we're moving on this GO bond and to see that within a year's time that it's going to be built. We are planning on serving approximately 13,000 patients on day one and that would include both the WIC patients as well as the patients that we currently see. We will have one of the largest dental operatories in the state in that facility as well and I think 13 exam rooms.

So this will significantly increase the capacity as well as provide the ability for extended hours and potentially urgent care fairly soon after opening. We are still in conversations with groups that may be able to operate the urgent care side of that but the facility is being built with that in mind, which is huge for that area, as you know, especially during the winter months when that road gets closed and there is no access to Santa Fe or Albuquerque and we do have a significantly aging population up there. The population of seniors is over 33 percent, so to have to drive into Santa Fe or Albuquerque for services is unfortunate to still have to do that. So once this facility is built they will have that needed access.

COMMISSIONER HAMILTON: I can only imagine – I really believe that with less federal support for health and welfare this is even more important. Have you guys been thinking about that? Because it's much more timely because of that sort of thing in my mind.

MS. KELLEY: Absolutely, Commissioner Hamilton, members of the Commission. We do foresee this really meeting that need and because we do serve a large Medicaid population, the lower income seniors and the low income population in general will have that access to healthcare that they wouldn't otherwise have. And even though we have the facility up there now, it cannot accommodate the number of patients that we're going to need to serve. There is a fairly significant growing population up there and there are about 50,000 residents in that general area. So to be able to have the capacity to serve people properly is going to make a huge impact in that community.

COMMISSIONER HAMILTON: Thanks so much for your efforts in that.

MS. KELLY: Thank you, Commissioner. Thank you, members of the Commission.

CHAIR HANSEN: Anyone else?

COMMISSIONER ROYBAL: I'd like to just reiterate the hard work and dedication just from you and from our staff and everybody that's joined efforts to make this happen is really commendable and I hope we can find other projects that we can move this quickly. So thank you for all your work.

MS. KELLEY: Thank you, Commissioner Roybal. Thank you to all the Commission for your support and honestly, we would not be here today if it weren't for the Commission supporting this project and for Manager Miller and Deputy County Manager Flores really working with us to get this done. We really appreciate it.

CHAIR HANSEN: And the voters of Santa Fe County.

MS. KELLEY: Yes, and the voters of Santa Fe County.

CHAIR HANSEN: With that I just also want to stress once again that I hope that you can find as many ways to be as sustainable as possible and to make the building as green as possible. I know that this building will be serving many other counties – Torrance County, Bernalillo County – because many residents live in that area. And so I think that it is really a great opportunity for Santa Fe County to be leading the way in providing this type of service to our constituents throughout the counties. And with that I'm just really happy that we and the voters approved this bond and that we can move forward with this.

MS. KELLEY: Thank you, Madam Chair. We appreciate it.

MR. FLORES: So Madam Chair, just before I wrap this one up, and thank you again for the approvals, I'd also like to recognize a few members of the team. A few of them are in the audience. So we've assembled a project team, kind of similar to what we did when I was here on my first tour of duty. Rudy Garcia from the Manager's Office is part of the project team. He's helping me with the legislative/administrative items, especially through the Land Office. Paul Olafson, who's running the planning side of it and helping us with the permitting, the arc studies, environmental, etc. And then Daniel Sanchez from IT. He's making sure since we are the owner of the building that the components, since we have two demarcations in this building – one for us or for First Choice and one for the State – they've been involved. And then last but not least is P.J. Montañño from Public Works. I use P.J. similar to what I did in the past. He's the Facilities person, so if we ever have to go in and occupy this building without First Choice it's important that we design these buildings that our staff could actually go in and maintain them so the systems in there are going through that review process. So thank you, Madam Chair, for that discussion and allowing us the time.

CHAIR HANSEN: Thank you.

#### IV. MATTERS OF PUBLIC CONCERN

CHAIR HANSEN: Is there anyone from the public who wishes to make a public comment, that is items not on the agenda? Seeing none, I close public comment.

#### V. MATTERS FROM THE COUNTY MANAGER

##### A. Miscellaneous Updates

1. **2018 Legislative Session Update** *[Exhibit 3: Legislative Report]*
  - a. **Discussion of, Direction on, and Possible Vote of Support for or Opposition to Bills Introduced or Proposed for Introduction in the First Session of the 54<sup>th</sup> Legislature of the State of New Mexico**

MR. FLORES: Thank you, Madam Chair. Krista just informed me Bernalillo County may be trying to find us some capital outlay furnishing equipment money for this facility. So probably another partner that will be coming back and figuring out how we administratively get there.

So on the dais I left you – actually Hvtce Miller left you this report. This is kind of the last report since the session ends in a day and a half. Right now, as we speak, or as we came on, the Senate approved the substitute for House Bill 2 with all the amendments, which is basically the budget for this coming year. And there are quite a few items in that budget that we're watching closely including capital outlay. The most important part of this report is on page 5. Our a 1004 bills that have been introduced, and remember the introduction date was a week and a half or so ago, 1004 bills, this number goes up by one now, but the bills that have actually been signed into law is one, and that was the feed bill.

All the other bills that have been introduced or passed in one house or the second house or sent to the governor, there's been one bill out of the entire 28 days actually signed into law. So that tells us that there's quite a few things that are going to happen now, as we speak, tonight and tomorrow before they recess at noon.

Mr. Miller has included all the legislation that we tracked through the session of bills that were introduced that either directly had an impact to the Board's resolutions or stated support or opposition to any of the bills, and he has those in yellow. And then he's included in the back of the list the items that would be included in House Bill 306 which this year is the capital outlay bill.

So I'm not surprised, but the 30-day session has turned out to be somewhat anticlimactic. There's still some work to be done and I assume that when the Senate Bill that was just passed for HB 2 goes back for concurrence there will be quite a bit more wrangling.

As of right now, the Aamodt system for Indian water rights settlement only includes \$6.175 million. That's all in any bill. And I know there's a lot of speculation that has been bantered around about \$9 million or more, but I can tell you in pieces of legislation, without any type of floor amendments when it goes back to the House, that number sits at \$6.1 million.

So this is an interesting read. It's very similar to the read that we had two weeks ago. We will see and give an update at the end of the next BCC meeting on a recap of the session. And with that I'll stand for questions. And I have no answers.

[Commissioner Anaya joined the meeting.]

CHAIR HANSEN: Does anybody from the Commission have any questions of Deputy Manager Flores?

COMMISSIONER HAMILTON: I have a question you're not going to answer.

CHAIR HANSEN: Commissioner Hamilton,

COMMISSIONER HAMILTON: You don't have to answer this since you're not going to answer any of the questions, but is there any discussion among the County and the legislators about future Aamodt funding? The pathway for that? Since

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this year's is not quite adequate to meet the needs?

MR. FLORES: Madam Chair, Commissioner Hamilton, I think the County and our partners have worked aggressively in trying to ensure that there's funding on that side. Barring any type of amendment on the floor I don't see us getting to that number and I don't know if my boss wants to jump in but I don't know what will happen on the next day and a half or how soon the concurrence bill goes back to the House for additional funds. I can tell you today there's \$6.1 million in the budget.

And Madam Chair, I forgot. Mr. Garcia reminded me. I forgot one other important person that keeps me in line. On the East Mountain Health Facility, I need to pay special thanks to Bill Taylor. I forgot him in my list of thanks. I'll probably never get anything out of Purchasing again.

Anyway, I hope that answers your question or not, Commissioner Hamilton.

COMMISSIONER HAMILTON: It was a wonderful non-answer. That was what I was looking for. I appreciate it really.

CHAIR HANSEN: Any other questions from the Commission?

COMMISSIONER ANAYA: Madam Chair.

CHAIR HANSEN: Yes, Commissioner Anaya. Welcome.

COMMISSIONER ANAYA: I'm sorry I was late, Madam Chair. Madam Chair, on those previous items you referenced the East Mountain so I'm assuming we took care of those.

CHAIR HANSEN: They're all passed.

COMMISSIONER ANAYA: I would just ask that the record reflect that I vote with the majority of the Commission; if I could do that?

CHAIR HANSEN: Absolutely.

COMMISSIONER ANAYA: And if I could, Madam Chair, I wanted to also extend my appreciation and gratitude to the County Manager, Mr. Flores and the entire team that's worked through that particular project. I greatly appreciate those efforts and the timeline I've heard is pretty exciting stuff for the county and the region. So thank you, Madam Chair.

CHAIR HANSEN: Thank you. Commissioner Hamilton.

COMMISSIONER HAMILTON: I don't see any reason to let you off the hook that easily. Are there a few additional words you could say about the capital outlay? What it's looking like? Especially given that almost nothing's been signed yet.

MR. FLORES: So Madam Chair, Commissioner Hamilton, on page 30 of the report, House Bill 306 actually identifies those projects that are right now included in the capital outlay bill. Everything from – which is interesting because we have to – the first ones on there are the security walls and cameras for First Judicial Court, and there's also some money that's coming through for renovation of their file rooms at the judicial complex. Those are pieces of capital outlay that the County did not have included in the ICIP. However, the First Judicial District has the ability to apply for capital outlay separately from the County.

The rub is going to be – and if this bill is passed, that's a County facility that we're required to house First Judicial in, and they're making modifications to the County building. So those types of capital outlay funds, there's going to have to be an extraordinary amount of coordination between the First Judicial and the County. They

would run the project, I would assume – I've been wrong before – but those are the types of capital outlay things that are going to potentially rub with the County and there's a little bit of friction there in how we coordinate that.

There's other items in the capital outlay bill from acequia improvements all the way down to the Agua Fria water system. They received quite a bit of capital outlay for water utility trucks, building improvements, projects for the CCA, Headstart. Then there's also state appropriations within the capital outlay bill that reside in Santa Fe County but would not necessarily be Santa Fe County's capital outlay appropriation. For instance, the vital records facility for Department of Health, they're receiving \$5.1 million to plan, design and construct or expand their vital records building. That's something Manager Miller has been working with the Department of Health and GSD on in seeing if we could have helped them with that, but they received additional funding outside of our process. So that will still be listed as a Santa Fe County capital outlay even though we wouldn't be the fiscal agent.

Edgewood, wastewater system improvements. Their wastewater plant. Work at some of the schools and ditches. The settlement fund of course, as I indicated on page 32. There's some improvements on Highway 14 around Madrid area. That would be going through the Department of Transportation. There's some wellness center improvements in the Pueblo of Pojoaque. San I's wastewater system and plant, phase 4 for the design. We received so far, pending any changes, \$100,000 to plan, design and construct trails in Eldorado. Again, I mentioned the judicial complex. And then the list goes on.

So what's included in House Bill 306, which I don't have a personal opinion on whether we were successful or not. But that's what's included in the capital outlay bill today.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: Well, he answered my second question sort of preemptively, so I'm good.

CHAIR HANSEN: Okay. Anyone else from the Commission have any questions? Deputy Manager Flores, considering that we have a day and a half left, are all these bills on the floor and have they passed?

MR. FLORES: So Madam Chair, no. Not all the bills are on the floor. They still have committee hearings that are going on and I assume they will be but at least from my 17 years of working this process, and Mr. Garcia has many more years than that, at this point in time, if a bill hasn't made it through committee today I would consider that as dead on arrival. In other words, there's not going to be enough time to get it to the floor.

CHAIR HANSEN: So has the capital outlay –

MR. FLORES: The capital outlay bill has gone through so I do anticipate the capital outlay bill to be approved, but other bills that you see in yellow on that thing – school meals, meals for the seniors, those types of things that haven't completely made it out through all the committees and to both houses, I don't personally see those making it in time for the session.

CHAIR HANSEN: Okay. Disappointing. Thank you, Mr. Flores for your update and enlightened view.



**V. A. 2. Overview of Proposed Adoption of the 2015 International Fire Code and the 2015 Wildland Urban Interface Code**

MR. FLORES: I'm going to tee it up. The reason it's under the County Manager's update is Chief Sperling came in on his hands and knees and requested this item be on this agenda to kind of kick off the discussion. So under the County Manager's updates we've included this as kind of an overview of what we plan on doing over the next couple of months as it relates to our fire code. And the steps involved, because there's quite a few steps. So Fire Marshal Blay will kind of give a brief overview of where we're going. Hopefully there's some questions and then he'll provide some idea of what the next steps are in the process.

JAOME R. BLAY (Fire Marshal): Thank you, Mr. Flores. Madam Chair, Commissioners, good afternoon. As he said, I serve our community as the Fire Marshal and thank you for granting me the time to speak to you today. I would like to present to you some facts so that you may consider replacing the current 1997 Uniform Fire Code and 2001 Wildland Code with the newer International Fire Code and International Wildland Urban Interface Code.

I will start by giving you a brief background on the current codes. The 1997 Uniform Fire Code was adopted by ordinance in August 1998. The Santa Fe County Urban Wildland Interface Code was adopted by ordinance in October 2001. These codes have helped our Fire Department regulate fire and life safety throughout the county for the past two decades. However, both of these codes have at times been in conflict with the current State of New Mexico International Building Code and the Santa Fe County Sustainable Land Development Code for some time now.

The 1997 Uniform Fire Code is no longer published or maintained. It was last released in 1997 and has been superseded by the subsequent releases of the International Fire Code. The 2001 Santa Fe County Urban Wildland Interface Code was developed and modeled after the 2000 Urban Wildland Interface Code and was published by the International Fire Code Institute back then.

Some of the conflicts that this adoption would help alleviate are conflicting definition of occupancy classifications, lack of flexibility to modify road dimensions, unenforceable requirements, inaccurate designated wildland urban interface areas, inconsistent water protection water supply requirements, and fire inspection discrepancies among others.

So following are some of the improvements and incentives that these newer codes would bring to our community. For instance, they would provide consistent regulation that would promote compatibility and uniformity between the building, the fire, the SLDC and the Wildland Urban Interface codes, flexibility in interpreting the intent of the code to meet the needs of our jurisdiction in reference to Fire Department access and fire protection water supply requirements, improved ISO ratings based on adoption of newer codes, up to date fire and life safety technology, accurate wildland urban interface fire risk areas and modern defensible space tools for residential protection, latest technological advances accommodated by these newer codes with viable savings to the consumer, uniform education and certification programs for fire protection specialists that can be utilized nationally, providing a pool of trained professionals who have

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demonstrated their competency in code knowledge and obligation.

ICC stands for International Code Council and this is the organization that published the International Fire Code and International Wildland Urban Interface Code. Their staff provide code interpretations to facilitate the approval of building designs. These modern codes streamline the fire, life safety and building regulatory system by bringing consistency, compatibility and uniform code enforcement obligations through common code interpretation, education and code information services.

All construction in Santa Fe County is designed in accordance with the International Building Code which dictates occupancy classification, use and fire protection system requirements. Adopting the International Fire Code would eliminate any conflicting provisions between the 1997 Uniform Fire Code and the International Building Code. The following is a list of some of the New Mexico counties that have already adopted the International Fire Code: Sandoval County, Bernalillo County, San Juan County, Doña Ana County, Eddy County, Lea County, just to name a few, and all major cities in our state have adopted it.

This information I have just provided you is a brief overview of some of the benefits that this modern, up to date code would provide our community. With your consent the Santa Fe County Fire Department would like to come forward with a more detailed and in depth approval process for your consideration. Thank you for your time.

CHAIR HANSEN: Thank you very much. Commissioners, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I appreciate the presentation and I guess when you come back with a more detailed presentation. I guess what I'd like to know is what are the impacts associated with the adoption of the code, not only as it relates to fire matters and fire protection but as it relates to building construction and permitting processes, and if that's going to entail any adjustments that we would need to make. If so, what are those and what impacts would those have to people in the county?

MR. BLAY: Madam Chair, Commissioner Anaya, I would be more than glad to bring a very detailed and in depth document that would provide answers to your question.

COMMISSIONER ANAYA: And Madam Chair, if I could, along with that, maybe getting some feedback directly from Bernalillo County, Doña Ana County, maybe a couple of the municipal jurisdictions to see what the impacts are. It seems just based on what you said that they're likely positive impacts, but just to see what other impacts are associated with that adoption of that code.

MR. BLAY: Madam Chair, Commissioner Anaya, it would be my pleasure.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HANSEN: Commissioner Roybal.

COMMISSIONER ROYBAL: I was – I had the question, if we could also look at what it would entail and benefits, pros and cons, if we went by the State fire code. If you can answer that now, I'm just curious because I know it does call for the International Code as well in there. Is that correct?

MR. BLAY: Madam Chair, Commissioner Roybal, the State of New Mexico is currently under the 2015 International Building Code and the New Mexico

State Fire Marshal's Office is currently in the process of adopting the 2015 International Fire Code. And if I may, to give you a quick answer as far as other counties, San Juan County, I was speaking to them yesterday, they are in the process of adopting the 2015 International Fire Code and quote-unquote, he said that it was going to be like a done deal, like in front of the commissioners, that they were all on board to approve that 2015 International Fire Code.

COMMISSIONER ROYBAL: Okay. Thank you.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: I kind of have a follow-up question.

One of the things you said that was kind of interesting. It just caught my ear, just because of past history was addressing that some of this would have the benefit of addressing a whole variety of issues we have, because we have special conditions in our county and that included unenforceable pieces of the code and standards like road standards. We have all sorts of variances and that sort of thing. So are we going to have – wouldn't we have the same problem with the new code? Or are there flexibilities built in so that we will be better off in terms of those sort of discrepancies? And then after that, a little bit about the process. Like are there – would there be like public hearings? Do we need that kind of process? And is there going to be public input and that sort of thing?

MR. BLAY: Madam Chair, Commissioner Hamilton, I believe that public hearings would be required. I'm assuming so. As far as your questions, this new code would be more flexible to meet the needs of our jurisdiction, and as far as the unenforceable areas, we are amending the areas that were not enforceable in the past. For instance, when we adopted a Wildland Urban Interface Code we adopted it with some requirements for construction materials. That's something that the State of New Mexico Building Department does not enforce and we cannot enforce it either. And I will bring more detail about other unenforceable areas – road designs, etc.

COMMISSIONER HAMILTON: Right. In response to Commissioner Anaya's questions. So, yes. Any follow-on questions link right up to what Commissioner Anaya mentioned, so that's good for now. Thank you.

CHAIR HANSEN: Anyone else from the Commission have any questions?

COMMISSIONER ROYBAL: No, just thank you, Fire Marshal.  
Appreciate it.

CHAIR HANSEN: Thank you very, very much for your update and we look forward to the next update.

MR. BLAY: Thank you very much for your time.

CHAIR HANSEN: Thank you.

MS. MILLER: Madam Chair, I have a couple other updates from the Manager. They're just the miscellaneous updates. I just wanted to remind the Board that we do our annual site visit and inspection of the County adult facility and the County juvenile detention facility. We do that – last year we did that at the end of February and the end of March. And this is a statutory requirement. The statutes state that the County Commission shall conduct a site visit and inspection of the detention facilities and it's a little hard to fit them in one day so what we've done is put them in the morning of a BCC day or right before the BCC meeting. So I'm proposing that we do, on the morning of

February 27<sup>th</sup> at 8:30 a.m., we do the adult detention facility. We would post that as a regular Commission meeting or special portion of a regular Commission meeting, and then when we're finished with that you'd have lunch and then go to come in here for the BCC meeting to start at 2:00 p.m. And then do a similar thing on March 13<sup>th</sup> and have the special meeting in the morning, 8:30, juvenile detention facility site visit and inspection, and then be at the County by 2:00 p.m. for the regular scheduled meeting.

I don't know if that works for your schedules but if so that would be great because then we can get that taken care of.

CHAIR HANSEN: Since we have to – I'm just asking this as a possibility. Since we have a 1:00 pm Housing meeting on the 27<sup>th</sup>, and from my last experience of visiting the adult detention facility it seemed that it took a much longer time than the juvenile detention center. Could we switch them?

MS. MILLER: Yes, that would be fine. I think that would be fine. I think – you're right, because I forgot about the Housing meeting. Don't tell Joseph that. We start at 1:00 for the Housing. So we can do juvenile on the 27<sup>th</sup> and adult on March 13<sup>th</sup>.

CHAIR HANSEN: Is that all right with everyone on the Commission?

COMMISSIONER HAMILTON: Yes. That's good. Those days are good.

CHAIR HANSEN: Thank you, Manager Miller, for switching the two dates. I think that will be a little bit more time.

MS. MILLER: Okay. So we'll notice that and if we could meet here at 8:30 then the Corrections staff can pick us up and take us over and bring us back. If you want you can meet directly out at the facility but in the past it's been so you don't have to worry about any parking or anything. So we'll make sure we update your calendars and send you an invite for that.

And then additionally, we've been planning the strategic planning sessions and I had talked to you at the last meeting about splitting those up. We sent out some dates that seem to work for most of your calendars and then we put out some potential sites for those meetings. So we were looking at April 13<sup>th</sup>, and that would be at the Nancy Rodriguez Community Center. And these we're looking at them being pretty much all day. We'll have kind of coffee and continental breakfast and then we'll bring in lunch for a lunch break and then we'll – but we'll be done before dinner, probably by 4:00, 5:00.

April 14<sup>th</sup>, that's a Saturday. That would be at the Higher Education Center, and then April 20<sup>th</sup> at the Vista Grande Library in Eldorado, with the same kind of format. And what we're now working on, so we hope to have the citizens survey results, at least in draft form. We'll have budget submissions already in from the departments. They have submitted all of their departmental goals and objectives to our overall goals and we do – probably on the 13<sup>th</sup> a presentation of all of that, and then on the 14<sup>th</sup> do kind of brainstorming of what the Board and the stakeholders would really like to see us focus on of what we're currently doing, anything we look to possibly not do if we're not doing it well or it's not needed, and then look for other areas of focus that the Board would like to see us build into the upcoming budget.

And then hopefully by the April 20<sup>th</sup>, take all of that and bring back what it looks like as we go into the budget hearings, the final budget hearings that we would do to set next year's budget. So that's how it's scheduled.

And then the final thing I have, I think today is a relatively special day. I believe

it's today. If it's not today – I'm not exactly which day – Saturday – but I understand, okay, Saturday is Commissioner Moreno's birthday. I just wanted you to join in wishing him a happy birthday.

COMMISSIONER ROYBAL: Happy 25<sup>th</sup> Birthday, Commissioner.

COMMISSIONER MORENO: At my age, I'm starting to go backward in the dates. I'm going to get younger.

COMMISSIONER ANAYA: Madam Chair. Happy Birthday, Commissioner Moreno, and you better blow those candles out or we're going to have an International Fire Code issues.

CHAIR HANSEN: I think he's got a little bit of time. Happy Birthday. Make a wish and blow out those candles. Manager Miller, was that your final –

MS. MILLER: That's the best I could do.

CHAIR HANSEN: Okay. That's great. Thank you very, very much.

## **VI. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS**

### **A. Matters from County Commissioners and Other Elected Officials**

#### **1. Elected Officials Issues and Comments**

CHAIR HANSEN: Madam Clerk, do you anything?

CLERK SALAZAR: Yes, Chair Hansen. The Santa Fe County Clerk's Office conducted the elections for the Santa Fe Community College and the Santa Fe Public Schools. That has been completed. The voters approved the bonds, the questions, the bonds that were on the ballot. Starting tomorrow the municipal early voting will begin for the City of Santa Fe and for Edgewood. The County Clerk's Office and her staff are conducting managing the Edgewood election. The City of Santa Fe election is managed and overseen by the City Clerk but my staff and I ensure the programming of the machines is done and then we turn them over to the City Clerk. In addition to that, we're preparing for the primary in June and the general in November. So we've had many elections, one after another practically. So we're almost there. We look forward to November. But thank you for all your support and your participation whenever we need you and your approvals and understanding of what we have to do with elections in Santa Fe County. Thank you so much. Take care.

CHAIR HANSEN: Thank you. I don't see any other elected officials in the room.

#### **2. Commissioner Issues and Comments**

CHAIR HANSEN: Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I'm going to do just one item and then I'm going to listen to see if our County Manager or our County Attorney has any follow-up. I don't typically do what I'm going to do right now on the record, off the cuff, but I'm going to do it today because I think it's important and I'm a little bit concerned with some of the things I've been hearing in the hallways. So I'm going to bring it up. But I'm going to do a little bit of background so it's on the record and it has some background associated with it and then Madam Chair, if you want to comment at all

I'll leave that up to you as to whether or not you want to comment or not.

But several months back you and I attended a hearing at the New Mexico State Land Office and we had this discussion when the Land Commissioner was here present at the last Board of County Commissioners meeting. But several months back when we went to this particular meeting, I didn't go to that meeting as a County Commissioner. But as the meeting progressed I put my County Commissioner hat on as well because the particular land swap that our Land Commissioner came and reported on was actually going to impact the County as well. But what I did do is I went to that particular meeting, as I said at the last Commission meeting as a lessee to understand the logistics of what was going to transpire with the land swap.

And that was a formal public hearing where I could provide public comment as a lessee and I did. I provided some written comments and you were there. I also provided some verbal comments.

CHAIR HANSEN: I was a witness.

COMMISSIONER ANAYA: So we left. I think we actually had the legislative reception that night or some other gathering that we were going to. But the thing that you articulated, Madam Chair, at the meeting that I enforced and I think Robert Martinez was there from the County and I think maybe Rudy Garcia was there as well. There was someone else from the County there present as well. But the thing that you articulated was that the County should stay in the loop with the process of this particular land swap in attaining information.

That comment period actually expired in a very short timeframe and when the Land Commissioner was here at the last meeting the comment period had already expired but they were providing some additional information to us.

So that said, at the County Commission meeting, as you were all here, I raised questions relative to the potential use of the property that the State Land Office was going to acquire. I believe there was other Commissioners that had other comments. But my primary focus and I'm going to restate it here on the record was that I wanted to know if there was any intent of sale. Right? And I was speaking specifically to the swap itself, to the land that was going to be acquired in the swap, and the response I believe the Commissioner gave was something along the lines of, well, currently the BLM could sell it and I have capacity as Land Commissioner to sell property. Those comments are reflected in the record and I'll leave that at that.

When I asked further for clarification as to what his intent was, he chose not to respond any further than to say the BLM could sell it and the State could sell it. So be it. His prerogative as a land Commissioner. Along with that conversation he also made mention of Galisteo property. There's no property in Galisteo that's associated with that land swap whatsoever but I do happen to have a brother that has property with the State Land Office that the State Land Commissioner is selling. So I'm going to say it on the record as I have said in the past. That had no relevance whatsoever to the questions I was asking the State Land Commissioner about the swap. Why he brought it up – you'd have to ask him as to why he brought it up.

I left the meeting. Leave it alone. Move on. I asked a question, didn't get a feedback or a response. I have come to find, and this is where I'm going to turn it over to the Attorney and the Manager that as part of our land trail system that we've worked –

and I may butcher this a little, but that's why I'm saying it on the record and I want feedback on the record is as part of our FLAT funding and our trail system that we have on the west side over here there is some changes, I guess for lack of a better word, in the conversation and the tenor associated with what the Land Office may or may not do and with what other people may or may not do associated with that particular project.

And so it's also my understanding, because the walls speak at times in the County, that there was direct mention of the conversation that was had in this chamber on this microphone relative to comments that I raised. And so what I would say is this simply is that the questions that I raised associated with the swap have to do with my continuous desire that we never sell public lands, especially those treasures that we have that are state parks and national forests, and I already went through that litany in the last meeting, and that that's my perspective. What any individual does through their own auspices of their office is their business, not mine.

That said, I'm concerned if there's easement issues now associated with the funding that we've attained and the easements that were provided to, I believe the City and the County, associated with access to our trail systems. And so that's a big concern. And so I'm saying it on the record. It's a very big concern and I will fight tooth and nail as a County Commissioner on this bench to make sure we do everything in our power to uphold the easements that we duly attained through those processes that are legally binding. And I'll just leave it at that.

So a little out of my realm, if you will, in the comments I make today, but the last thing that I'm going to do is sit back and let a lot of hard work associated with easements and trails get by us. And so I'm hopeful that everyone that's agreed to do what they agreed to do to help us with that project and those easements sustains that effort. But if for whatever reason they don't then I'm going to hope that as a Commission that we stand strong to do what we can to uphold those agreements that are put in place. And so that's all I wanted to say, Madam Chair. I do want to see if our Attorney has anything he would want to add. Maybe he won't, just based on the agreement or legalities but I am going to defer to him if he'd like to. Bruce, you're under no obligation to say anything today if you want but I wanted to give those remarks on the record and then defer back to you.

CHAIR HANSEN: Thank you, Commissioner Anaya, for bringing this up. What I heard and what may have not been correct, but what I thought that I heard from the Bureau of State Land Office was that they were taking out the trail of the FLAP on the El Camino Real, and not taking that piece of land. I'm not positive because things could always change and so I would like to hear from Mr. Frederick also what the status is.

BRUCE FREDERICK (County Attorney): Madam Chair, Commissioner Anaya, Commissioners, I was at the meeting. It was not a pleasant meeting. It was pretty short. The Land Commissioner and Land Commissioner's staff pointed to one line in a right-of-way that the Land Office granted in 1999 to the City and said, oh, under this the right-of-way was illegally granted. What they didn't say, and they said, well, we're thinking about cancelling it or withdrawing it. Now, we went in there because there's a conflict with another grantee of the Land Office. There's a gate that's blocking us and that's because the Land Office granted two rights-of-way. They have the right to do that.

So we wanted to resolve that conflict and it's fairly easily resolved but the way the Land Commissioner seems to be positioning it is to give this other lessee, this other grantee leverage and to force us to negotiate with the lessee, the other lessee/grantee.

So it's kind of a threat, but that they may not carry out. My personal opinion is their legal position is weak.

COMMISSIONER ANAYA: Thank you, Madam Chair and thank you, Bruce for that response. Like I said, I wanted to put it on the record. Whatever binding agreements that we have I hope we fight to retain them.

CHAIR HANSEN: Thank you very much, Commissioner Anaya. I agree with you. Anybody else from the Commission? Commissioner Roybal.

COMMISSIONER ROYBAL: Madam Chair, thank you. I just wanted to thank the Sheriff's Department. There was an incident about a week ago where there was a shooting on State Road 502, the road from Los Alamos, where there was road rage. And I just wanted to recognize the Sheriff's Department because I saw a huge amount of presence from the Sheriff's Department on that road in the last couple – in the last week. So there's been quite a few extra sheriffs out in the vicinity so I just wanted to give a shout-out to them in appreciation for them adding the extra deputies.

I also wanted to announce that there will be a ribbon-cutting ceremony for the new Boys and Girls Club in the La Puebla Marcos Trujillo Community Center. This is going to be on February 23<sup>rd</sup> which is a Friday, at 4:00 pm. And the location of the community center is 89 La Puebla Road. I invite anybody who would like to go out there. I'd like to thank all the individuals that were involved in getting this Boys and Girls Club opened as quickly as possible. This was a Boys and Girls Club that was established after Pojoaque Pueblo closed their Boys and Girls Club. So we did have I guess sort of an emergency situation where we had some displaced kids, so I was glad to see that we were able to open this community center rather quickly. So I just wanted again to thank everybody for doing that. Roman Abeyta was a huge part of getting this Boys and Girls Club started and on its feet really quickly. So I just want to recognize that and invite everybody to this ribbon-cutting ceremony that will be on the 23<sup>rd</sup>. Thank you.

CHAIR HANSEN: Thank you, Commissioner Roybal. I think it's great we've got this Boys and Girls Club opened. Is there any other comments from other Commissioners?

COMMISSIONER ANAYA: Madam Chair.

CHAIR HANSEN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: So Madam Chair, I just wanted to – and I don't know that they announced the individual's name but the company that I worked with and still occasionally do had a connection to the individual that was murdered the other day in Edgewood. He was a gas attendant, on Saturday. I think it was Saturday. Saturday or Sunday. But nonetheless, went to work just like any other day and never went home. And so I just wanted to see if we could give a moment of silence in his honor and his family's honor.

CHAIR HANSEN: Thank you, Commissioner Anaya.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HANSEN: Yes.

COMMISSIONER ROYBAL: Also, if we can add to that the young boy



that murdered in Nambe as well, if we can have a moment of silence.

CHAIR HANSEN: Absolutely. Thank you, both, Commissioner Anaya and Commissioner Roybal for bring that up. Any other comments? Manager Miller.

MS. MILLER: Madam Chair, I did want to do an update. Tony and I were talking, because I understood that the water rights settlement fund had an appropriation for the water system and as it does turn out, between the Indian water rights settlement fund appropriation for the water project fund there is \$2.825 million for settlement in the Aamodt case and in the severance tax bonds, there is \$6.175 million. So there is \$9 million in the capital outlay for the water system.

CHAIR HANSEN: Thank you for that update. That is good news to hear, although it is not their \$18 million that they are due with, so where are we with \$9 million from last year?

MS. MILLER: Madam Chair, I did speak to the leadership about that. They anticipate that they'll be able to make up larger amounts in future years. They were well aware of it. This is when they initially only had \$4 to \$6 million. They said they didn't know that they could make up all \$18 million this year so they wanted to make – and then the \$9 million was a number that BOR said that they needed in order to keep construction moving forward in the next year. So that was how they kind of settled on the \$9 million between what was originally in the bill and the \$18 million that is due per their agreement.

CHAIR HANSEN: Thank you. Any other comments?

**VI. B. Presentations**

**1. Presentation Regarding the Behavioral Health Crisis Center**  
*[Exhibit 4: Power Point Presentation]*

ALEX DOMINGUEZ (Behavioral Health Administrative Manager):  
Thank you, Madam Chair, Commissioners. Thank you for this opportunity to allow me, us, to give you a brief presentation on what the status is of our Behavioral Health Crisis Center. We have a slide presentation and your handout is slightly updated from what was originally in your packet so we can follow that one, and that being said I'd like to begin.

Behavioral Health Crisis Center – what is it? Well, the primary goal of a Behavioral Health Crisis Center and what we are aiming to build here for Santa Fe County is a place to provide a safe and secure location for Santa Fe County adults with behavioral health issues, which includes co-existing disorders for those who are battling substance use disease. The goal of this location is also to provide a location for caregivers, families and others that are involved with the individuals to provide them with information, navigational services, and proper references for a continuum of care to not have lapses in service.

The secondary goal of this crisis center is to provide immediate crisis management, de-escalation and support for those suffering from crises, to prevent unnecessary detainment in criminal facilities, and to reduce the unnecessary admission to hospital emergency departments. This is to provide an inviting and comfortable location that is not hospital or law enforcement based. We also want to ensure that individuals are

connected with the ongoing clinical and social supports including navigation to prevent further crises.

Who will this serve? Well, there's two aspects to the crisis center. As you all know, we currently have a mobile crisis team in operation, so part of this is going to be complementing each other. It is all part of the one service. The mobile crisis team will provide services to both adolescents and adults. The crisis center will be limited to adults 18 and older. The crisis center will provide support and services to clients and their families with behavioral health issues and needs who are experiencing crisis, including those with co-existing disorders. We are estimating that we may see somewhere in the range of 2,500 visits per year.

The array of service here, this is basically the core service of the crisis center. As I stated earlier, the living room model is a comfortable, inviting location that is not hospital based on detainment center based. The mobile crisis team will be complementing for those in assisting first responders. The core crisis services is assessment, triage, stabilization, navigation, pharmacy, transportation, short-term respite, education and resources for brief intervention. And as I said earlier, this includes not only those experiencing crises but family members, friends, and the people who are assisting them through these services.

We are looking at co-locating primary navigators and these navigators will be also based at the crisis center. This is not going to be that they're having their facility there; they're going to have representatives from the co-located navigators that they are currently working with. We will have a sobering service in this same facility and this sobering service will also include residential enhanced social detox services.

The co-located services is enhanced social detox treatment. This is something that is being provided right now by a partner. This is a co-location of this treatment service at the Behavioral Health Crisis Center which will be open 24 hours, seven days a week that will include multi-day treatment. The navigation will also be co-location of the existing navigation providers. This will be primary, key partners within the navigation system.

At this point I think Ms. O'Connor wanted to share what we have accomplished so far. This has been a long road and we are getting to game time, actually.

RACHEL O'CONNOR (Community Services Director): Thanks so much. If the Commission can recall back, and perhaps the three of you can't, but in 2014, we actually created a *Health Action Plan* in Santa Fe County and that *Health Action Plan* created health priorities for us as a County in terms of spending and staff time in what we considered important. A number of those issues were related to behavioral health and reducing alcohol use in Santa Fe County, reducing drug abuse, reducing suicides in Santa Fe County and really began the process of moving towards a system that could build better capacity for people with behavioral health disorders.

In 2016 we had a behavioral health summit in Santa Fe County. The top priority that came from that summit was to develop a crisis center and quite shortly thereafter there was actually a bond brought forward by the Board of County Commissioners, voted on by the voters, for \$5 million, three of which went to the project that you heard of earlier in Edgewood for the creation of a health facility. The second two million went for capital funds for the development of a crisis center.

I think things moved really quickly after that. In June of 2017 we had the 1/8 GRT which the BCC also voted on for the operation of a crisis center. We had further confirmation on the development of a crisis center in terms of the gap analysis report that we completed that gave us feedback and what people in Santa Fe County expected from us and just specifically what their needs were.

We released an RFP in October of 2017 for what we're calling a crisis center primary partner, and I'm going to talk a little bit today on where we are in choosing that primary partner and what you can expect from that primary partner. But as Alex said earlier, they'll really provide the core services at the crisis center itself, and that includes the living room model. That includes the mobile crisis team, and that includes the core stabilization services, including pharmacy, medical support from either an RN or a psychiatrist, and a variety of other services like respite, transportation and navigation.

The deadlines for the RFP were in November. The RFP committee reviewed those in December, and in December of 2017 we also had oral presentations from the responders. In January of this year the RFP committee recommended a partner and we are still in the process of contract negotiations.

The primary partner that was chosen by the RFP committee is a new provider to Santa Fe County, but a provider nonetheless in the State of New Mexico for behavioral health services. The name is New Mexico Solutions. It's led by Dr. David Ley, who's a licensed clinical psychologist and New Mexico Solutions provides a variety of outpatient services in the area of behavioral health in Bernalillo County and in other parts of New Mexico, including individual and family counseling, psychiatry and medication management, crisis services, services to people that are dual-diagnosed. They also have the contract for assertive community treatment for adults with chronic and severe mental illness and we believe have extensive experience in serving people with behavioral health disorders, whether it is addictions or issues related to mental health or what is often a combination of the two.

The duties of a primary partner, for those of you who recall the last time we discussed this, we built a year of planning into the contract. So what we are anticipating is that the first year the County will expend \$40,000 to partner not just with the primary partner but with many people in the community to ensure that we have the groundwork laid for such a facility, and that includes assisting the County to plan, design, construct, and equip a crisis center, obviously, to make recommendation to the Board of County Commissioners regarding location, to work with Christus, Presbyterian and other providers to build a network here that's supported by things like MOAs and MOUs, to work with law enforcement and EMS to build some kind of client flow in terms of what kind of individuals can be accepted into the crisis center, how would we expect those individuals to come from a situation that might be law enforcement oriented, or from the hospital, in terms of developing agreements.

The other thing that has been an interesting new development since the last time we talked is that the state is in the process of promulgating rules for crisis centers. The first rules that came out were unanticipated in the sense that they mandated that crisis centers must be residential in nature, which we will not be. There is a bill in that I anticipate or am keeping my fingers crossed that will pass during this session that broadens that to allow for non-residential centers and Santa Fe County really has been a

partner in that process with Bernalillo County, Doña Ana County, Hidalgo and Grant counties, all of whom are in the process of building crisis centers, none of which we expect to be residential. And we also feel like we've had really good support from the Human Services Department on that bill and on our efforts to broaden the definition.

The primary partner phase 1 duties will be limited to planning as I just stated. Phase 2 actually has an A and a B to it, depending on how quickly we move forward in the development of our crisis center what our anticipation is is that we will start operations with the mobile crisis team regardless of where we are at in the development of the building. One year from the beginning of the contract and following the year of planning and that shortly following that with completion of the building the crisis center itself would be fully staffed and opened with the living room model, the screening and brief intervention, the triage and assessment, the stabilization and those kinds of services that come along with it.

I want to leave you with some key decision points, dates that you can expect us making key decisions in collaboration with many of our partners and in collaboration of course with the Board of County Commissioners. We're in the process of choosing a primary partner. We hope to have a contract for phase 1 and perhaps part of phase 2 at the second meeting in February, which would mean the upcoming meeting. We're hoping to make a recommendation on a location for the crisis center in March, probably the second meeting in March, to the Board of County Commissioners and to continue to provide feedback and to work with both the Department of Health and HSD to make sure that the rules that they promulgate will be favorable to us and the kind of center that we are building here.

The procurement for design-build, whatever decision is made regarding that, and we've been certainly in discussions with Public Works about that. It should be coming shortly thereafter and we will continue to work on MOAs and agreements with partners during that time period. So with that you can expect us to move relatively rapidly, over the next couple months. I think a lot of things are happening in the community that make this a project that I think this is perfect for the timing and we look forward to working on it. Are there any questions?

CHAIR HANSEN: Commissioners? Commissioner Anaya.

COMMISSIONER ANAYA: Ms. O'Connor and Mr. Dominguez, I appreciate the presentation, the culmination of decades long work in the region and I think I'm excited about the people it's going to serve and the help it's going to provide, not just to the region but the whole state of New Mexico as it related to behavioral health, interventions and support and services and care, ultimately. So thank you for the presentation and I would just send a shout-out to decades of people, practitioners, service providers that have been calling for this type of effort for decades and that we're going to be crossing those bridges sooner rather than later. So thank you so much.

MS. O'CONNOR: Thank you.

CHAIR HANSEN: Thank you, Commissioner Anaya. Commissioner Moreno.

CHAIR HANSEN: Thank you, Madam Chair. The bill that you referred to that you're hopeful that it will come through, what's Plan B?

MS. O'CONNOR: Madam Chair, Commissioner Moreno, I think that we hope at the next presentation to bring a couple of different options to the Commission in terms of location. There are certain criteria that we need to meet, certain size would be one thing and certainly close to the hospital in terms of location. But we should be able to bring you what we think is the best recommendation as well as some alternatives in March.

COMMISSIONER MORENO: Thanks.

CHAIR HANSEN: Thank you, Commissioner Moreno. Commissioner Hamilton.

COMMISSIONER HAMILTON: So first of all I want to also thank you. These regular briefings are actually incredibly useful. I really appreciate that. And I thought Commissioner Moreno was going to ask the question I was going to ask but maybe he was getting at something different. What will be the effects on our pathway here if the current bill isn't broadened to include non-residential crisis centers? How is that going to impact what we're able to do? Because we've moved pretty far ahead in this and I'm not sure what the motivation or the logic behind trying to make them only residential center is. I imagine it's not well conceived. But what are the implications to what we can do then?

MS. O'CONNOR: Madam Chair, Commissioner, there's a hearing on the first round of rules on the 22<sup>nd</sup> of February and we have a whole list of questions, and questions really as to – we would probably not be considered a crisis triage center, would be my guess. But I feel comfortable that the department, at least the Human Services Department, is eager to work with us and to try to find a reimbursement rate regardless that would behoove the County in terms of billing. And so we tried to wait for some time to see what the regulations were going to say. That was about a two-year timeline when we heard they were coming out. Of course as soon as we released our RFP they came out. But we anticipate that if we are not able to meet the definition and that it remains residential that the department will find some other alternatives under which we could bill Medicaid. But it would be best to have it written specifically in statute that they could be non-residential in nature. And I think that if that were to occur they'll have to pull back the current regulations that they've proposed and come up with new regulations, which is what I'm hoping will happen.

COMMISSIONER HAMILTON: Thank you. Because there are clearly big implications.

MS. O'CONNOR: Correct.

COMMISSIONER HAMILTON: Thank you very much.

MS. O'CONNOR: Sure.

CHAIR HANSEN: Commissioner Roybal.

COMMISSIONER ROYBAL: I also wanted to say thank you. It's great to see the progress. When did you say you were going to come back with the additional information?

MS. O'CONNOR: Madam Chair, Commissioner Roybal, we hope that we will be back at the next meeting and then again at the end of March.

COMMISSIONER ROYBAL: Did you say the end of March?

MS. O'CONNOR: Yes, sir.

COMMISSIONER ROYBAL: Well, thanks again. It's good to see the work.

CHAIR HANSEN: Thank you, Alex and Rachel. I was asked by a county commissioner from Bernalillo County, Maggie Hart Stebbins and Deborah O'Malley to sign on with a letter that supported the bill, Senate Bill 220, to change the rules so that we could have a non-residential center, and it was published in the *Journal*, which was great. It was not published in the *New Mexican* but it was also published throughout the state, so it was published in many other papers and hopefully our legislators saw that the County Commissioners were really on board with this. So I think we have a lot of work to do to help educate the Department of Health about why a non-residential crisis triage center is so important.

Then the other question I have is – work with law enforcement and EMS entities to develop criteria and protocol for the client flow, how are we going to work with the Sheriff and the police to help them understand that when they come across somebody who is suffering from behavioral health that they really need to be directed to a triage center and not to jail?

MS. O'CONNOR: Madam Chair, I think there's a whole slew of things that really need to occur, from answering the question such as where is the person stabilized? Do you stabilize on site? Do you bring someone into the crisis center? At what point in time is it appropriate to call the mobile crisis team versus bringing someone to the crisis center? And issues such as entry assessment, onsite assessment, and certainly one of the most important things I think is determining what sort of individual might be appropriate for service at the crisis center and what sort of individual is either too severe or unable to be served at the center? I think it's important to understand and I think the community will understand this is that it is what we're calling an intermediate level of care. It will not serve everyone, and I think making a distinction up front with law enforcement in terms of those services that we can provide there will be very helpful.

CHAIR HANSEN: Thank you. Then I also want to say that I attended the HPPC meeting on February – the beginning of the month, and the other partners that you are working with – Presbyterian, Christus, the Recovery Center, all gave presentations and it was also really impressive to hear what all the other partners are doing around behavioral health in the state and in the county. And so that was a great education. So thank you. Are there any other questions from my Commissioners? Okay. I really appreciate and thank you for all the work. This is a really important issue that we need to address and it's not going to go away, it's only going to get bigger. So thank you for all your work, both of you, Alex and Rachel.

## **VII. PUBLIC HEARINGS**

### **A. Land Use Cases**

1. CASE # CP 16-5280 Oshara Conceptual Plan Amendment.  
(TABLED)

## **VIII. CONCLUDING BUSINESS**

### **A. Announcements**

CHAIR HANSEN: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, if Mr. Flores could come forward for a second. I've got a question or maybe Ms. Miller or someone else wants to elaborate, but I've been watching the progress at the County Fairgrounds, at the new facility, and it's turning out great. It's a beautiful facility and I think it was 1954, I want to say. 1954 or 55. It was our number one building on our assessment that we wanted to modify and we'd envisioned a brand new building but ended up modifying that one because of costs and efficiencies. So it looks great, and I just wanted to see if you could give us a snapshot of where we're at to completion.

And then one thing I wanted to make sure that we do. It was Commissioner Moreno's district is where it sits, but I wanted to make sure we retain memorializing the work that that Commission did in 1955, I think or 1956. It was former Governor King was the County Commissioner at the time and I think Commissioner Garcia maybe – Sam Garcia I think at the time, but at any rate I want to make sure that we memorialize that that building took their sustained efforts and then we came in and are doing the complete remodel, but if you could maybe just speak to the project, maybe some of the folks listening in aren't aware of what you're doing there and just talk a little bit about what we're transforming that facility into that's our County Fair site, our County Extension site and a lot of good work happens there in partnership with New Mexico State University and the Cooperative Extension Service. I'd appreciate it.

MR. FLORES: Madam Chair, Commissioner Anaya, so my involvement is rather small. So I can tell you that Mr. Garcia reauthorized the severance tax bond funding that was used as one of the partnerships funding opportunities to complete the project but I'm going to need to turn it over to Mr. Hogan who's actually running the project since I'm not involved in it.

COMMISSIONER ANAYA: Okay. Thank you.

CHAIR HANSEN: Welcome.

MARK HOGAN (Public Works): Thank you, Madam Chair, Commissioners. The building is progressing, as Commissioner Anaya has observed. It's really kind of coming together now with the exterior and interior finishes being applied. We are making a couple of adjustments to the portals and some of the things like that because we became aware of some bird problems and things. But basically it's moving along well. We have the fortunate position of having some contingency money remaining in the budget and so we are working with the users as well as looking at the building itself to see whether or not there's some things that we can do to further supplement the function of it and the purpose.

But we're pretty excited about the way it's coming out and we expect it to be substantially complete by the end of this month.

COMMISSIONER ANAYA: So Madam Chair, Mr. Hogan, could you just tell them a little bit about what – we basically went in and gutted the old facility. We're adding meeting space, expanded office space – just some of the logistics. We're talking about the property that's the County Fairgrounds directly adjacent to the Santa Fe Rodeo.

MR. HOGAN: Well, as you prefaced, this was the number one worst building on our facility assessment report and so we have essentially used the frame of the structure of what was there before, gutted it out, added a substantial amount of new construction, but using the original structure did save us a lot of money and added

character, because there's some really nice wood beam ceilings that were high enough to be used in the commercial kitchen facility which is where they do trainings. There's office space, there's conference room space, there's additional desk space for programs that are run by New Mexico State University. There's the master gardeners program which we also hope to engage in finishing out the site. We talked about having some contingency money and we're looking to see if there's a way that we can supply plan material and then use the master gardeners to work on installation. So we're trying to work through some of the logistics of making that happen.

COMMISSIONER ANAYA: Thank you, Madam Chair and Mr. Hogan. The services that are run through the extension service and the fair cross the gamut of every demographic you can imagine and every age group from our kids up to seniors and everything in between. And so it's exciting times for them and for the community that they're going to be able to access a modernized facility that's going to serve those needs that run that full spectrum of support that we were work in concert with New Mexico State University to provide the community, and even other uses. There's other non-profits that will access that particular facility. You mentioned the commercial kitchen. So I think it's exciting and I appreciate the extra explanation and the work that everyone's done on the County side, the contractor – who's the contractor, Mr. Hogan?

MR. HOGAN: Rivercrest Construction.

COMMISSIONER ANAYA: Okay. Well pass on to all the parties that it's excellent work and it's going to be well utilized, and it is well appreciated.

MR. HOGA: Madam Chair, Commissioner, if I could add one correction and also one note. It's actually a training kitchen, not a commercial kitchen. So it's set up to do instructional kitchen, but it's more of a residential setup on that. And also I would be remiss if I didn't acknowledge the New Mexico State University staff, Jackie and her crew and what a treat it's been to work with them. So we've really had a great working relationship and a lot of cooperation back and forth.


COMMISSIONER ANAYA: Thank you, Madam Chair. Thank you, Mr. Hogan.

CHAIR HANSEN: Thank you, Mr. Hogan. Are there any other announcements?

## **B. Adjournment**

Upon motion by Commissioner Roybal and second by Commissioner Moreno, and with no further business to come before this body, Chair Hansen declared this meeting adjourned at 4:00 p.m.

Approved by:



Board of County Commissioners  
Anna Hansen, Chair



ATTEST TO:

*Geraldine Salazar*  
GERALDINE SALAZAR  
SANTA FE COUNTY CLERK



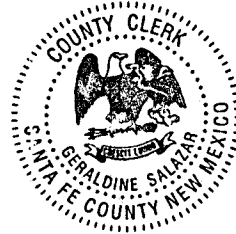
Respectfully submitted:

*Karen Farrell*  
Karen Farrell, Wordswork  
453 Cerrillos Road  
Santa Fe, NM 87501

COUNTY OF SANTA FE       )  
STATE OF NEW MEXICO    ) ss

BCC MINUTES  
PAGES: 125

I Hereby Certify That This Instrument Was Filed for  
Record On The 15TH Day Of March, 2018 at 11:25:06 AM  
And Was Duly Recorded as Instrument # **1852347**  
Of The Records Of Santa Fe County



Witness My Hand And Seal Of Office  
Geraldine Salazar  
Deputy *E. Arilla* County Clerk, Santa Fe, NM  
*Martinez*

SFC CLERK RECORDED 03/15/2018

REVISED

EXHIBIT

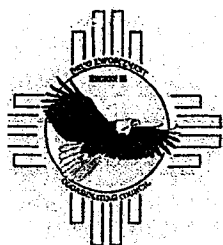
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1

## REGION III DRUG ENFORCEMENT TASK FORCE

Law Enforcement Working Together to Serve Santa Fe, Los Alamos, Rio Arriba and Taos Counties in New Mexico

P. O. Box 23118  
Santa Fe, NM 87502  
(505) 471-1715 or (800) 662-6660



### BOARD OF DIRECTORS

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Department

DATE: January 24, 2018

TO: The Board of County Commissioners  
Santa Fe County, Santa Fe New Mexico

Cc: Katherine Miller, County Manager  
Stephanie Schardin Clarke, Finance Director

FROM: LT Scott McFaul, Operations Commander  
Region III Drug Enforcement Task Force

VIA: Robert Garcia, Sheriff  
Santa Fe County Sheriff's Office

RE: Resolution 2018 - A Resolution Requesting a Budget Increase to the  
Law Enforcement Operations Fund (246) to Budget Supplemental  
Funding Awarded Through the HIDTA Grant Program / \$65,000.00.

### BACK ROUND:

Region III Task Force is requesting approval of a Resolution through the Board of County Commissioners for a budget increase to the HIDTA Grant Fund (1206).

### ISSUE:

The increase to the HIDTA Grant Fund which is awarded through HIDTA as supplemental funding will be used for operational purposes such as pay for investigative travel, vehicle fuel, overtime for assigned agents and monies for Sheriff's Expense.

### RECOMMENDATION:

Region III is requesting approval of the budget increase to the Law Enforcement Operation Fund (246) in the amount of \$65,000.00.

SFC CLERK RECORDED 03/15/2018

SANTA FE COUNTY

RESOLUTION 2018 -

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on did request the following budget adjustment:

Department / Division: Sheriff's Department / Region III Fund Name: Law Enforcement Operations Fund (246)

Budget Adjustment Type: Budget Increase Fiscal Year: 2018 (July 1, 2017 - June 30, 2018)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
246	1236	372	0600	Federal Grant / Drug Enforcement (HIDTA)	\$65,000.00	
TOTAL (if SUBTOTAL, check here )					\$65,000.00	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
246	1236	425	30-03	In-State Travel	\$5,000.00	
246	1236	425	35-01	Vehicle Fuel	\$5,000.00	
246	1236	425	50-03	Contractual/Professional	\$20,000.00	
246	1236	425	73-02	Sheriff's Expense	\$35,000.00	
TOTAL (if SUBTOTAL, check here )					\$65,000.00	

Requesting Department Approval: Title: Sheriff Date: 2-9-18

Finance Department Approval: Date: 2/9/18 Entered by: Date:

County Manager Approval: Date: Updated by: Date:

SANTA FE COUNTY  
RESOLUTION 2018 -

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:      Name: LT Scott McFaul, Operations Commander      Dept/Div: Sheriff / Region III      Phone No.: 505-670-5791

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose.

This Resolution is requesting to increase the HIDTA cost-center, through Modification #2, received from the Office of National Drug Control Policy routed through the Southwest Border HIDTA – New Mexico Region. 246-1206 - HIDTA cost center which are funds recently awarded to Region III as supplemental funds. These monies will be budgeted to support Region III Operations through Overtime, Investigative Travel, vehicle fuel, and contingency funds.

a) Employee Actions: **NONE**

Line Item	Action (Add/Delete Position, Reclass, Overtime)	Position Type (permanent, term)	Position Title

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount
246-1236-425.50-03	Contractual/Professional	\$20,000.00

- 2) Is the budget action for RECURRING expense XX or for NON-RECURRING (one-time only) expense

SANTA FE COUNTY

RESOLUTION 2018 -

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: LT Scott McFaul, Operations Commander Dept/Div: Sheriff's Office / Region III Phone No.: 505-670-5791

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
  - a) If this is a state special appropriation, YES NO X  
If YES, cite statute and attach a copy.
  - b) Does this include state or federal funds? YES X NO  
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.

High Intensity Drug Trafficking Award Number: G17SN0011A Modification #2 \$65,000.00

- c) Is this request is a result of Commission action? YES NO X  
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
- d) Please identify other funding sources used to match this request.  
There are no other funding sources to match this request.

**SANTA FE COUNTY**

**RESOLUTION 2018 - \_\_\_\_\_**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

**Approved, Adopted, and Passed This \_\_\_\_\_ Day of \_\_\_\_\_, 2018.**

**Santa Fe Board of County Commissioners**

\_\_\_\_\_  
Anna Hansen, Chairperson

**ATTEST:**

\_\_\_\_\_  
Geraldine Salazar, County Clerk

**Santa Fe County  
Purchasing Process Request Form**

<b>Date Submitted:</b>	January 9, 2018	<b>Requesting User Agency:</b>	Region III
<b>Name &amp; Phone of Contact Person:</b>	Lieutenant Scott McFaul Office 473-7034 Cell 670-5791		
<b>Contract Tracking #/Buyer (Purchasing)</b>	2018-0240-SHF	<b>BCC Approval? (Y/N)</b>	YES

**PURPOSE OF THIS REQUEST:** (Lease, MOU, Grant, Professional Services Agreement, Construction, Application, etc.) Describe the County, Public and/or Agency needs and the scope of work. Describe what you are attempting to purchase, obtain or accomplish. Attach additional sheets if necessary.

The purpose of this Routing Form is to request a signature approval for HIDTA Award #G17SN0011A Modification #2, received from the Office of National Drug Control Policy routed through the Southwest Border HIDTA – New Mexico Region. The amount of modification #2 is \$65,000 and will be in effect from January 1, 2017 through December 31, 2018.

Attached is the award copy which requires signature from the County Manager.

**FINANCIAL / BUDGETARY INFORMATION:** (If applicable, include a breakdown of project cost estimates; is funding already appropriated? If this action will result in revenue to the County, include the total compensation and timetable.)

**FINANCE DIRECTOR APPROVAL:** (sign and date)

1/11/18

*[Signature]*

Copy made 1-10-18 rdb

**LEGAL FORM:** (Identify any known liabilities and/or risks to the County. Is this a new contract or an amendment or change of a previously submitted procurement or contract?)

1-10-18 RDB approved as to form. Ret to Purchasing

**LEGAL APPROVAL:** (sign and date)

**COUNTY MANAGER APPROVAL:** (sign and date)

1-12-18

*Katherine [Signature]*

**ATTACH NEEDED DOCUMENTS** (Purchase Requisition, Justification Memo (sole source, emergency or other procurement exemption), W-9 for new vendor, draft BCC caption and memorandum, etc.)

Note: Stephanie signed in my signature block, I signed above it — to purchase ok w/ HIDTA

SFC CLERK RECORDED 03/15/2018



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Sheriff Robert Garcia  
Secretary-Treasurer  
Santa Fe County Sheriff's  
Department

# REGION III DRUG ENFORCEMENT TASK FORCE

Law Enforcement Working Together to Serve Santa Fe, Los Alamos, Rio Arriba and Taos Counties in New Mexico

P. O. Box 23118  
Santa Fe, NM 87502  
(505) 471-1715 or (800) 662-6660

DATE: January 9, 2018

TO: The Board of County Commissioners  
Santa Fe County, Santa Fe New Mexico

Cc: Katherine Miller, County Manager

FROM: LT Scott McFaul, Operations Commander,  
Region III Drug Enforcement Task Force

VIA: Robert Garcia, Sheriff  
Santa Fe County Sheriff's Office

RE: Resolution 2018 - A Resolution Requesting a Budget Increase to the  
Law Enforcement Operations Fund (246) to Budget Supplemental  
Funding Awarded Through the HIDTA Grant Program / \$65,000.00.

**BACK ROUND:**

Region III Task Force is requesting approval of a Resolution through the Board of County Commissioners for a budget increase to the HIDTA Grant Fund (1206).

**ISSUE:**

The increase to the HIDTA Grant Fund which is awarded through HIDTA as supplemental funding will be used for operational purposes such as pay for investigative travel, vehicle fuel, overtime for assigned agents and monies for Sheriff's Expense.

**RECOMMENDATION:**

Region III is requesting approval of the budget increase to the Law Enforcement Operation Fund (246) in the amount of \$65,000.00.

SFC CLERK RECORDED 03/15/2018





## Southwest Border HIDTA - New Mexico

### High Intensity Drug Trafficking Areas Program

2450 Lakeside Dr. Bldg. A, Las Cruces, NM 88007  
PH (575) 541-7501 Fax (575) 541-7510

January 4, 2018

Katherine Miller, County Manager  
Santa Fe County  
102 Grant Avenue  
Santa Fe, NM 87504

Dear Ms. Miller:

High Intensity Drug Trafficking (HIDTA) FY 17 funds have increased by \$65,000.00 as indicated on Modification 2 for the Region III Multi-Jurisdictional Drug Task Force Initiative. The enclosed grant award modification should be completed and **returned to the NM HIDTA Director's Office** as soon as possible.

Detailed information is provided in a letter to you from Michael K. Gottlieb, National HIDTA Director. *In his letters he does ask that you send the signed Award Modifications to Miami; however I am asking that you return this paperwork to our office.* We will forward this information to the Miami Assistance Center to ensure that we have the same records.

If you have any questions, please contact Sandra A. Russell, Finance Director at (575) 541-7503.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Payne".

Mark Payne  
Director, Southwest Border HIDTA-New Mexico Region

Attachments

MP:sar

SFC CLERK RECORDED 03/15/2018



December 15, 2017

County Manager Katherine Miller  
Santa Fe County  
102 Grant Avenue  
Santa Fe, NM 87501-2061

Dear Ms. Miller:

Grant number G17SN0011A has been increased and now totals \$320,013.00.

The original of Modification 2 is enclosed. If you accept this Modification, sign the Modification and return a copy to the Assistance Center in Miami. Keep the original Modification for your file.

All terms and conditions of the original award apply to the Modification. If you have any questions pertaining to this grant award, please contact Jayme Delano at (202) 395-6794.

Sincerely,

*Michael K. Gottlieb*

Michael K. Gottlieb  
Associate Director

Enclosures

SFC CLERK RECORDED 03/15/2018

SFC CLERK RECORDED 03/15/2018

Executive Office of the President Office of National Drug Control Policy		AWARD Grant	Page 1 of 1
1. Recipient Name and Address County Manager Katherine Miller Santa Fe County 102 Grant Avenue Santa Fe, NM 87501-2061		4. Award Number: G17SN0011A	
		5. Grant Period: From 01/01/2017 to 12/31/2018	
2. Total Amount of the Federal Funds Obligated: \$320,013	6. Federal Award Date: 12/15/2017	7. Action  Initial  <input checked="" type="checkbox"/> Supplemental	
2A. Budget Approved by the Federal Awarding Agency \$320,013	8. Supplement Number 2		
3. CFDA Name and Number: <i>High Intensity Drug Trafficking Areas Program - 95.001</i>	9. Previous Award Amount: \$255,013.00		
3A. Project Description  <i>High Intensity Drug Trafficking Areas (HIDTA) Program</i>	10. Amount of Federal Funds Obligated by this Action: \$65,000.00		
	11. Total Amount of Federal Award: \$320,013.00		
12. The above grant is approved subject to such conditions or limitation as are set forth in the original Grant.			
13. Statutory Authority for Grant: Public Law:115-31			
AGENCY APPROVAL		RECIPIENT ACCEPTANCE	
14. Typed Name and Title of Approving Official Michael K. Gottlieb Associate Director Office of National Drug Control Policy	15. Typed Name and Title of Authorized Official Katherine Miller <b>Approved as to form</b> <b>Santa Fe County Attorney</b> By: <i>[Signature]</i> Date: <i>1/11/18</i> Santa Fe County		
16. Signature of Approving ONDCP Official  <i>Michael K. Gottlieb</i>	17. Signature of Authorized Recipient/Date <i>Katherine Miller</i> 1-12-18 <i>[Signature]</i> 1/11/18		
AGENCY USE ONLY			
18. Accounting Classification Code DUNS: 053297131 EIN: 1856000073A2	19. HIDTA AWARD OND1070DB1718XX      OND6113 OND2000000000      OC 410001		

Initiative Cash by HIDTA

FY 2017

Awarded Budget (as approved by ONDCP)

HIDTA	Agency Name	Initiative	Cash	Type	Grant
SWB - New Mexico	Santa Fe County	NC - Region III Multi-Jurisdictional Drug Task Force	65,000.00	Investigation	G17SN0011A
		Region III Multi-Jurisdictional Drug Task Force	255,013.00	Investigation	G17SN0011A
Agency Total : Santa Fe County			320,013.00		
Total			320,013.00		

12/15/2017 8:06:03 AM

# Budget Detail

2017 - SWB - New Mexico

Initiative - NC - Region III Multi-Jurisdictional Drug Task Force

Investigation

Award Recipient - Santa Fe County (G17SN0011A)

Resource Recipient - New Mexico State Police

Indirect Cost: 0.0%

<b>Current Budget (net of reprogrammed funds)</b>		<b>\$65,000.00</b>
<b>Overtime</b>	<b>Quantity</b>	<b>Amount</b>
Investigative - Law Enforcement Officer	10	\$20,000.00
<b>Total Overtime</b>		<b>\$20,000.00</b>
<b>Travel</b>	<b>Quantity</b>	<b>Amount</b>
Investigative/Operational		\$5,000.00
<b>Total Travel</b>		<b>\$5,000.00</b>
<b>Supplies</b>	<b>Quantity</b>	<b>Amount</b>
Investigative/Operational		\$5,000.00
<b>Total Supplies</b>		<b>\$5,000.00</b>
<b>Other</b>	<b>Quantity</b>	<b>Amount</b>
PE/PI/PS		\$35,000.00
<b>Total Other</b>		<b>\$35,000.00</b>
<b>Total Budget</b>		<b>\$65,000.00</b>

SFC CLERK RECORDED 03/15/2018

# BOARD OF COUNTY COMMISSION



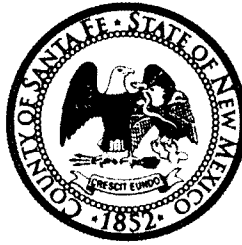
**February 13, 2018**

**East Mountain Regional  
Health Facility**

***Amended Agenda Items***

***III.B.2***

**Henry P. Roybal**  
*Commissioner, District 1*  
**Anna Hansen**  
*Commissioner, District 2*  
**Robert A. Anaya**  
*Commissioner, District 3*



**Anna T. Hamilton**  
*Commissioner, District 4*  
**Ed Moreno**  
*Commissioner, District 5*  
**Katherine Miller**  
*County Manager*

DATE: February 13, 2018  
TO: Board of County Commission  
FROM: Tony Flores, Deputy County Manager  
VIA: Katherine Miller, County Manager  
RE: East Mountain Regional Health Facility

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**BACKGROUND/SUMMARY:**

Santa Fe County (County) is developing a Regional Health Facility (Facility) within the Town of Edgewood on State Trust Land. The Facility will provide primary medical, dental, and behavioral health services with subspecialties and extended hours servicing approximately 13,000 patients of southern Santa Fe County and residents of Torrance, Bernalillo and Sandoval Counties.

The Board of County Commission (Board) authorized the Design/Build procurement methodology on October 10, 2017, and on December 12, 2017, the Board delegated authority to the County Manager to finalize all necessary documents related to the construction of the project.

As a reminder to the Board, the project is highly leveraged with funding (and their related requirements) provided by the following sources:

16' Santa Fe County GOB	\$3,000,000
MOA –DOH	\$996,415
16' New Mexico Severance Tax Bond	\$236,330
Town of Edgewood MOA	\$35,000 (BAR Pending)
MOA - First Choice Community Healthcare Inc.	\$1,000,000 (Agreement/BAR Pending)

As part of the completion of the financial agreements/documents, staff has prepared the following items for consideration:

102 Grant Avenue · P.O. Box 276 · Santa Fe, New Mexico 87504-0276 · 505-986-6200 · FAX:  
505-995-2740 [www.santafecountynm.gov](http://www.santafecountynm.gov)

SFC CLERK RECORDED 03/15/2018

- Memorandum of Agreement Between Santa Fe County and First Choice Community Health Care Incorporated, which Provides Santa Fe County \$1,000,000 in Project Funding for the Planning, Design and Construction of the New Regional Health Facility.
- Resolution No. 2018-\_\_\_\_, A Resolution Requesting a Budget Increase to the General Fund (101) to Budget Revenues Received Pursuant to an MOA with First Choice Community Healthcare, Inc., to Construct the Regional Health Facility in the amount of \$1,000,000.
- Resolution No. 2018-\_\_\_\_, A Resolution Requesting a Budget Increase to the General Fund (101) to Budget Revenues Received Pursuant to an MOA with the Town of Edgewood for the Design, Construction and/or the Purchase of Furnishings Or Equipment for the Regional Health Facility in the amount of \$35,000.

Additionally, staff is recommending that the Board consider the following administrative items related to the Facility and Health Resources and Services Administration (HRSA) requirements:

- Approval of a Notice of Federal Interest.
- Approval of a Landlord Letter of Consent Statement.

### **RECOMMENDATION**

Staff is recommending approval of the following:

- a. Memorandum of Agreement Between Santa Fe County and First Choice Community Health Care Incorporated, which Provides Santa Fe County \$1,000,000 in Project Funding for the Planning, Design and Construction of the New Regional Health Facility.
- b. Resolution No. 2018-\_\_\_\_, A Resolution Requesting a Budget Increase to the General Fund (101) to Budget Revenues Received Pursuant to an MOA with First Choice Community Healthcare, Inc., to Construct the Regional Health Facility in the amount of \$1,000,000.
- c. Notice of Federal Interest.
- d. Landlord Letter of Consent Statement.
- e. Resolution No. 2018-\_\_\_\_, A Resolution Requesting a Budget Increase to the General Fund (101) to Budget Revenues Received Pursuant to an MOA with the Town of Edgewood for the Design, Construction and/or the Purchase of Furnishings Or Equipment for the Regional Health Facility in the amount of \$35,000.



**February 13, 2018**  
**Board of County Commission Meeting**

**Amended Agenda**

**Items III.B.2**

**Table of Contents**

- a. Request Approval of a Memorandum of Agreement Between Santa Fe County and First Choice Community Health Care Incorporated, which Provides Santa Fe County \$1,000,000 in Project Funding for the Planning, Design and Construction of the New Regional Health Facility. (Action Item)**
- b. Resolution No. 2018-\_\_\_\_, A Resolution Requesting a Budget Increase to the General Fund (101) to Budget Revenues Received Pursuant to an MOA with First Choice Community Healthcare, Inc., to Construct the Regional Health Facility in the amount of \$1,000,000. (Action Item)**
- c. Request Approval of a Notice of Federal Interest. (Action Item)**
- d. Request Approval of a Landlord Letter of Consent Statement (Action Item)**
- e. Resolution No. 2018-\_\_\_\_, A Resolution Requesting a Budget Increase to the General Fund (101) to Budget Revenues Received Pursuant to an MOA with the Town of Edgewood for the Design, Construction and/or the Purchase of Furnishings Or Equipment for the Regional Health Facility in the amount of \$35,000. (Action Item)**

**SFC CLERK RECORDED 03/15/2018**

**MEMORANDUM OF AGREEMENT  
BETWEEN SANTA FE COUNTY AND  
FIRST CHOICE COMMUNITY HEALTHCARE**

**THIS MEMORANDUM OF AGREEMENT** (hereinafter, "Agreement") is entered on this the \_\_\_\_\_ day of \_\_\_\_\_ 2018, by and between Santa Fe County (hereinafter referred to as "County"), a New Mexico political subdivision, and First Choice Community Healthcare, (hereinafter referred to as "FCCH"), a non-profit entity located at 2001 N. Centro Familiar SW, Albuquerque, NM 87105.

**RECITALS**

**WHEREAS**, in the spirit of cooperation, mutual respect and service to the residents of the County and this Agreement confirms the parties' commitment and mutual cooperation which recognizes that the partnering activities may produce community and constituency benefits beyond what might be produced independently; and

**WHEREAS**, the County will be constructing the Mountain and Valley Regional Health facility in the Town of Edgewood that will provide primary medical care, dental, behavioral health, and sub-specialty services with extended hours serving approximately 13,000 patients; and

**WHEREAS**, FCCH seeks to partner with the County and contribute to this project by providing funding to establish the Mountain and Valley Regional Health Facility; and

**WHEREAS**, the Parties agree the construction of the Mountain and Valley Regional Health facility described by this Agreement is of mutual interest and benefit to the County and FCCH.

**NOW, THEREFORE, the Parties mutually agree as follows:**

**1. SCOPE OF UNDERSTANDING**

FCCH will provide the County with one-million dollars (\$1,000,000), to plan, design and construct the Mountain and Valley Regional Health Facility.

**2. COMPENSATION**

During the term of this Agreement, the County shall invoice the FCCH for expenses incurred by the County to plan, design and construct the Mountain and Valley Regional Health Facility in an amount not to exceed \$1,000,000.

SFC CLERK RECORDED 03/15/2018

### **3. EFFECTIVE DATE AND TERM**

This Agreement shall become effective upon the date of last signature below and shall terminate no later than December 31, 2018, unless terminated earlier pursuant to Section 4 (Termination) or Section 12 (Appropriations and Authorizations).

### **4. TERMINATION**

A. Termination of Agreement. This Agreement may be terminated by the County upon written notice to FCCH at least 30 days prior to the intended date of termination. By such termination, no party may nullify obligations already incurred for performance or failure to perform prior to the date of termination.

B. Termination of Agreement for Cause. If a party fails to fulfill in a timely and proper manner its obligations under this Agreement, or if a party violates any of the covenants, agreements, or stipulations of this Agreement, the non-breaching party shall thereupon have the right to suspend or terminate this Agreement by giving written notice to the other party of such termination and specifying the effective date thereof.

C. Notwithstanding termination of this Agreement pursuant to Paragraphs 4(A) or 4(B), no party shall be relieved of liability to the other party for damages sustained because of the breach of the Agreement.

### **5. PERSONNEL**

A. The County represents that it has, or will secure at its own expense, all personnel required to perform all of the services required of it under this Agreement. Such personnel shall not be employees of or have any contractual relationship with FCCH.

B. All services required hereunder will be performed by the County or its contractors and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under FCCH and local law to perform such services.

### **6. ASSIGNMENT**

The County shall not assign or transfer any interest in this Agreement or assign any claims for money due or to become due under this Agreement.

### **7. NO THIRD-PARTY BENEFICIARIES**

This Agreement was not intended to and does not create any rights in any persons or party not a party to this Agreement.

**8. LIABILITY**

Neither party shall be responsible for liability incurred as a result of the other party's acts or omission in connection with this Agreement. Any liability incurred in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act §41-4-1, et. Seq. NMSA 1978, as amended.

**9. AMENDMENT**

This Agreement shall not be altered, changed or amended except by an instrument in writing executed by the Parties hereto.

**10. INTEGRATIONS CLAUSE**

This Agreement incorporates all covenants and understandings the Parties hereto concerning the subject matter hereof, and all such covenants and understandings have been merged into this Agreement. No prior covenants or understandings, verbal or otherwise, of the Parties or their agents shall be valid or enforceable unless embodied in this Agreement.

**11. APPLICABLE LAW; VENUE**

This Agreement shall be construed in accordance with the laws of the State of New Mexico. FCCH and the County agree that the exclusive forum for any litigation between them arising out of or related to this Agreement shall be the State District Court of New Mexico, First Judicial District, located in Santa Fe County.

**12. APPROPRIATIONS AND AUTHORIZATIONS**

This Agreement is contingent upon sufficient appropriations and authorization being made by the Santa Fe County Board of County Commissioners and FCCH. If sufficient appropriations and authorization are not made, this Agreement shall terminate immediately upon written notice being given by County to FCCH or by FCCH to County. Such termination shall be without penalty to the County, and the County shall have no duty to reimburse FCCH for expenditures made in the performance of this Agreement. The County is expressly not committed to expenditure of funds until such time as they are programmed, budgeted, encumbered and approved for expenditure by the County. The County's decision as to whether sufficient appropriations and authorizations have been made for fulfillment of this Agreement shall be final and not subject to challenge by FCCH.

**13. FACSIMILE SIGNATURES**

The Parties hereto agree that a facsimile signature has the same force and effect as an original for all purposes.

#### **14. NEW MEXICO TORT CLAIMS ACT**

No provisions of this Agreement modifies or waives any sovereign immunity or limitation of liability enjoyed by the County of its "public employees" at common law or under the New Mexico Tort Claims Act, NMSA 1978, §41-4-1, et. Seq.

#### **15. PROHIBITED ACTIVITY**

The County is prohibited from using funds provided herein or personnel employed in the administration of this Agreement for political activities, sectarian or religious activities, lobbying or political patronage.

#### **16. RECORDS AND FINANCIAL AUDIT**

A. To the extent its books and records relate to (i) its performance of this Agreement or any subcontract entered into pursuant to it or (ii) cost or pricing data (if any) set forth in this Agreement or that was required to be submitted to the County as part of the procurement process, the County agrees to (i) maintain such books and records during the term of this Agreement and for a period of six years from the date of final payment under this Agreement; (ii) allow the County or its designee to audit such books and records at reasonable times and upon reasonable notice; (iii) to keep such books and records in accordance with generally accepted accounting principles ("GAAP").

B. To the extent its books and records relate to (i) its performance of this Agreement or any subcontract entered into pursuant to it or (ii) cost or pricing data (if any) set forth in this Agreement or that was required to be submitted to the County as part of the procurement process, the County also agrees to require any subcontractor it may hire to perform its obligations under this Agreement to (i) maintain such books and records during the term of this Agreement and for a period of six years from the date of final payment under this subcontract; (ii) allow the County or its designee to audit such books and records in accordance with GAAP.

#### **17. PENALTIES FOR VIOLATIONS OF LAW**

The Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

#### **18. EQUAL OPPORTUNITY COMPLIANCE**

The County agrees to abide by all federal and State laws, rules, and regulations, pertaining to equal employment opportunity. In accordance with all such laws, the County assures that no person in the United States shall, on the grounds of race, religion, color, national origin, ancestry, sex, age, physical or mental handicap, or serious medical condition, spousal affiliation, sexual orientation or gender identity, be excluded from employment with or participation in, be denied the benefits of, or otherwise subjected to discrimination under any activity performed under this Agreement. If the County is found not to be in compliance with these requirements during the life of this Agreement, the County agrees to take appropriate steps to correct these deficiencies.

**19. INVALID TERM OR CONDITION**

If any term or condition of this Agreement shall be held invalid or unenforceable, the reminder of this Agreement shall not be affected and shall be valid and enforceable.

**20. NOTICES**

Any notice required by this Agreement shall be given in writing to the Parties designated below. Notice shall be effective when delivered personally to any party, or three business days after deposited, postage fully prepaid, registered or certified, in an official receptacle of the U.S. Postal Service.

COUNTY: Katherine Miller, County Manager  
Santa Fe County  
P. O. Box 276  
Santa Fe, New Mexico 87501-0276

FCCH: Robert DeFelice, Chief Executive Officer  
2001 N. Centro Familiar SW  
Albuquerque, NM 87105

**21. SURVIVAL**

The provisions of the following paragraphs shall survive the termination of this Agreement: RECORDS AND FINANCIAL AUDIT; RELEASE; APPLICABLE LAW VENUE; NO THIRD PARTY BENEFICIARIES; SURVIVAL.

**THIS SPACE LEFT INTENTIONALLY BLANK**

**IN WITNESS WHEREOF** the Parties have duly executed this Agreement as of the date written below.

**SANTA FE COUNTY**

\_\_\_\_\_  
Anna Hansen, Chairman

\_\_\_\_\_  
Date

**ATTESTATION:**

\_\_\_\_\_  
Geraldine Salazar, County Clerk

\_\_\_\_\_  
Date

**Approved as to Form:**

\_\_\_\_\_  
R. Bruce Frederick, County Attorney

\_\_\_\_\_  
Date

**Finance Department**

\_\_\_\_\_  
Stephanie Shardin Clarke, Finance Director

\_\_\_\_\_  
Date

**First Choice Community Healthcare:**

\_\_\_\_\_  
Robert DeFelice, CEO

\_\_\_\_\_  
Date

RESOLUTION 2018 -

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on February 13, 2018, did request the following budget adjustment:

Department / Division: County Manager Fund Name: General Fund (101)

Budget Adjustment Type: Budget Increase Fiscal Year: 2018 (July 1, 2017 - June 30, 2018)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
101	0799	360	0105	General Fund / Misc. Revenue / Capital Contributions	\$1,000,000	
TOTAL (if SUBTOTAL, check here )					\$1,000,000	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
101	0799	481	8001	Capital Purchases / Buildings & Structures	\$1,000,000	
TOTAL (if SUBTOTAL, check here )					\$1,000,000	

Requesting Department Approval: Tony Flores Title: Deputy County Manager Date: 2/9/18  
Finance Department Approval: Date: 2/12/18 Entered by: Date:  
County Manager Approval: Date: Updated by: Date:



RESOLUTION 2018 -

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Tony Flores Dept/Div: CMO Phone No.: 986-6216

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose.

This request is to increase the budget to the General Fund (101) to construct the Mountain and Valley Regional Health Facility (East Mountain Regional Health Facility)

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclass, Overtime)	Position Type (permanent, term)	Position Title

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount
8001	Construct East Mountain Regional Health Facility	\$1,000,000

- 2) Is the budget action for RECURRING expense or for NON-RECURRING (one-time only) expense X

RESOLUTION 2018 -

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: Tony Flores Dept/Div: CMO Phone No.: 986-6216

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
  - a) If this is a state special appropriation, YES NO X  
If YES, cite statute and attach a copy.
  - b) Does this include state or federal funds? YES NO X  
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.
  - c) Is this request is a result of Commission action? YES NO X  
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
  - d) Please identify other funding sources used to match this request.

SANTA FE COUNTY

RESOLUTION 2018 - \_\_\_\_\_

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This \_\_\_\_\_ Day of \_\_\_\_\_, 2018.

Santa Fe Board of County Commissioners

\_\_\_\_\_  
Anna Hansen, Chairperson

ATTEST:

\_\_\_\_\_  
Geraldine Salazar, County Clerk

**MEMORANDUM OF AGREEMENT  
BETWEEN SANTA FE COUNTY AND  
FIRST CHOICE COMMUNITY HEALTHCARE**

**THIS MEMORANDUM OF AGREEMENT** (hereinafter, "Agreement") is entered on this the \_\_\_\_ day of \_\_\_\_\_ 2018, by and between Santa Fe County (hereinafter referred to as "County"), a New Mexico political subdivision, and First Choice Community Healthcare, (hereinafter referred to as "FCCH"), a non-profit entity located at 2001 N. Centro Familiar SW, Albuquerque, NM 87105.

**RECITALS**

**WHEREAS**, in the spirit of cooperation, mutual respect and service to the residents of the County and this Agreement confirms the parties' commitment and mutual cooperation which recognizes that the partnering activities may produce community and constituency benefits beyond what might be produced independently; and

**WHEREAS**, the County will be constructing the Mountain and Valley Regional Health facility in the Town of Edgewood that will provide primary medical care, dental, behavioral health, and sub-specialty services with extended hours serving approximately 13,000 patients; and

**WHEREAS**, FCCH seeks to partner with the County and contribute to this project by providing funding to establish the Mountain and Valley Regional Health Facility; and

**WHEREAS**, the Parties agree the construction of the Mountain and Valley Regional Health facility described by this Agreement is of mutual interest and benefit to the County and FCCH.

**NOW, THEREFORE, the Parties mutually agree as follows:**

**1. SCOPE OF UNDERSTANDING**

FCCH will provide the County with one-million dollars (\$1,000,000), to plan, design and construct the Mountain and Valley Regional Health Facility.

**2. COMPENSATION**

During the term of this Agreement, the County shall invoice the FCCH for expenses incurred by the County to plan, design and construct the Mountain and Valley Regional Health Facility in an amount not to exceed \$1,000,000.

SFC CLERK RECORDED 03/15/2018

### **3. EFFECTIVE DATE AND TERM**

This Agreement shall become effective upon the date of last signature below and shall terminate no later than December 31, 2018, unless terminated earlier pursuant to Section 4 (Termination) or Section 12 (Appropriations and Authorizations).

### **4. TERMINATION**

A. Termination of Agreement. This Agreement may be terminated by the County upon written notice to FCCH at least 30 days prior to the intended date of termination. By such termination, no party may nullify obligations already incurred for performance or failure to perform prior to the date of termination.

B. Termination of Agreement for Cause. If a party fails to fulfill in a timely and proper manner its obligations under this Agreement, or if a party violates any of the covenants, agreements, or stipulations of this Agreement, the non-breaching party shall thereupon have the right to suspend or terminate this Agreement by giving written notice to the other party of such termination and specifying the effective date thereof.

C. Notwithstanding termination of this Agreement pursuant to Paragraphs 4(A) or 4(B), no party shall be relieved of liability to the other party for damages sustained because of the breach of the Agreement.

### **5. PERSONNEL**

A. The County represents that it has, or will secure at its own expense, all personnel required to perform all of the services required of it under this Agreement. Such personnel shall not be employees of or have any contractual relationship with FCCH.

B. All services required hereunder will be performed by the County or its contractors and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under FCCH and local law to perform such services.

### **6. ASSIGNMENT**

The County shall not assign or transfer any interest in this Agreement or assign any claims for money due or to become due under this Agreement.

### **7. NO THIRD-PARTY BENEFICIARIES**

This Agreement was not intended to and does not create any rights in any persons or party not a party to this Agreement.

**8. LIABILITY**

Neither party shall be responsible for liability incurred as a result of the other party's acts or omission in connection with this Agreement. Any liability incurred in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act §41-4-1, et. Seq. NMSA 1978, as amended.

**9. AMENDMENT**

This Agreement shall not be altered, changed or amended except by an instrument in writing executed by the Parties hereto.

**10. INTEGRATIONS CLAUSE**

This Agreement incorporates all covenants and understandings the Parties hereto concerning the subject matter hereof, and all such covenants and understandings have been merged into this Agreement. No prior covenants or understandings, verbal or otherwise, of the Parties or their agents shall be valid or enforceable unless embodied in this Agreement.

**11. APPLICABLE LAW; VENUE**

This Agreement shall be construed in accordance with the laws of the State of New Mexico. FCCH and the County agree that the exclusive forum for any litigation between them arising out of or related to this Agreement shall be the State District Court of New Mexico, First Judicial District, located in Santa Fe County.

**12. APPROPRIATIONS AND AUTHORIZATIONS**

This Agreement is contingent upon sufficient appropriations and authorization being made by the Santa Fe County Board of County Commissioners and FCCH. If sufficient appropriations and authorization are not made, this Agreement shall terminate immediately upon written notice being given by County to FCCH or by FCCH to County. Such termination shall be without penalty to the County, and the County shall have no duty to reimburse FCCH for expenditures made in the performance of this Agreement. The County is expressly not committed to expenditure of funds until such time as they are programmed, budgeted, encumbered and approved for expenditure by the County. The County's decision as to whether sufficient appropriations and authorizations have been made for fulfillment of this Agreement shall be final and not subject to challenge by FCCH.

**13. FACSIMILE SIGNATURES**

The Parties hereto agree that a facsimile signature has the same force and effect as an original for all purposes.

#### **14. NEW MEXICO TORT CLAIMS ACT**

No provisions of this Agreement modifies or waives any sovereign immunity or limitation of liability enjoyed by the County of its "public employees" at common law or under the New Mexico Tort Claims Act, NMSA 1978, §41-4-1, et. Seq.

#### **15. PROHIBITED ACTIVITY**

The County is prohibited from using funds provided herein or personnel employed in the administration of this Agreement for political activities, sectarian or religious activities, lobbying or political patronage.

#### **16. RECORDS AND FINANCIAL AUDIT**

A. To the extent its books and records relate to (i) its performance of this Agreement or any subcontract entered into pursuant to it or (ii) cost or pricing date (if any) set forth in this Agreement or that was required to be submitted to the County as part of the procurement process, the County agrees to (i) maintain such books and records during the term of this Agreement and for a period of six years form the date of final payment under this Agreement; (ii) allow the County or its designee to audit such books and records at reasonable times and upon reasonable notice; (iii) to keep such books and records in accordance with generally accepted accounting principles ("GAAP").

B. To the extent its books and records relate to (i) its performance of this Agreement or any subcontract entered into pursuant to it or (ii) cost or pricing date (if any) set forth in this Agreement or that was required to be submitted to the County as part of the procurement process, the County also agrees to require any subcontractor it may hire to perform its obligations under this Agreement to (i) maintain such books and records during the term of this Agreement and for a period of six years form the date of final payment under this subcontract; (ii) allow the County or its designee to audit such books and records in accordance with GAAP.

#### **17. PENALTIES FOR VIOLATIONS OF LAW**

The Procurement Code, Sections 13-1-28 through 13-1-199 NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

#### **18. EQUAL OPPORTUNITY COMPLIANCE**

The County agrees to abide by all federal and State laws, rules, and regulations, pertaining to equal employment opportunity. In accordance with all such laws, the County assures that no person in the United States shall, on the grounds of race, religion, color, national origin, ancestry, sex, age, physical or mental handicap, or serious medical condition, spousal affiliation, sexual orientation or gender identity, be excluded form employment with or participation in, be denied the benefits of, or otherwise subjected to discrimination under any activity performed under this Agreement. If the County is found not to be in compliance with these requirements during the life of this Agreement, the County agrees to take appropriate steps to correct these deficiencies.

**19. INVALID TERM OR CONDITION**

If any term or condition of this Agreement shall be held invalid or unenforceable, the reminder of this Agreement shall not be affected and shall be valid and enforceable.

**20. NOTICES**

Any notice required by this Agreement shall be given in writing to the Parties designated below. Notice shall be effective when delivered personally to any party, or three business days after deposited, postage fully prepaid, registered or certified, in an official receptacle of the U.S. Postal Service.

COUNTY: Katherine Miller, County Manager  
Santa Fe County  
P. O. Box 276  
Santa Fe, New Mexico 87501-0276

FCCH: Robert DeFelice, Chief Executive Officer  
2001 N. Centro Familiar SW  
Albuquerque, NM 87105

**21. SURVIVAL**

The provisions of the following paragraphs shall survive the termination of this Agreement: RECORDS AND FINANCIAL AUDIT; RELEASE; APPLICABLE LAW VENUE; NO THIRD PARTY BENEFICIARIES; SURVIVAL.

**THIS SPACE LEFT INTENTIONALLY BLANK**



**IN WITNESS WHEREOF** the Parties have duly executed this Agreement as of the date written below.

**SANTA FE COUNTY**

\_\_\_\_\_  
Anna Hansen, Chairman

\_\_\_\_\_  
Date

**ATTESTATION:**

\_\_\_\_\_  
Geraldine Salazar, County Clerk

\_\_\_\_\_  
Date

**Approved as to Form:**

\_\_\_\_\_  
R. Bruce Frederick, County Attorney

\_\_\_\_\_  
Date

**Finance Department**

\_\_\_\_\_  
Stephanie Shardin Clarke, Finance Director

\_\_\_\_\_  
Date

**First Choice Community Healthcare:**

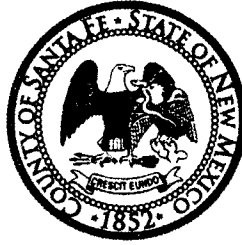
\_\_\_\_\_  
Robert DeFelice, CEO

\_\_\_\_\_  
Date

**Henry P. Roybal**  
*Commissioner, District 1*

**Anna Hansen**  
*Commissioner, District 2*

**Robert A. Anaya**  
*Commissioner, District 3*



**Anna T. Hamilton**  
*Commissioner, District 4*

**Ed Moreno**  
*Commissioner, District 5*

**Katherine Miller**  
*County Manager*

#### **NOTICE OF FEDERAL INTEREST**

On April 26, 2016, the Health Resources and Services Administration (HRSA) awarded Grant No. C8DCS29728 to First Choice Community Healthcare, Inc. The grant provides Federal funds for the construction of a new health care facility that will be owned by Santa Fe County, which will be located on the property described below in Santa Fe County, State of New Mexico:

**A CERTAIN PARCEL OF LAND HEREBY DESIGNATED AS TRACT B-1-A, LYING WITHIN A PORTION OF THE SE ¼ NE ¼ OF SECTION 16. T.10N. R.7E. N.M.P.M. NEAR THE NORTHWEST CORNER OF THE INTERSECTION OF STATE ROAD 344 AND MUNICIPAL WAY IN THE TOWN OF EDGEWOOD, COUNTY OF SANTA FE.**

The Notice of Award for this grant includes conditions on use of the aforementioned property and provides for a continuing Federal interest in the property. Specifically, the property may not be: (1) used for any purpose inconsistent with the statute and any program regulations governing the award under which the property was acquired; (2) mortgaged or otherwise used as collateral without the written permission of the Associate Administrator, Office of Federal Assistance Management (OFAM), Health Resources and Services Administration (HRSA), or designee; or (3) sold or transferred to another party without the written permission of Associate Administrator, Office of Federal Assistance Management (OFAM), Health Resources and Services Administration (HRSA), or designee. These conditions are in accordance with the statutory provisions set forth in Section 330(e)(3) of the Public Health Service Act, 42 U.S.C. 254b(e)(3); Section 10503(b) of the Patient Protection and Affordable Care Act of 2010, P.L. 111-148; and Division G, Title II, p. 2466, Consolidated and Further Continuing Appropriations Act, 2015, P.L. 113-235, Title 45 CFR part 74 or 92 (as appropriate), the HHS Grants Policy Statement, and other terms and conditions of award.

These grant conditions and requirements cannot be nullified or voided through a transfer of ownership. Therefore, advance notice of any proposed change in usage or ownership must be provided to the Health Resources and Services Administration (HRSA), Office of Federal Assistance Management (OFAM).

SFC CLERK RECORDED 03/15/2018

Signature: \_\_\_\_\_

Typed Name: Anna Hansen

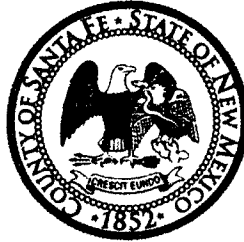
Title: Chair, Santa Fe County Board of County Commission

Date: \_\_\_\_\_

**Henry P. Roybal**  
*Commissioner, District 1*

**Anna Hansen**  
*Commissioner, District 2*

**Robert A. Anaya**  
*Commissioner, District 3*



**Anna T. Hamilton**  
*Commissioner, District 4*

**Ed Moreno**  
*Commissioner, District 5*

**Katherine Miller**  
*County Manager*

## LANDLORD LETTER OF CONSENT

The New Mexico State Land Office is the owner of real property located at #7 Municipal Way, in the Town of Edgewood, Santa Fe County. The property is currently leased by Santa Fe County. First Choice Community Healthcare, Inc. will have a sub-lease agreement with Santa Fe County for a period of 25 years that will expire on October 31, 2042.

The New Mexico State Land Office (hereinafter referred to as "Property Owner") is in full agreement with the proposed improvements to the aforementioned leased property as part of the Health Resources and Services Administration (HRSA) Health Infrastructure Investment Program, and grants permission to Santa Fe County and First Choice Community Healthcare, Inc. (hereinafter referred to as the "Recipient") to undertake proposed improvements.

Santa Fe County agrees to include in the new sub-lease with First Choice Community Healthcare, Inc. the following restrictive terms, which will be signed by Santa Fe County and First Choice Community Healthcare, Inc.:

- a) The Recipient agrees not to sublease, assign, or otherwise transfer the property, or use the property for a non-grant-related purpose(s) without the written approval from HRSA (at any time during the term of the lease/agreement, whether or not grant support has ended).
- b) The Property Owner will inform HRSA of any default by the Recipient under the lease/agreement.
- c) HRSA shall have 60 days from the date of receipt of the Property Owner's notice of default in which to attempt to rectify the default, and the Property Owner will delay exercising remedies until the end of the 60-day period.
- d) HRSA may intervene to ensure that the default is eliminated by the Recipient or another Recipient named by HRSA.
- e) The Property Owner shall accept payment of money or performance of any other obligation by the HRSA's designee, for the Recipient, as if such payment of money or performance had been made by the Recipient.
- f) In the event that the Recipient defaults, the grant is terminated, or the Recipient vacates the property before the end of the lease term, HRSA shall have the right to designate a replacement for the Recipient for the balance of the lease term, subject to approval by the Property Owner, which will not be withheld except for good reason.

SFC CLERK RECORDED 03/15/2018

Santa Fe County also acknowledges that there will be Federal interest in the property as a result of the proposed improvements and that Santa Fe County agrees to file a Notice of Federal Interest prior to work commencing, if required by HRSA.

Signature: \_\_\_\_\_

Typed Name: Anna Hansen

Title: Chair, Santa Fe County Board of County Commission

Date: \_\_\_\_\_

SANTA FE COUNTY

RESOLUTION 2018 - \_\_\_\_\_

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on February 13, 2018, did request the following budget adjustment:

Department / Division: County Manager Fund Name: General Fund (101)

Budget Adjustment Type: Budget Increase Fiscal Year: 2018 (July 1, 2017 - June 30, 2018)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
101	0799	380	0108	General Fund / Intergovernmental / Town of Edgewood	\$35,000	
TOTAL (if SUBTOTAL, check here )					\$35,000	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
101	0799	481	8001	Capital Purchases / Buildings & Structures	\$35,000	
TOTAL (if SUBTOTAL, check here )					\$35,000	

Requesting Department Approval: Tony Flores Title: Deputy County Manager Date: 2/9/18  
Finance Department Approval: [Signature] Date: 2/12/18 Entered by: \_\_\_\_\_ Date: \_\_\_\_\_  
County Manager Approval: \_\_\_\_\_ Date: \_\_\_\_\_ Updated by: \_\_\_\_\_ Date: \_\_\_\_\_

RESOLUTION 2018 -

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Tony Flores Dept/Div: CMO Phone No.: 986-6216

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose.

This request is to increase the budget to the General Fund (101) for the design, construction and/or the purchase of furnishings or equipment for the new healthcare facility in Edgewood (East Mountain Regional Health Facility) per MOA No. 2018-0074-CMO-BT.

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclass, Overtime)	Position Type (permanent, term)	Position Title

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount
8001	Design, construction and/or purchase of furnishings or equipment for East Mountain Regional Health Facility	\$35,000

- 2) Is the budget action for RECURRING expense or for NON-RECURRING (one-time only) expense X

RESOLUTION 2018 -

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: Tony Flores Dept/Div: CMO Phone No.: 986-6216

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
  - a) If this is a state special appropriation, YES NO X  
If YES, cite statute and attach a copy.
  - b) Does this include state or federal funds? YES NO X  
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.
  - c) Is this request is a result of Commission action? YES NO X  
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
  - d) Please identify other funding sources used to match this request.



**SANTA FE COUNTY**

**RESOLUTION 2018 - \_\_\_\_\_**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

**Approved, Adopted, and Passed This \_\_\_\_\_ Day of \_\_\_\_\_, 2018.**

**Santa Fe Board of County Commissioners**

\_\_\_\_\_  
Anna Hansen, Chairperson

**ATTEST:**

\_\_\_\_\_  
Geraldine Salazar, County Clerk

**MEMORANDUM OF AGREEMENT  
BETWEEN SANTA FE COUNTY AND  
THE TOWN OF EDGEWOOD**

**THIS MEMORANDUM OF AGREEMENT** (hereinafter, "Agreement") is entered on this the 29 day of August 2017, by and between **Santa Fe County** (hereinafter referred to as "County"), a New Mexico political subdivision, and the **Town of Edgewood**, (hereinafter referred to as the "Town"), a municipality located at 1911 Historic Route 66, Edgewood, New Mexico 87015.

**RECITALS**

**WHEREAS**, in the spirit of cooperation, mutual respect and service to the residents of the County and the Town, this Agreement confirms the parties' commitment and mutual cooperation which recognizes that the partnering activities between government entities may produce community and constituency benefits beyond what might be produced independently; and

**WHEREAS**, this Agreement is exempt from the provisions of the Procurement Code, NMSA 1978, Section 13-1-98(A); and

**WHEREAS**, the County plans to design and construct a 22,000 square foot healthcare facility in the Town of Edgewood (East Mountain Regional Health Facility) that will provide primary medical, dental, and behavioral health services with subspecialties and extended hours to service approximately 13,000 patients; and

**WHEREAS**, the new healthcare facility will replace the present clinic in Edgewood that is housed in a portable building and is in dire need of replacement; and

**WHEREAS**, the Town seeks to partner with the County and participate in the design and construction of the healthcare facility to ensure that residents and citizens of the East Mountain Region and the Town of Edgewood have access to quality healthcare; and

**WHEREAS**, the County and Town agree that the design and construction of a new healthcare facility is of mutual interest and benefit to the County and Town and all funds contributed by the Town will be expended for the design, and/ or constructions of the new healthcare facility and purchasing furnishings and equipment.

**NOW, THEREFORE**, the parties mutually agree as follows:

**1. SCOPE OF AGREEMENT**

By this Agreement, the Town agrees to provide the County with funds in the amount of \$35,000.00, for the design, construction and/ or the purchase of furnishings or equipment for the new healthcare facility in Edgewood (East Mountain Regional Health Facility).

**2. FUNDING; COMPENSATION**

A. During the term of this Agreement, the Town shall contribute \$35,000.00 in funding to the County for the County's use to design, construction and/ or the purchase of furnishings or equipment for the new healthcare facility.

**3. EFFECTIVE DATE AND TERM**

This Agreement shall become effective upon the date of last signature by the parties and shall terminate no later than December 30, 2018, unless earlier terminated pursuant to Section 4 (Termination) or Section 13 (Appropriations and Authorizations). The term of this Agreement may be extended upon mutual agreement of the parties and by an instrument in writing.

**4. TERMINATION**

A. Termination of Agreement. This Agreement may be termination by the County upon written notice to the Town at least 30 days prior to the intended date of termination. By such termination, no party may nullify obligations already incurred for performance or failure to perform prior to the date of termination.

B. Termination of Agreement for Cause. If a party fails to fulfill in a timely and proper manner its obligations under this Agreement, or if a party violates any of the covenants, agreements, or stipulations of this Agreement, the non-breaching Party shall thereupon have the right to suspend or terminate this Agreement by giving written notice to the other party of such termination and specifying the effective date thereof.

Notwithstanding the above, no party shall be relieved of liability to the other party for damages sustained because of the breach of the Agreement.

**5. PERSONNEL**

A. The County represents that it has, or will secure at its own expense, all personnel required to perform the services required of the County under this Agreement.

**6. ASSIGNMENT**

The Town shall not assign or transfer any interest or obligation in this Agreement without the prior written approval of the County.

**7. NO THIRD-PARTY BENEFICIARIES**

This Agreement was not intended to and does not create any rights in any persons or party not a party to this Agreement.

**8. RELEASE**

Final payment of the all amounts due under the Agreement shall operate as a release of the Town, its officers and employees, from all liabilities, claims and obligations whatsoever arising from or under this Agreement.

**9. LIABILITY**

Neither party shall be responsible for liability incurred as a result of the other party's acts or omission in connection with this Agreement. Any liability incurred in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act §41-4-1, et seq., NMSA 1978.

**10. AMENDMENT**

This Agreement shall not be altered, changed or amended except by an instrument in writing executed by the parties.

**11. INTEGRATION CLAUSE**

This Agreement incorporates all covenants and understandings of the parties hereto concerning the subject matter hereof, and all such covenants and understandings have been merged into this Agreement. No prior covenants or understandings, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.

**12. APPLICABLE LAW; VENUE**

This Agreement shall be construed in accordance with the laws of the State of New Mexico. The Town and the County agree that the exclusive forum for any litigation between them arising out of or related to this Agreement shall be the State District Court of New Mexico, First Judicial District, located in Santa Fe County.

**13. APPROPRIATIONS AND AUTHORIZATIONS**

This Agreement is contingent upon sufficient appropriations and authorization being made by the governing body of each party and if state funds are involved, the Legislature of the State of New Mexico. If sufficient appropriations and authorization are not made, this Agreement shall terminate immediately upon written notice being given by the affected party to the other party. Such termination shall be without penalty to either party, and either party shall have no duty to reimburse the other party for expenditures made in the performance of this Agreement. Either party is expressly not committed to expenditure of funds until such time as they are programmed, budgeted, encumbered and approved for expenditure by the governing body of each party. The decision as to whether sufficient appropriations and authorizations have been made for fulfillment of this Agreement shall be made by the affected party and such decision shall be final and not subject to challenge by the other party.

**14. FACSIMILE SIGNATURES**

The parties hereto agree that a facsimile signature has the same force and effect as an original for all purposes.

**15. NEW MEXICO TORT CLAIMS ACT**

No provisions of this Agreement modifies or waives any sovereign immunity or limitation of liability enjoyed by the County of its "public employees" at common law or under the New Mexico Tort Claims Act, NMSA 1978, §41-4-1, et seq.

**16. PROHIBITED ACTIVITY**

The County is prohibited from using funds provided herein or personnel employed in the administration of this Agreement for political activities, sectarian or religious activities, lobbying or political patronage.

**17. RECORDS AND FINANCIAL AUDIT**

To the extent its books and records relate to its performance of this Agreement, or cost(s) or pricing data (if any) set forth in this Agreement or that the Town has agreed to provide to the County under this Agreement, the Town agrees to: (i) maintain such books and records during the term of this Agreement and for a period of six years from the date of final payment under this Agreement; (ii) allow the County or its designee to audit such books and records at reasonable times and upon reasonable notice; (iii) to keep such books and records in accordance with generally accepted accounting principles ("GAAP").

**18. PENALTIES FOR VIOLATIONS OF LAW**

The Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

**19. EQUAL OPPORTUNITY COMPLIANCE**

The parties agree to abide by all federal and state laws, rules, and regulations, pertaining to equal employment opportunity. In accordance with all such laws, the parties assure that no person in the United States shall, on the grounds of race, religion, color, national origin, ancestry, sex, age, physical or mental handicap, or serious medical condition, spousal affiliation, sexual orientation or gender identity, be excluded from employment with or participation in, be denied the benefits of, or otherwise subjected to discrimination under any activity performed under this Agreement. If either party is found not to be in compliance with these requirements during the term of this Agreement, the respective party that is not in compliance agrees to take appropriate steps to correct any deficiencies.

**20. INVALID TERM OR CONDITION**

If any term or condition of this Agreement shall be held invalid or unenforceable, the reminder of this Agreement shall not be affected and shall be valid and enforceable.

**21. NOTICES**

Any notice required by this Agreement shall be given in writing to the parties designated below. Notice shall be effective when delivered personally to any party, or three business days after deposited, postage fully prepaid, registered or certified, in an official receptacle of the U.S. Postal Service.

COUNTY: Attn: Santa Fe County Manager  
Santa Fe County  
102 Grant Avenue  
P. O. Box 276  
Santa Fe, New Mexico 87501-0276

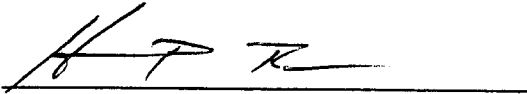
TOWN: Attn: Carla Salazar, Deputy Clerk  
Town of Edgewood  
P.O. Box 3610  
Edgewood, New Mexico

**22. SURVIVAL**

The provisions of the following paragraphs shall survive the termination of this Agreement: RECORDS AND FINANCIAL AUDIT; RELEASE; APPLICABLE LAW VENUE; NO THIRD PARTY BENEFICIARIES; SURVIVAL.

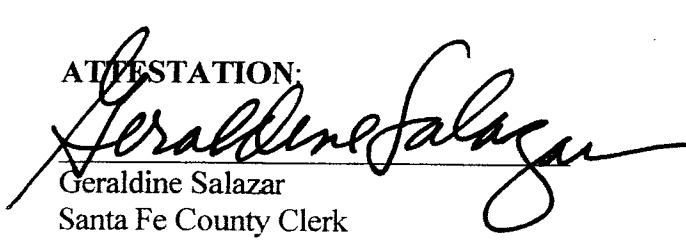
**IN WITNESS WHEREOF** the parties have duly executed this Agreement as of the date of last signature below.

**SANTA FE COUNTY**



Henry P. Roybal, Chair  
Santa Fe County Board of County Commissioners

**ATTESTATION:**

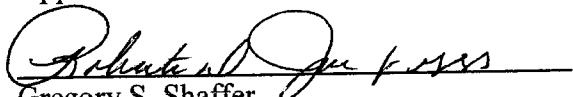


Geraldine Salazar  
Santa Fe County Clerk

8-29-2017  
Date


SFC CLERK RECORDED 03/15/2018

Approved as to form

  
Gregory S. Shaffer  
County Attorney


8-29-17  
Date

Finance Department

  
Don D. Moya  
Finance Director

8-29-17  
Date

**TOWN OF EDGEWOOD:**

  
John Bassett, Mayor


08/29/17  
Date

Approved as to form

N/A  
Randy M. Autio  
Attorney for the Town of Edgewood

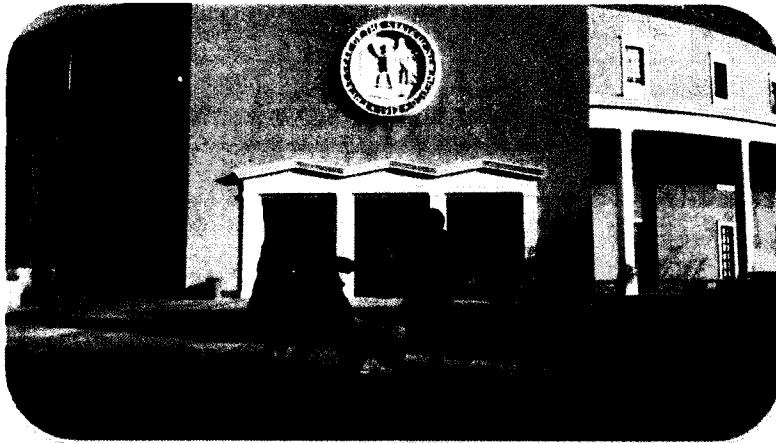
                      
Date

Finance Department:

  
Juan Torres, Clerk/ Treasurer  
Finance Director

08/29/17  
Date

*Santa Fe County*



SFC CLERK RECORDED 03/15/2018

# 2018 Legislative Report

Santa Fe County Board of County Commissioners Meeting

Santa Fe County  
102 Grant Avenue, Santa Fe NM  
[www.santafecountynm.gov](http://www.santafecountynm.gov)

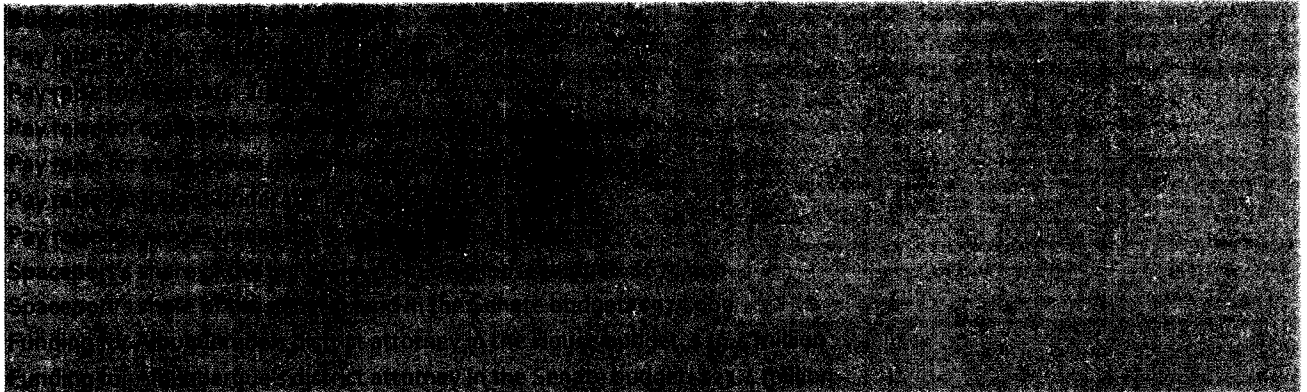


## Last week of regular session

The 30 day regular session will conclude this week on Thursday at noon and going into the home stretch a lot of activity is finally underway as many many pieces of legislation are being hurried along before time expires.

The most important bill to government operations is the state budget, House Bill 2, and it has yet to be finalized at this point. The bill has passed the House and the Senate Finance committee and is scheduled to be heard today in the full Senate. This will most likely be the final attempt to include any appropriations for the 2019 FY budget. Because changes to the bill have already been made on the Senate side these changes will have to be taken back to the House to be agreed with before the bill goes to the governor for final approval.

Currently the last budgetary item that could be seen to be a hang up of the entire budget is the lack of funding recommended for the second judicial district budget by 1 million dollars that the governor has requested.



Many of the Santa Fe County supported legislation has progressed but like all legislation is being held up currently because of all the attention being focused on budgetary items. Currently there are only 2 pieces of legislation that have made their way to the governor's desk.

Last week of regular session	2
2018 REGULAR SESSION SCHEDULE (30-Day Session)	4
Legislation Statistics	5
SFC Legislative Related Resolutions	6
Legislation Tracked	7
HOUSE	7
SENATE	20
House Bill 306, Capital Outlay Funds	30

**SFC CLERK RECORDED 03/15/2018**

# 2018 REGULAR SESSION SCHEDULE (30-Day Session)

<b>December 15, 2017 through January 12</b>	Legislation pre-filing period
<b>January 16</b>	Opening Day
<b>January 25</b>	Santa Fe County Day, 2018 State Legislature
<b>January 28</b>	Capital outlay request and reauthorization request submission deadline (by 5:00 p.m. to the LCS)
<b>January 31</b>	Deadline for introduction
<b>February 15</b>	Session ends (noon)
<b>March 7</b>	Legislation not acted upon by governor is pocket vetoed
<b>May 16</b>	effective date of legislation not a general appropriation bill or a bill carrying an emergency clause or other specified date

Legislation Statistics

Current Statistics for All Bills (2018 Reg)	Total	Ratio
Bills Introduced	1004	100.00%
Bills Passed in 1st House	303	30.18%
Bills Passed in 2nd House	18	1.79%
Bills Sent to Governor	2	0.20%
Bills Signed into Law	1	0.10%

Current Statistics for House Bills only (2018 Reg)	Total	Ratio
Bills Introduced	525	100.00%
Bills Passed in 1st House	175	33.33%
Bills Passed in 2nd House	5	0.95%
Bills Sent to Governor	1	0.19%
Bills Signed into Law	1	0.19%

Current Statistics for Senate Bills only (2018 Reg)	Total	Ratio
Bills Introduced	479	100.00%
Bills Passed in 1st House	128	26.72%
Bills Passed in 2nd House	13	2.71%
Bills Sent to Governor	1	0.21%
Bills Signed into Law	0	0.00%

*Issued February 13, 2018*

SFC CLERK RECORDED 03/15/2018

# SFC Legislative Related Resolutions

## **Resolution: 2017-86**

Adopting projects for inclusion in Santa Fe County's infrastructure capital improvement plan for fiscal years 2019 – 2023; authorizing submittal of plan to the New Mexico Department of Finance and Administration; and replacing resolution 2016-85

## **Resolution: 2017-99**

Adopting projects for inclusion in Santa Fe County Senior Services' infrastructure capital improvement plan for fiscal years 2019-2023; and authorizing submittal of plan to the New Mexico Department of Finance and Administration

## **Resolution: 2017-106**

To support the New Mexico Association of Counties' 2018 legislative priorities

- ❖ Forfeiture act reform
- ❖ Protecting county funding of healthcare
- ❖ Tax reform
- ❖ Adoption of a local election act
- ❖ Extending 2014 HB16 liquor tax distribution sunset

## **Resolution 2017-140**

A resolution to support community and state tax stabilization from national laboratories in New Mexico

## **Resolution 2017-141**

A resolution in support of the appropriation of funds by the New Mexico Legislature for the "New Mexico Grown Fresh Fruits and Fresh Vegetables for School Meals Program"

## **Resolution 2017-142**

A resolution to support the 2018 Farm Bill priorities as a means to securing a regional food system that is just and accessible for all members of the City of Santa Fe and Santa Fe Communities

Legislation Tracked

HOUSE

BILL	DESCRIPTION	House 1			House 2			PL/Chap	Last Action	Status
		I	C	RC	P	C	RC	P	G	
HB2	Lundstrom (D9) GENERAL APPROPRIATION ACT OF 2018 <i>This represents a shell for a more comprehensive bill that will emerge later in the legislative session. Cited as the General Appropriation Act of 2018, authorizes funding to various state agencies from the General Fund, Internal Services and Transfers, Other State Funds and Federal Funds in FY 2019 as follows:</i>	•		•	•	•				02/12/2018 SCAL
HB4	Trujillo, J. (D45) EXTENDS GROSS RECEIPTS TAX TO INTERSTATE MARKETERS AND CHANGES INCOME TAX RATES <i>(Similar in some particulars to SB169 and SB172) Proposes changes to the gross receipts tax, governmental gross receipts tax. (2018:SB169; 2018:SB172)</i>	•								01/30/2018 HTRC
HB18	Gentry (R30) THREE VIOLENT FELONY CONVICTIONS: MANDATORY LIFE IMPRISONMENT <i>(Identical to HCPAC substitute for HB54, 2017; similar in part to HB13, 2017 and HB28, 2018) Provides additional violent felonies in the Criminal Sentencing Act for the purposes of mandatory life imprisonment for three violent felony convictions. In every case, the inclusion of the crime is accompanied by a cross-reference to its treatment in the Criminal Code: (2018:HB28)</i>	•		•						01/22/2018 HRC
HB19	Gentry (R30); Ivey-Soto (D15) INCREASE PENALTY FOR FELON WITH FIREARM <i>(Related to 2017 HB17 and HB52) Increases the penalty for a felon in possession of a firearm or destructive device from a fourth- to a third-degree felony under the Criminal Sentencing Act. Applies if:</i>	•	•	•	•	•				02/03/2018 SJC
HB20	Gentry (R30) INMATE RECIDIVISM REDUCTION TRANSITION PROGRAM: LOCAL AND STATE <i>Requires correctional facilities to implement an Inmate Recidivism</i>	•	•	•						01/24/2018 HHHSC

**Reduction Transition Program to provide inmates, upon release, with supports and services designed to reduce recidivism.**

HB21	<p><b>Gentry (R30)</b></p> <p><b>LAW ENFORCEMENT PROTECTION FUND FOR RETENTION OF OFFICERS</b></p> <p><i>Effective July 1, 2018, proposes a new use of monies from the Law Enforcement Protection Fund to permit distributions from the fund for three years, until June 30, 2021, for retention payments of \$7,500 to certain law enforcement officers, contingent on matching funds from municipalities or counties.</i></p>	• •	01/29/2018	HJC
HB25	<p><b>Rehm (R31)</b></p> <p><b>INCREASED PENALTY FOR FELON WITH FIREARM</b></p> <p><i>(Related to 2018 HB19. Identical to 2017 HB17 and HB52) Increases the penalty for a felon in possession of a firearm or destructive device from a fourth- to a third-degree felony under the Criminal Sentencing Act. (2018:HB19)</i></p>	• • •	02/02/2018	HJC
HB28	<p><b>Rehm (R31)</b></p> <p><b>VIOLENT FELONY SENTENCING: THREE STRIKES, MANDATORY LIFE, PAROLE EXCEPTION</b></p> <p><i>(Identical to HB13, 2017) Provides for additional violent felonies in the Criminal Sentencing Act for the purpose of mandatory life imprisonment without the possibility of parole for three violent felony convictions. An exception is provided for parole eligibility under certain circumstances. (2018:HB18)</i></p>	• •	01/22/2018	HCPAC
HB29	<p><b>Rehm (R31)</b></p> <p><b>PENALTY ENHANCEMENT FOR NON-CAPITAL FELONY FIREARM CRIMES</b></p> <p><i>(Similar to 2017 HB19) Amends the Criminal Code to enhance the sentencing penalty for convictions related to the use of a firearm in the commission of a noncapital felony. A basic one-year sentence is increased to three years; and for a second or subsequent offense, the penalty is increased to five years. The enhancement is applied to the first segment of the prison term being served. Requires a separate finding by the jury or judge that the crime was committed with a firearm.</i></p>	• •	02/08/2018	HJC
HB31	<p><b>Rehm (R31)</b></p> <p><b>PEACE OFFICERS IN VICTIMS OF CRIME ACT</b></p> <p><i>Amends the Victims of Crime Act to redefine "criminal offense" to include certain crimes upon a peace officer: aggravated assault, assault with intent to commit a violent felony, battery, and aggravated battery.</i></p>	• •	01/24/2018	HCPAC
HB33	<p><b>Rehm (R31)</b></p> <p><b>TIME LIMIT EXTENDED FOR CRIME PROSECUTION</b></p>	• • • • •	02/10/2018	SJC





Meal Programs.									
HB69	Wooley (R66) INCREASES ELECTED COUNTY OFFICIALS SALARY CAPS Merges class "C" counties into class "B" and increases annual salary caps for elected officials in class "A," "B" and "H" counties, as follows:	.	.	.	.			02/12/2018	SPAC
HB88	Fajardo (R7) MANDATORY SALE OF REAL PROPERTY ON DELINQUENT PROPERTY TAX LIST Requires Taxation and Revenue Department to annually offer for sale in each county "all" real property listed on that county's property tax delinquency list. Leaves intact authorization for TRD to enter into an agreement with the County Treasurer to postpone the delinquent property tax sale of real property. Applies to property tax years beginning on or after January 1, 2019.	.	.	.	.			02/12/2018	SJC
HB93	McCamley (D33) MATCHING FUNDS, SAFE DRINKING WATER ACT PROJECTS (Endorsed by the New Mexico Finance Authority Oversight Committee) Appropriates \$1.8 million from the Public Project Revolving Fund to the Drinking Water State Revolving Loan Fund for use in FY 2019 and subsequent fiscal years (nonreverting appropriation) to provide matching funds for federal Safe Drinking Water Act projects and to carry out purposes of the revolving fund act.	.	.	.	.			02/09/2018	SFC
HB98	Bandy (R3) LOCAL ELECTION ACT HLELC substitute for HB98, now a 301-page bill, preserves the intent of the original to enact the Local Election Act, and makes conforming amendments to large sections of the Election Code.	.	.	.	.	.		02/12/2018	SRC
HB99	Lundstrom (D9); Candelaria (D26) NM FINANCE AUTHORITY: PUBLIC PROJECT REVOLVING FUND PROJECTS (Endorsed by the N.M. Finance Authority Oversight Committee) Authorizes the N.M. Finance Authority to make loans for 109 public projects listed below from the Public Project Revolving Fund. The projects relate to: building, equipment, infrastructure, debt refinance, road, land acquisition, water, wastewater, water rights and solid waste projects.	.	.	.	.	.		02/08/2018	SFC
HB113	Maestas (D16) FILM AND TELEVISION TAX CREDIT—REMOVES ANNUAL AGGREGATE CAP Removes the annual aggregate cap of \$50 million that is permitted to be paid out in film and television tax credits. Retains the rules for payment of individual claims: claims under \$2 million may be paid in the year	.	.					01/25/2018	HTRC

approved; claims of \$2 million but less than \$5 million are paid in two equal installments, the second twelve months after the first; and claims of \$5 million or more are paid in three equal installments, with 12-month intervals between payments.

HB115	<b>Maestas (D16)</b> <b>NO STATUTE OF LIMITATIONS FOR PROSECUTION OF SECOND-DEGREE MURDER</b> <i>Includes the crime of second-degree murder with capital felonies and first-degree violent felonies as not being subject to a statute of limitations – i.e., prosecution for the crime may commence at any time after the crime was committed.</i>	• •	01/31/2018	SUBST
HB131	<b>Dodge (D63)</b> <b>GENERAL APPROPRIATION ACT FOR FY 2019, HAFC VERSION</b> <i>HB131 represents the House Appropriations and Finance Committee proposed FY2019 budget bill. It authorizes funding to various state agencies from the General Fund, Internal Services and Transfers, Other State Funds, and Federal Funds in FY2019 as follows:</i>	•	01/16/2018	HRC
HB137	<b>Herrell (R51)</b> <b>LAW ENFORCEMENT RETURNING TO WORK</b> <i>Amends the Public Employees Retirement Act to permit certain retired law enforcement officers to be employed again as certified law enforcement officers by affiliated public employers.</i>	• •	01/22/2018	HCPAC
HB161	<b>Rehm (R31)</b> <b>PREEMPTS LOCAL GOVERNMENTS REGULATING SEEDS</b> <i>Prohibits political subdivisions from adopting or continuing in effect any ordinance, rule, regulation or statute regulating agricultural or vegetable seeds, including cultivation, harvesting, sale, testing, transporting, possessing and 15 other uses.</i>	• •	01/25/2018	HSGIC
HB163	<b>Gentry (R30); Wirth (D25)</b> <b>UNIMPROVED LAND PROPERTY TAX VALUATION: QUALIFIED CONSERVATION MANAGEMENT PLAN</b> <i>For property taxation purposes, unimproved land used primarily to conserve the land under a qualified conservation management plan shall be valued at five percent of its current and correct value. Eligibility for this method of valuation is limited to unimproved land (1) valued in the previous year as agricultural land but which is no longer eligible for that status and (2) is either greater than 10 acres or, if less, has water rights for agricultural purposes.</i>	• •	01/24/2018	HLGEC
HB169	<b>Scott (R62)</b> <b>EMPLOYEE PREFERENCE ACT: RIGHT-TO-WORK</b> <i>(Identical to 2017 HB432, 2016 SB269, 2015 HB75, similar to, 2015 SB103,</i>	• •	01/25/2018	HLEDC

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SFC CLERK RECORDED 03/15/2018

related to 2017 SB483, 2015 SB92, SB93 and SB664) A right-to-work measure, cited as the Employee Preference Act, which provides that no person may be required, as a condition of employment, to become or to remain a member of, nor pay any dues, fees or charges of any kind to, a labor organization. Provides that an employer may not require a person to be recommended, approved or cleared by a labor organization as a condition of hiring, promotion or continued employment.

HB172	McCamley (D33)	•	01/23/2018	HRC
FILM PRODUCTION REVOLVING LOAN FUND ACT				
Sets up the film production revolving loan fund under the New Mexico Finance Authority. Authority may make loans to qualified film projects. Authorizes sale of \$10 million in severance tax bonds, the proceeds of which are appropriated to the film production revolving loan fund.				
HB185	Nibert (R59)	•	01/24/2018	HRC
COUNTY PRETRIAL RELEASE COMPLIANCE PROGRAMS				
Permits counties to create pretrial release compliance programs and allows them to require defendants to pay fees on a sliding scale; allows court to waive fees for indigent defendants; restricts use of fees to program operations but allows use of other funds to mitigate or eliminate fees.				
HB189	Youngblood (R68)	• •	01/26/2018	HLEDC
STATE PREEMPTION IN PRIVATE SECTOR EMPLOYMENT LAW				
(Identical to 2017 SB415, SB488). Relates to employment; declares the supremacy of state law in regulating employment in the state. Applies to a political subdivision of the state, including a home rule municipality or a state institution.				
HB194	Harper (R57); Sanchez, C. (D30)	• • • • •	02/10/2018	SFC
ALTERNATIVE EVIDENCE TO SUPPORT GROSS RECEIPTS DEDUCTIONS				
(For the Revenue Stabilization and Tax Policy Committee; included in 2017 HB412) Allows alternative evidence to be submitted in lieu of a nontaxable transaction certification to support claim of any gross receipts deduction (with one exception). A properly executed nontaxable transaction certificate (NTTC), however, remains conclusive evidence of entitlement to a deduction.				
HB198	Gonzales (D42)	•	01/24/2018	HSGIC
MINI TAX REFORM PACKAGE				
In addition to substantive gross receipts, compensating tax and corporate income tax changes, this 159-page proposal makes numerous technical changes.				
HB206	Harper (R57); Cisneros (D6)	• • • •	02/12/2018	SFC
EQUALIZING COMPENSATING TAX RATE WITH GROSS RECEIPTS TAX				

	<b>RATE</b> <i>Equalizes the compensating tax rate with the total state and applicable local option gross receipts tax rates mainly by imposing local option compensating taxes. Also extends state and local compensating taxes to licenses, franchises and services used in New Mexico. Amends several gross receipts deductions. Repeals several tax credits and gross receipts deductions.</i>			
HB215	<b>Adkins (R29)</b> <b>LAW ENFORCEMENT OFFICERS RETENTION PAYMENTS</b> <i>Authorizes the distribution of funds from the Law Enforcement Protection Fund to be used for three years for retention payments to municipal or county law enforcement officers. The authorization is subject to an equal amount in matching funds being paid by either the municipality or county. Until June 30, 2021, a law enforcement officer retention payment in the amount of \$7,500 may be made provided that the:</i>	• •	02/01/2018	SUBST
HB217	<b>Ely (D23)</b> <b>MEDICAID TO REDUCE RECIDIVISM</b> <i>Proposes creation by correction facilities of Recidivism Reduction Transition Programs, and requires coordination between correctional facilities and the Human Services Department to maximize access to Medicaid-funded services, including behavioral health and others, before and after release. Requires HSD to provide information technology and technical assistance to county jails to facilitate access to services.</i>	•	02/01/2018	SUBST
HB221	<b>Strickler (R2); Papen (D38)</b> <b>TRANSPORT AND DETENTION OF EMERGENCY MENTAL HEALTH PATIENTS</b> <i>Amends the Mental Health and Developmental Disabilities Code to authorize a peace officer to detain and transport a person in need of emergency mental health evaluation and care. The authority to do so is contingent on certification by either a psychiatrist, a physician who is not a psychiatrist, a psychologist, or a qualified and licensed mental health professional affiliated with a community mental health center or core service agency. The detention and transport by the peace officer is mandatory when certification derives from a psychiatrist. It is discretionary when the certification is not from a psychiatrist.</i>	• •	02/06/2018	HJC
HB222	<b>Rehm (R31)</b> <b>UPS INCOME LIMIT FOR PROPERTY VALUATION FREEZE</b> <i>For 2019 and subsequent property tax years, modifies eligibility for the valuation freeze available to persons who own and occupy a single-family home, are 65 years of age and have a modified gross income under a certain threshold. Raises the modified gross income ceiling from \$32,000 to \$125,000. That amount will be indexed against inflation.</i>	•	01/25/2018	HRC

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HB224	Baldonado (R8) PRISONER POSSESSION OF ELECTRONIC COMMUNICATION DEVICES (Similar to 2017 SB99) Prohibits possession of an electronic communication or recording device by an inmate in a penal institution, reformatory, jail or prison farm or ranch; and makes possession of such device by a prisoner a fourth-degree felony;	• •	01/26/2018	HCPAC
HB225	Dow (R38); Leavell (R41) COUNTY CORRECTIONAL FACILITY GROSS RECEIPTS TAX REVENUES Once the debt service reserve account related to bonds backed by a county correctional facility gross receipts tax is fully funded, or if no debt service reserve is required to secure the bonds, any amount in excess of the amount needed to meet all principal and interest payments and other related requirements may be used to maintain, construct, purchase, equip, rehabilitate, expand or improve the grounds of a judicial-correctional or county correctional facility or for transporting or extraditing prisoners.	• • • • •	02/12/2018	SFC
HB228	Maestas (D16) RAISING GASOLINE AND SPECIAL FUEL EXCISE TAX RATES (2018, SB177; 2017, HB63, SB131 & SB132; 2016, SB251, SB284, SJR22) Effective 1 July 1, 2018, raises the gasoline tax ten cents to 27 cents/gallon and the special fuel excise tax ten cents to 31 cents/gallon. Additional revenue is split among the State Road Fund, municipalities and counties and the newly created State Road Maintenance Fund. (2018:SB177)	• •	02/08/2018	HTRC
HB233	Dodge (D63) LAW ENFORCEMENT PROPERTY FORFEITURE AUTHORITY (Similar to 2017 SB202 as SPAC amended) Extends provisions of the Forfeiture Act to apply to all seizures, forfeitures and dispositions of property subject to forfeiture in the state (except contraband, controlled substances and deadly weapons).	• • •	02/10/2018	HAFC
HB236	Baldonado (R8) REIMBURSEMENT FOR LAW ENFORCEMENT OFFICER TRAINING Provides for reimbursement of training expenses by one law enforcement agency to another when a recently certified officer is hired by another law enforcement agency.	•	01/26/2018	HRC
HB242	Powdrell-Culbert (R44) LIMIT CERTAIN SENTENCE REDUCTIONS Amends the Criminal Code regarding robbery and aggravated burglary and the section on Criminal Procedure.	•	01/26/2018	HCPAC
HB246	Rodella (D41) WATER: ADVANCED MAPPING FUND	• • • •	02/10/2018	SFC

Bill Number	Author	Effective Date	Committee
HB247	Romero (D10) <b>GREENFIELD AREAS EXCLUDED FROM TAX INCREMENT DEVELOPMENT DISTRICTS</b> Starting July 1, 2018, provisions of the Tax Increment Development District Act no longer apply to Greenfield areas. Greenfield areas may be included in tax increment development projects if the governing body has adopted a resolution forming the district for a greenfield area prior to July 1, 2018 and the State Board of Finance adopted prior to July 1, 2018, a resolution dedicating a gross receipts tax increment to secure payment of gross receipts tax increment bonds.	01/26/2018	HRC
HB251	Stapleton (D19) <b>COUNTY BEHAVIORAL HEALTH TRANSPORTATION FUND</b> Appropriates \$1,000,000 (GF nonreverting) to the County Behavioral Health Transportation Fund through the Human Services Department for FY 2019 and subsequent fiscal years to fund counties' transport of indigent patients to behavioral health services.	02/10/2018	SFC
HB252	Ely (D23) <b>AOC: CRIMINAL JUSTICE AND PUBLIC SAFETY TASK FORCE</b> Appropriates \$100,000 (GF) to the Administrative Office of the Courts for use in FYs 2018 and 2019 to convene a Criminal Justice and Public Safety Task Force and contract for services necessary to the work of the task force.	02/06/2018	HAFC
HB254	Hall, J. C. (R28) <b>NEW CRIME OF ABSCONDING FROM PROBATION OR PAROLE</b> Creates a new crime of absconding from probation or parole and makes it a fourth-degree felony.	01/30/2018	HCPAC
HB257	Garcia, Harry (D69) <b>COUNTY HEALTH CARE FUNDS FOR MEDICAL TRANSPORTATION</b> Amends the Indigent Hospital and County Health Care Act to add medical transportation to the expenses that may be paid for on behalf of indigent patients from County Health Care Assistance funds.	01/26/2018	HRC
HB272	Trujillo, J. (D45) <b>ADDITIONAL INCOME TAX BRACKETS</b> Starting with tax year 2019, adds two new brackets to the income tax tables with bracket rates of 6.2 percent and 6.5 percent.	02/12/2018	HCAL

HB273	Trujillo, J. (D45) <b>FRESH PRODUCE TO INDIGENT SENIORS</b> (Identical to SB92) Appropriates \$500,000 (GF) to the Aging and Long-Term Services Department for use in FY2019 to fund nutritional programming at senior centers statewide that provides fresh produce grown by New Mexico farmers to indigent seniors. (2018:SB92)	• •	02/06/2018	HAFC
HB278	Hall, J. C. (R28) <b>DATE FOR AGENCY REVERSIONS TO GENERAL FUND</b> Moves forward the date by which the Financial Control Division of the Department of Finance and Administration must complete monitoring of unexpended General Fund balances from September 30 to August 31. Provides that reversion to the General Fund by August 31 of all unreserved, undesignated fund balances in reverting funds and accounts, although the division may adjust the reversion within 30, rather than 45, days of release of the audit report for that fiscal year.	• • • •	02/10/2018	SFC
HB279	Nibert (R59) <b>TORT LIABILITY: LAW ENFORCEMENT OFFICER IMMUNITY FROM LIABILITY</b> Amends the Tort Claims Act to provide that the immunity granted to a governmental entity and any public employee under Sec. 41-4-4, Subsec. A., applies to a law enforcement officer if a court determines that the officer's conduct did not violate clearly established statutory or constitutional rights of which a reasonable person would have known.	•	01/30/2018	HSGIC
HB283	Sweetser (D32) <b>FIRE PROTECTION FUND USES</b> Clarifies that money from the Fire Protection Fund may be used by a county or municipality to purchase land for and construct fire stations and substations.	•	01/30/2018	HRC
HB288	Maestas (D16) <b>STATE RESPONSE TO FEDERAL TAX BILL</b> Creates state personal exemption amounts, increases personal income tax rates and repeals several personal income tax credits.	•	01/30/2018	HTRC
HB290	Trujillo, J. (D45) <b>AREA AGENCIES ON AGING GAP FUND</b> Creates an Area Agencies on Aging Gap Fund in the state treasury to be used to provide temporary emergency funding to individual Area Agencies on Aging statewide to cover gaps in agency funding that occur between regular funding allocations. The New Mexico Aging and Long-Term Services Department shall administer the fund and all money in the fund is appropriated to the department.	• • •	02/08/2018	HCAL

HB291	Salazar, N. (D40)	•						01/30/2018	HRC
<b>LANL IMPACTED COMMUNITIES ACT</b>									
<i>Enacts the Los Alamos National Laboratory Impacted Communities Act to fund local infrastructure; creates the Impacted Communities Project Approval Council; establishes the Los Alamos National Laboratory Impacted Communities Fund and appropriates \$5 million (GF-nonreverting to the fund for FY 2019 and subsequent fiscal years to carry out the provisions of the act.</i>									
HB306	Trujillo, Carl (D46)	•	•	•	•			02/12/2018	SFC
<b>SEVERANCE TAX BONDS CAPITAL EXPENDITURES</b>									
<i>HTRC substitute for HB306 is a 148-page bill authorizing the issuance of severance tax bonds; use of the proceeds from the severance tax bond sales for 717 capital projects; and authorizes expenditures from certain state funds for 23 other projects. The bill lists a total of 740 projects to be supported from 13 sources, as follows:</i>									
HB311	Thomson (D24)	•						01/31/2018	HRC
<b>WORKPLACE ANNUAL TRAINING TO PREVENT SEXUAL HARASSMENT</b>									
<i>Requires training to prevent and report sexual harassment in the workplace. Applies to both full- and part-time state government employees covered under Sec. 10-16-11 of the Government Code of Conduct (executive, legislative, and judicial agencies). Also applies to a business contractor with 10 or more full-time employees.</i>									
HJM16	Ely (D23)	•	•	•	•			02/12/2018	SPAC
<b>JUSTICE &amp; PUBLIC SAFETY PLANNING TASK FORCE</b>									
<i>Requests the Chief Justice of the Supreme Court to convene a Criminal Justice and Public Safety Task Force to identify issues of primary concern within the state's criminal justice and public safety system and to develop a strategic plan to ameliorate those concerns.</i>									
HJM19	Maestas (D16)	•	•	•	•			02/12/2018	SRC
<b>ELECTION REFORM TASK FORCE</b>									
<i>Requests the Legislative Council to convene a task force to study needed electoral reforms and report to the 2019 Legislature.</i>									
HJM24	Fajardo (R7); Baca (R29)	•	•	•	•			02/12/2018	SJC
<b>STUDY TAXATION OF ABANDONED PROPERTIES</b>									
<i>Requests the Property Tax Division of the Taxation and Revenue Department to study and make recommendations to update provisions of the Property Tax Code related to the taxation of abandoned properties with a view to a collaborative effort to rehabilitate property abandonment and its tax consequences.</i>									



HJR4	<p>Trujillo, Carl (D46)</p> <p><b>CA: STATE REDISTRICTING COMMISSION</b></p> <p><i>Proposes to amend the state Constitution to establish a permanent redistricting commission to develop plans for congressional, state and local offices. The Legislature shall provide the commission with the resources it needs to perform its duties, and the commission may hire staff, consultants and legal counsel as necessary.</i></p>	•	01/16/2018	HLGEC
HJR5	<p>Rehm (R31)</p> <p><b>GROUND FOR DENIAL OF RELEASE ON BAIL, C.A.</b></p> <p><i>Proposes to amend Article 2, Section 13 of the state Constitution to provide additional grounds for denial of bail pending trial, remove the requirement that bail hearings be held by a court of record, and reduce the standard of proof for denial of bail..</i></p>	•	01/24/2018	HCPAC
HJR7	<p>Rehm (R31)</p> <p><b>BAIL DENIAL DECISION, C.A.</b></p> <p><i>(Related to 2018 HJR5) Proposes to amend Article 2, Section 13 of the state Constitution to allow conditions for denial of bail to be set by the Legislature, remove the requirement that bail denial decisions be made by a court of record; remove the limitation on bail denial to defendants charged with a felony; clarify that bail may be denied if no release conditions will reasonable ensure appearance of the person; and remove court procedural directions. (2018:HJR5)</i></p>	•	01/31/2018	HLGEC
HJR8	<p>Trujillo, Carl (D46)</p> <p><b>APPOINT PRC COMMISSIONERS, C.A.</b></p> <p><i>Proposes to amend Article 11 of the state Constitution to provide for an appointed Public Regulation Commission selected from a list of names provided to the Governor by a nominating committee, and to provide for transition from elected to appointed commissioners.</i></p>	•	01/31/2018	HLGEC
HM7	<p>Trujillo, J. (D45)</p> <p><b>SANTA FE COUNTY DAY</b></p> <p><i>Declares January 25, 2018 as Santa Fe County Day in the House of Representatives and recognizes the contributions of the county residents for their contributions in creating an environment that honors the county's diverse cultures and traditions.</i></p>	• • •	02/07/2018	HSIGN
HM38	<p>Gallegos, Doreen (D52)</p> <p><b>NMSU AGGIES FOOTBALL TEAM DAY</b></p> <p><i>Proclaims February 5, 2018 New Mexico State University Aggies Football Team Day in the House, and congratulates the team for its victory over Utah State at the 2017 Nova Home Loans Arizona Bowl.</i></p>	• •	02/09/2018	HSIGN

HM61	<b>Dodge (D63)</b> <b>PROTECT 2018 FARM BILL FUNDING</b> <i>Strongly encourages the New Mexico Congressional delegation to protect New Mexico's interests as they relate to the federal 2018 Farm Bill: to provide income stability for farmers and ranchers; to support next-generation farmers and ranchers; to protect land and natural resources; to open and ensure access to global markets; to empower rural and tribal communities; and to help New Mexico families access nutritious foods.</i>	•	•	•	02/10/2018	HPASS
HM65	<b>Thomson (D24)</b> <b>STUDY COUNTY AND TRIBAL HEALTH COUNCIL WORK</b> <i>(Duplicate of 2018 SM44) Requests the New Mexico Alliance of Health Councils convene a New Mexico Health Council System Task Force to meet at least quarterly to analyze the work of the health councils in relation to the Maternal and Child Health Plan Act and identify steps to strengthen county and tribal health councils. (2018:SM44)</i>	•	•		02/07/2018	HCAL
HM75	<b>Louis (D26)</b> <b>MEET NEEDS OF NM TRIBAL COMMUNITIES</b> <i>Requests that state agencies in collaboration with tribal advisory groups develop findings and recommendations for policy and legislative consideration in the areas of education, health, social welfare, behavioral health and other essential services to better meet needs of tribal communities.</i>	•	•	•	02/10/2018	HPASS

SFC CLERK RECORDED 03/15/2018

SENATE

BILL	DESCRIPTION	House 1			House 2			PL/Chap	Last Action	Status
		I	C	RC	P	C	RC	P	G	
HJM24	Fajardo (R7); Baca (R29) STUDY TAXATION OF ABANDONED PROPERTIES Requests the Property Tax Division of the Taxation and Revenue Department to study and make recommendations to update provisions of the Property Tax Code related to the taxation of abandoned properties with a view to a collaborative effort to rehabilitate property abandonment and its tax consequences.	•		•	•	•				02/12/2018 SJC
SB4	Papen (D38) ASSISTED OUTPATIENT TREATMENT ACT FUNDS Appropriates \$1 million (GF 2019 nonreverting) to the Department of Health for FY19 and subsequent fiscal years to distribute to participating municipalities and counties that have entered into memoranda of understanding with their district courts pursuant to the Assisted Outpatient Treatment Act.	•	•	•						01/24/2018 SFC
SB13	Neville (R2) DETENTION WITHOUT BAIL: METRO & MAGISTRATE COURTS OF RECORD Extends the jurisdiction and authority of magistrate and metropolitan courts to act as courts of record in felony cases where denial of bail has been requested by the prosecuting authority.	•	•	•						01/24/2018 SJC
SB14	Candelaria (D26) WIRELESS CONSUMER ADVANCED INFRASTRUCTURE INVESTMENT ACT (Duplicates HB38) In general, the Wireless Consumer Advanced Infrastructure Investment Act lays out rules and procedures under which wireless service providers may obtain use of rights of way owned by local governments to place the small wireless equipment necessary for the service. This includes: (2018:HB38)	•	•	•	•	•				02/10/2018 HBIC
SB17	Cisneros (D6); Garcia Richard (D43) EXCLUDES OPERATORS OF NATIONAL LABORATORIES FROM GRT EXEMPTION Amends the Gross Receipts Tax Act to apply the tax to a prime contractor who operates a national laboratory in New Mexico, whether or not the prime contractor qualifies as a Section 501(c)(3) nonprofit organization. The bill does so by amending Sec. 7-9-29 relating to Exemptions to specifically exclude a nonprofit prime contractor of a national lab from the exemption.	•	•	•	•	•	•			02/12/2018 HCAL



<b>TAX REFORM PACKAGE</b>				
<i>(Similar to 2017 SB123, 2016 SB145, 2015 SB346 and 2013 SB365) 186-page bill continues the sponsor's effort to reform the state tax system by greatly expanding the gross receipts base to replace the motor vehicle excise, leased vehicle gross receipts and boat excise taxes (which are repealed); lower the state gross receipts tax rate from 5.125% to one percent and governmental gross receipts from five to one percent; provides for a flat-rate personal income tax; repeals the compensating tax, corporate income tax, corporate franchise tax, estate tax and several tax credits; consolidates local option taxes, reducing their maximum permissible rates to 0.5% for municipalities and 0.5% for counties; revises statutes dealing with revenues local governments may pledge to repay indebtedness. All this is effective January 1, 2019.</i>				
<b>SB68</b>	<b>Cisneros (D6)</b>	<b>•</b>		<b>01/18/2018 SCC</b>
<b>RELEASE OF TAX INFORMATION: TAX CREDITS, EXEMPTIONS AND DEDUCTIONS</b>				
<i>Allows tax return information related to specified deductions and tax credits to be disclosed to an economist, at the economist's written request, who works for the Department of Finance and Administration or the Legislative Finance Committee for the purpose of tracking, forecasting and analyzing tax revenue. Binds the economist receiving the information to statutory penalties for revealing the information to an unauthorized person. Also narrows several tax exemptions. (2018:SB128)</i>				
<b>SB69</b>	<b>Ivey-Soto (D15)</b>	<b>•</b>	<b>•</b>	<b>02/08/2018 SJC</b>
<b>PROCUREMENT CODE REQUIREMENTS FOR CANCELLATION OF BIDS &amp; RFPS</b>				
<i>Imposes certain requirements on the nonacceptance or cancellation of procurement bids or requests for proposals by a state agency or a local public body.</i>				
<b>SB92</b>	<b>Stefanics (D39)</b>	<b>•</b>	<b>•</b>	<b>01/29/2018 SFC</b>
<b>FRESH PRODUCE TO INDIGENT SENIORS FUNDS</b>				
<i>Appropriates \$500,000 (GF reverting) for FY 2019 to the Aging and Long Term Services Department to fund nutritional programming at senior centers that provide fresh NM-grown produce to indigent seniors.</i>				
<b>SB102</b>	<b>Padilla (D14); Ruiloba (D12)</b>	<b>•</b>	<b>•</b>	<b>01/23/2018 SRC</b>
<b>SHERIFF QUALIFICATIONS</b>				
<i>Adds a new section to Chapter 4, Article 41, County Sheriff, outlining qualifications to serve as sheriff. Amends the Law Enforcement Training Act to conform.</i>				
<b>SB106</b>	<b>Woods (R7)</b>	<b>•</b>	<b>•</b>	<b>01/30/2018 SFC</b>
<b>PUBLIC SCHOOLS: FRESH FRUIT AND VEGETABLES</b>				
<i>Appropriates \$400,000 (GF) to the Public Education Department for use in FY 2019 and subsequent fiscal years to buy and distribute New Mexico-grown fresh fruits and fresh vegetables to school districts, charter schools and</i>				

**juvenile detention centers through the department's School Meal Programs.**

<b>SB109</b>	<b>Baca (R29); Armstrong, G. (R49)</b> <b>SALE OF ALL DELINQUENT REAL PROPERTY REQUIRED IN ALL COUNTIES</b> <i>Requires Taxation and Revenue Department, TRD, to offer for sale annually all (not just one) real property in a county on which a lien for delinquent property taxes has existed for at least three years. The Director of the Property Tax Division and a county may agree to postpone the delinquent property tax sale of real property in that county. Applies to 2019 and subsequent property tax years.</i>	•	•	02/10/2018	SCAL
<b>SB111</b>	<b>Rodriguez (D24)</b> <b>LAW ENFORCEMENT-ASSISTED DIVERSION PROGRAMS: BERNALILLO, DONA ANA, SANTA FE</b> <i>(For Legislative Health and Human Services Committee) Appropriates \$450,000 (GF) to DFA's Local Government Division for use in FY2019 for general support for law-enforcement-assisted diversion in the City of Santa Fe; and the establishment and operation of law-enforcement-assisted diversions in Bernalillo and Dona Ana Counties.</i>	•	•	01/29/2018	SFC
<b>SB129</b>	<b>Pirtle (R32)</b> <b>NARROWS GROSS RECEIPTS DEFINITION OF "FOOD"</b> <i>For purposes of the gross receipts deduction for receipts from selling food, the definition of "food" changes from the definition used in the federal Supplemental Nutrition Assistance Program (SNAP), to the following:</i>	•	•	01/23/2018	SCORC
<b>SB134</b>	<b>Pirtle (R32)</b> <b>TRANSFER OF PUBLIC LANDS ACT</b> <i>Requires the United States to transfer title to certain federally-held properties in New Mexico to New Mexico on or before December 31, 2021. Establishes a Public Lands Transfer Task Force.</i>	•		01/22/2018	SCC
<b>SB142</b>	<b>Cervantes (D31)</b> <b>WATER PROJECT FUND PROJECTS</b> <i>(Endorsed by the N.M. Finance Authority Oversight Committee) Authorizes the N.M. Finance Authority to make loans or grants from the Water Project Fund following entities for the 22 water projects specified (on terms established by the Water Trust Board and the NMFA):</i>	•	•	01/24/2018	SCONC
<b>SB148</b>	<b>Campos, P. (D8)</b> <b>CAPITAL OUTLAY REFORM ACT</b> <i>(Related to SB149) Creates the Capital Outlay Oversight Task Force as an interim committee and a new Capital Planning and Assistance Division of DFA. Requires the Capitol Buildings Planning Commission to prepare, publish and annually update a 5-year statewide capital improvements plan and shall develop guidelines for evaluating capital project requests. Funding for a capital project shall be released only if the sponsoring entity is in compliance</i>	•	•	02/07/2018	SFC







	terms available for use of funds for classroom facilities lease payments; sets 10% local match requirement for state-chartered charter school capital outlay projects; sets August 1 deadline for charter schools to submit information about their capital improvement projects for inclusion in local property tax ballot questions.			
SB238	<p>Neville (R2)</p> <p><b>IRB FUNDED PROJECTS IN COUNTIES AND MUNICIPALITIES</b></p> <p>Provides that a municipality shall not acquire a project located outside its corporate limits unless (a) the project is located entirely within an area that does not extend more than 15 miles beyond its corporate limits; and (b) the governing body of each county within which the project is located certifies the project's compliance with that county's ordinances and enters into an agreement with the person proposing the project for:</p>	•		01/30/2018 SCC
SB240	<p>Campos, P. (D8)</p> <p><b>LIMITS REMOVED ON LOCAL GOVERNMENT MULTI-SOURCE CONTRACTS</b></p> <p>Amends the Procurement Code to remove the total amount limit on local public bodies for multiple source contracts for procurement of architectural and engineering services and construction.</p>	•		01/30/2018 SCC
SB245	<p>Cisneros (D6)</p> <p><b>CAPITAL EXPENDITURES REAUTHORIZATIONS AND RE-APPROPRIATIONS</b></p> <p>Reauthorizes capital projects, including extending time for completion and changing purposes.</p>	• •		02/12/2018 SCAL
SB247	<p>Cervantes (D31)</p> <p><b>CONSTITUTIONAL REVISION COMMISSION</b></p> <p>The Constitutional Revision Commission is created as an independent commission comprised of 15 voting and 2 advisory members to examine and recommend changes to the State Constitution. Upon majority approval of 15 voting members, legislation shall be drafted and submitted to the Legislature for review. Staff and research work shall be done under supervision of the commission chair by employees approved by the commission, assisted, upon request, by the Legislative Council Service.</p>	•		01/31/2018 SCC
SB253	<p>Rodriguez (D24)</p> <p><b>INVESTMENTS IN SECURITIES ISSUED BY SUPRANATIONAL INSTITUTION</b></p> <p>Authorizes investment in securities issued by a supranational institution by the State Treasurer and a treasurer of a Class A County or of certain municipalities located in a Class A County.</p>	•		01/31/2018 SCC
SB256	<p>Campos, P. (D8)</p> <p><b>MUNICIPALITY AUTHORITY TO REGULATE PANHANDLING</b></p> <p>Authorizes a municipality to regulate, tax or license panhandlers. Creates a definition for panhandler meaning a person who solicits, in person, a donation of money. It does not include a person who passively stands or sits with a sign</p>	•		01/31/2018 SCC

Bill Number	Description	Effective Date	Committee
	or other indication that the person is seeking donations, without addressing any solicitation to a specific person other than in response to an inquiry.		
SB257	<p>Campos, P. (D8)</p> <p><b>UPS FILM PRODUCTION TAX CREDIT LIMIT</b></p> <p>Increases the aggregate annual cap for the amount of film production tax credit that may be approved for payment from \$50 to \$60 million. Applies to 2019 and subsequent fiscal years.</p>	02/12/2018	SFC
SB262	<p>Munoz (D4)</p> <p><b>USE OF CHARGES FOR LOCAL INVESTMENT POOL SERVICES</b></p> <p>Expands permitted use of the income from charges authorized by Section 6-10-10.1 for the Local Government Investment Pool to be used not only for administration and management of the pool but also for operation of the Office of the State Treasurer. Appropriates the income for these purposes.</p>	02/09/2018	SFC
SB263	<p>Cisneros (D6)</p> <p><b>TAXING GOVERNMENT AND NONPROFIT HOSPITALS AND APPROPRIATING PROCEEDS</b></p> <p>(Similar to portions of HB4, SB162 and SB175) Subjects governmental hospitals to the (5 percent) governmental gross receipts tax but the revenue, rather than being distributed as are other governmental gross tax receipts, flow to the state General Fund. Provides a new 50 percent deduction from gross receipts for governmental hospitals. (2018:HB4; 2018:SB162; 2018:SB175)</p>	02/12/2018	SFC
SB265	<p>Cervantes (D31)</p> <p><b>STATE ENGINEER QUALIFICATIONS</b></p> <p>It is difficult to discern the true meaning of this bill. As typed, the bill requires that the state engineer be a licensed New Mexico attorney. As initialed by the sponsor with a handwritten editorial change, the bill requires that the state engineer be either a registered professional engineer "or" a licensed New Mexico attorney.</p>	01/31/2018	SCC
SJM8	<p>Stefanics (D39); Ferrary (D37)</p> <p><b>Eg11 PROGRAM OVERSIGHT BOARD</b></p> <p>(For the Legislative Health and Human Services Committee) Asks the Secretary of DFA to conduct a study to investigate the proposal of the Enhanced 911 (Eg11) Directors Affiliate that a single, statewide 911 program oversight board made up of a majority of 911 professionals be created and charged with administering the 911 programs statewide.</p>	02/12/2018	HCAL
SJM9	<p>Stefanics (D39)</p> <p><b>REPORT ON STATE AND FEDERAL CUTS TO SENIOR SERVICES</b></p> <p>Requests that the Legislative Council Service charge the Legislative Health and Human Services Committee to receive testimony by August 1, 2018, regarding state and federal cuts to senior citizen services and the impact of the</p>	01/22/2018	SRC

	cuts on senior citizens in the state and report findings.				
<b>SJM18</b>	Campos, P. (D8) <b>STUDY CAPITAL OUTLAY PLANNING</b> (Related to 2018 SB148; Identical to 2017 SJM24). Requests the New Mexico Finance Authority Oversight Committee and the Governor to appoint a working group of committee members and representatives of state agencies, local governments and federal agencies that fund capital projects in New Mexico to study the current capital outlay planning, funding and monitoring processes and state, statewide, regional and local infrastructure needs as shown by current state capital plans and local government infrastructure capital improvement plans and make recommendations to the committee and Second Session of the 53rd Legislature for improvements to the process. (2018:SB148)	•	•	02/09/2018	SFC
<b>SJR9</b>	Padilla (D14) <b>CA: PROVIDES FOR QUALIFICATIONS FOR COUNTY SHERIFF</b> Proposes to amend Article 10 of the Constitution by adding a new section allowing the Legislature by law to set qualifications, except for incorporated counties (Los Alamos County), for a person to be elected or appointed sheriff.	•		01/22/2018	SRC
<b>SM24</b>	Rodriguez (D24) <b>SANTA FE COUNTY DAY</b> Declares January 25, 2018 Santa Fe County Day in the Senate.	•	•	01/29/2018	SSIGN
<b>SM43</b>	Munoz (D4) <b>TRIBAL CONSULTATION REGARDING CHACO CANYON DECISION-MAKING</b> Requests the U.S. Department of Interior's Bureau of Land Management adhere to federal law regarding tribal consultation, desist from leasing or issuing permits without prior tribal consultation in the greater Chaco landscape until the resource management plan amendment is complete and not allow hydraulic fracturing within a 30 mile radius of the Chaco Canyon national historical park.	•	•	02/03/2018	SIAC
<b>SM44</b>	Stefanics (D39) <b>CONVENE A NEW MEXICO HEALTH COUNCIL SYSTEM TASK FORCE</b> Requests the New Mexico Alliance of Health Councils convene a New Mexico Health Council System Task Force to meet at least quarterly to analyze the work of the health councils in relation to the Maternal and Child Health Plan Act and identify steps to strengthen county and tribal health councils.	•	•	02/08/2018	SCAL
<b>SM56</b>	Stefanics (D39) <b>IMPROVEMENTS ON STATE HIGHWAY 14</b> Cites that New Mexico State Highway 14 between Interstate 25 and interstate 40 is a two-lane road with long stretches of restricted visibility and some long-steep gradients and that it serves as a main and residential street in Madrid and other communities but without curbs or sidewalks.	•		01/29/2018	SRC

SM75	Stefanics (D39) E911 PROGRAM OVERSIGHT BOARD (Similar to SJM8) Asks the Secretary of DFA to conduct a study to investigate the proposal of the Enhanced 911 (E911) Directors Affiliate that a single, statewide 911 program oversight board made up of a majority of 911 professionals be created and charged with administering the 911 programs statewide. (2018:SJM8)	•	01/31/2018	SRC
SM76	Stefanics (D39) STUDY ON GOVERNMENT CUTS TO SENIOR CITIZEN SERVICES Requests that the N.M. Legislative Council charge the Legislative Health and Human Services Committee with receiving testimony and reporting on state and federal government cuts to senior citizen services and the impact of those cuts on senior citizens in New Mexico.	• •	02/10/2018	SPAC

SFC CLERK RECORDED 03/15/2018

# House Bill 306, Capital Outlay Funds

House Tax and Revenue Committee substitute for HB306 is a 148-page bill authorizing the issuance of severance tax bonds; use of the proceeds from the severance tax bond sales for 717 capital projects; and authorizes expenditures from certain state funds for 23 other projects. The bill lists a total of 740 projects to be supported from 13 sources

<b>1ST JUD DIST CT SECURITY WALL &amp; CAMERAS</b>	<b>\$60,000</b>
to construct a security wall for the jury room and to purchase and install security cameras at the Steve Herrera judicial complex in the first judicial district in Santa Fe county	
<b>1ST JUD DIST VEH &amp; SPEAKER SYS PRCHS</b>	<b>\$57,500</b>
to purchase and equip a vehicle and to purchase a speaker system for the jury room for the first judicial district court in Santa Fe county	
<b>ACEQUIA DE LA MURALLA HEAD GATE</b>	<b>\$10,000</b>
to construct a head gate and acequia improvements for the acequia de la Muralla in Santa Fe county	
<b>ACEQUIA DE LAS JOYAS IMPROVE</b>	<b>\$32,220</b>
to construct, purchase and install improvements, including plates and pipe, to the acequia de las Joyas in Santa Fe county	
<b>ACEQUIA DE LOS RANCHOS IMPROVE</b>	<b>\$148,070</b>
to plan, design and construct improvements, including earthwork, concrete construction and site restoration, to the acequia de Los Ranchos in Chimayo in Santa Fe county	
<b>ACEQUIA DEL DISTRICTO IMPROVE-EL RANCHO</b>	<b>\$35,000</b>
to design and construct improvements to the acequia del Distrito in El Rancho in Santa Fe county	
<b>ACEQUIA DEL POTRERO IMPROVE</b>	<b>\$50,000</b>
to construct and install improvements to the acequia del Potrero in Santa Fe county	
<b>ACEQUIA DEL RINCON IMPROVEMENTS SANTA FE CO</b>	<b>\$35,000</b>
to plan, design, construct and install improvements, including concrete headgates, piping and stabilizing banks and borders, to the acequia del Rincon in Santa Fe county	
<b>AGUA FRIA CWSA MAINT BLDG CONSTRUCT</b>	<b>\$50,000</b>
to plan, design and construct a maintenance, storage and utility building, including parking lot improvements, at the premises of the Agua Fria community water system association water board office building in the Agua Fria area in Santa Fe county	
<b>AGUA FRIA CWSA UTLTY CORRIDORS IMPROVE</b>	<b>\$50,000</b>
to plan, design, construct and improve utility corridors, including lateral lines and extension of water and sewer lines, for the Agua Fria community water system association in Agua Fria village in Santa Fe county	
<b>AGUA FRIA CWSA WATER UTLTY TRUCK PRCHS</b>	<b>\$60,000</b>

to purchase and equip a water utility service truck for the Agua Fria community water system association in the Agua Fria area of Santa Fe county

**AGUA FRIA CWSA WATER BD BLDG & PUMP HOUSE SECURITY** \$50,000  
to purchase and install security equipment, including security cameras, an alarm system, office equipment, furniture and information technology, for the Agua Fria community water system association water board building and the Agua Fria community water system association pump house in Agua Fria village in Santa Fe county

**AGUA FRIA CWSA WATER SYS IMPROVE** \$200,000  
to plan, design and construct water distribution system improvements and water line extensions for the Agua Fria community water system association in Agua Fria village in Santa Fe county

**AGUA FRIA ST/S MEADOWS RD IMPROVE SANTA FE** \$100,000  
to purchase rights of way and to plan, design and construct road improvements at the intersection of Agua Fria street and South Meadows road in Santa Fe in Santa Fe county

**CCA CTR FOR CONTEMPORARY ARTS IMPROVE SANTA FE** \$100,000  
to plan, design and construct improvements, including accessibility improvements, at the center for contemporary arts in Santa Fe in Santa Fe county

**COMUNIDAD DE LOS NINOS HEAD START PLUMBING/FLOOR** \$50,000  
to plan, design and construct plumbing and floor improvements at the Comunidad de los Ninos head start center in Santa Fe in Santa Fe county

**DOH VITAL RECORDS & STATS FCLTY** \$5,100,000  
to plan, design, construct, equip, renovate, upgrade and furnish a facility or to expand an existing state-owned site to house the department of health vital records and health statistics bureau in Santa Fe in Santa Fe county

**DPS STATE POLICE DISTRICT OFFICE SANTA FE - CBRF** \$770,000  
from the capitol buildings repair fund to plan, design, construct, renovate, furnish and equip a new state police district office in Santa Fe in Santa Fe county

**EDGEWOOD WASTEWATER SYSTEM IMPROVE** \$300,000  
to plan, design, construct and equip wastewater system improvements in Edgewood in Santa Fe county

**EDGEWOOD WASTEWATER TREATMENT PLANT PH 1** \$100,000  
to plan, design and construct phase 1 improvements to the wastewater treatment plant in Edgewood in Santa Fe county

**EL DORADO CMTY SCHOOL DOOR BARRICADE SYSTEM** \$12,000  
to purchase and install a door barricade system in El Dorado community school in the Santa Fe public school district in Santa Fe county

**EL GUICU DITCH IMPROVE** \$95,000  
to acquire land and to plan, design, purchase, construct and equip improvements for El Guicu ditch in Santa Fe county

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<b>ELDORADO AREA WSD WATER SUPPLY SYSTEM</b>	<b>\$315,000</b>
to plan and design water supply system improvements for the Eldorado area water and sanitation district in Santa Fe county	
<b>HARRISON RD LIGHTING/SIDEWALKS-SANTA FE</b>	<b>\$28,000</b>
to design, construct, purchase and install lighting and sidewalks on Harrison road in Santa Fe in Santa Fe county	
<b>INDIAN WATER RIGHTS SETTLEMENT</b>	<b>\$6,175,000</b>
to the Indian water rights settlement fund. Notwithstanding the requirement for a joint resolution of the legislature in Subsection A of Section 72-1-11 NMSA 1978, if a corresponding commitment has been made for the federal portion of the settlement in the Aamodt case, the money may be expended by the interstate stream commission in fiscal year 2019 and subsequent fiscal years to implement the state's portion of the settlement, and any unexpended or unencumbered balance remaining at the end of a fiscal year shall not revert	
<b>JOHN F. SIMMS BLDG RENOVATE</b>	<b>\$450,000</b>
from the capitol buildings repair fund to plan, design, construct, renovate and improve the John F. Simms building in Santa Fe in Santa Fe county	
<b>LA BAJADA COMMUNITY DITCH &amp; MDWA WATER SYSTEM</b>	<b>\$20,000</b>
to plan, design, purchase, construct and install water system improvements for La Bajada community ditch and mutual domestic water association in Santa Fe county	
<b>LA CIENEGA MDWC &amp; MSW WATER TANK REPAIR IMPROVE</b>	<b>\$39,000</b>
to inspect, repair and improve a water tank, including sediment removal, for La Cienega mutual domestic water consumers and mutual sewage works in La Cienega in Santa Fe county	
<b>LA CIENEGA RESERVOIR IMPROVEMENTS</b>	<b>\$12,000</b>
to plan, design and construct improvements to La Cienega reservoir for the acequia de la Cienega in Santa Fe county	
<b>LA MESILLA COMMUNITY DITCH IMPROVE</b>	<b>\$8,100</b>
to plan, design, purchase, construct and install improvements, including valves, for La Mesilla community ditch in Santa Fe county	
<b>MUSEUM OF INDIAN ARTS &amp; CULTURE AMPHITHEATER REN</b>	<b>\$75,000</b>
to plan, design, construct and equip renovations and repairs to an amphitheater, including shade structures, walkways, bancos, ramadas, horno ovens and a gate, at the museum of Indian arts and culture in Santa Fe in Santa Fe county	
<b>NAMBE PUEBLO EARLY CHILDHOOD LEARNING FACILITY</b>	<b>\$100,000</b>
to furnish and equip an early childhood learning facility at the Pueblo of Nambe in Santa Fe county	
<b>NAMBE PUEBLO WATER &amp; WWATER SYSTEMS IMPROVE</b>	<b>\$200,000</b>
to plan, design, purchase, construct and improve the water and wastewater systems, including a water storage tank and sewer lines, in the Pueblo of Nambe in Santa Fe county	
<b>NM HWY 14 SAFETY IMPROVE-MADRID</b>	<b>\$81,500</b>





<b>SANTA FE GENOVEVA CHAVEZ CTR HVAC</b>	<b>\$100,000</b>
to purchase, install and construct a heating, ventilation, air conditioning and dehumidification system in the Genoveva Chavez community center in Santa Fe in Santa Fe county	
<b>SANTA FE MEAL PROGRAM FCLTY CONSTRUCT EQUIP</b>	<b>\$218,300</b>
to plan, design, renovate, construct, improve and equip a facility and to purchase and install information technology, including related equipment, furniture and infrastructure, for a meals program serving homebound and special needs individuals in Santa Fe in Santa Fe county	
<b>SANTA FE PSD DANCE BARNs ADDITION</b>	<b>\$162,300</b>
to plan, design, construct and equip an addition to the dance barns facility in the Santa Fe public school district in Santa Fe county	
<b>SANTA FE PSD EMERGENCY POWER BACKUP SYSTEM</b>	<b>\$25,000</b>
to plan, design, purchase and install an emergency power backup system for the Santa Fe public school district in Santa Fe county	
<b>SANTA FE SWAN REGIONAL PARK</b>	<b>\$200,800</b>
to plan, design and construct the Southwest Activity Node park, including purchase and installation of security cameras, in Santa Fe in Santa Fe county	
<b>SFCC GREENHOUSE &amp; AQUAPONICS EQUIP</b>	<b>\$150,000</b>
to plan, design, purchase, equip, upgrade, install and construct a greenhouse, including aquaponics equipment, for the agriculture program at Santa Fe community college in Santa Fe county	
<b>SFCC HEALTH &amp; SCIENCES SIMULATION LAB EQUIP</b>	<b>\$50,000</b>
to plan, design, purchase, equip, upgrade, install and construct health and sciences simulation laboratory equipment and improvements at Santa Fe community college in Santa Fe county	
<b>SFCC STUDENT SAFETY UPGRADES</b>	<b>\$25,000</b>
to plan, design, purchase, equip, upgrade, install and construct student safety upgrades, including cell phone signal amplification infrastructure, at Santa Fe community college in Santa Fe county	
<b>SFIS ROAD &amp; DRAINAGE IMPROVE</b>	<b>\$36,843</b>
to plan, design and construct an access lane and other road improvements, including ingress and egress, curbs and gutters and storm drainage, at the Santa Fe Indian school in Santa Fe in Santa Fe county	
<b>SOS INFO TECH</b>	<b>\$825,000</b>
to purchase and install information technology hardware, including servers and related infrastructure upgrades, for the office of the secretary of state in Santa Fe in Santa Fe county	
<b>STATE LAND OFFICE HVAC UPGRADES - SLMF</b>	<b>\$180,000</b>
from the state lands maintenance fund to plan, design, upgrade, repair and replace the heating, ventilation and air conditioning system at the state land office in Santa Fe in Santa Fe county	
<b>STATE LAND OFFICE PARKING LOT &amp; SIDEWALKS - SLMF</b>	<b>\$40,000</b>

from the state lands maintenance fund to plan, design, upgrade, repair and replace the parking lot and sidewalks at the state land office in Santa Fe in Santa Fe county

**SUPREME COURT BUILDING IMPROVEMENTS - CBRF** \$123,000

from the capitol buildings repair fund to plan, design, construct and renovate facilities, including abatement and remediation of the exterior courtyard stucco, at the supreme court building in Santa Fe in Santa Fe county

**TESUQUE PUEBLO INTERGENERATIONAL CTR IMPROVE** \$125,000

to plan, design and construct improvements to the intergenerational center in the Pueblo of Tesuque in Santa Fe county

**TRD SCANNERS & SLICERS - GF** \$372,000

from the general fund to purchase, install and equip scanners and mail slicers, including servers, information technology and related equipment and infrastructure, for the revenue processing division in Santa Fe in Santa Fe county

**TURQUOISE TRAIL ELEM SCHL IMPROVE** \$75,000

to plan, design, construct, renovate, furnish and equip the building and grounds, including the purchase and installation of a security system, information technology and related equipment, fencing, wiring and infrastructure, for the Turquoise Trail elementary school in Santa Fe county

**Summary for Santa Fe \$20,363,482**

SFC CLERK RECORDED 03/15/2018

# SANTA FE COUNTY BEHAVIORAL HEALTH CRISIS CENTER

COMMUNITY SERVICES DEPARTMENT  
SANTA FE COUNTY  
RACHEL O'CONNOR, DIRECTOR  
ALEX DOMINGUEZ, BH ADMIN. MANAGER

# **BEHAVIORAL HEALTH CRISIS CENTER—WHAT IS IT?**

**GOAL:** To provide a safe and secure place for Santa Fe County adults with behavioral health issues (mental illnesses and/or addictions) as well as assisting their families and caregivers to find information and receive assistance in times of crisis, and provide linkage with appropriate community services.

# WHAT ARE THE SECONDARY GOALS?

- To provide immediate crisis management and de-escalation support
- To prevent unnecessary detainment in criminal facilities
- To reduce unnecessary admission to hospital emergency departments
- To provide an inviting and comfortable location that is not hospital or law enforcement based
- To ensure individuals are connected with ongoing clinical and social supports, including navigation to prevent further crisis

# WHO WILL IT SERVE?

- The Mobile Crisis Team will provide services to both adolescent and adults
- The Crisis Center is for adults 18 and older
- The Crisis Center will provide support and services to clients and their families with behavioral health needs who are experiencing a crisis, including co-existing disorder
- We estimate approximately 2,500 visits per year

# WHAT IS THE SERVICE ARRAY?

Living Room Model	Core Crisis Services: Assessment/Triage/Stabilization, Navigation, Pharmacy, Transportation, Short Term Respite, Education and Resources, Screening and Brief Intervention	Co-located Navigators	Sobering Services	Residential Enhanced Social Detoxification

## **CO-LOCATED SERVICES**

- **Enhanced Social Detox Treatment**

**Co location of this treatment service at the Behavioral Health Crisis Center (24 hour, multi-day treatment)**

- **Navigation**

**Co location of existing Navigation providers**



# WHAT HAVE WE ACCOMPLISHED SO FAR?

- **May, 2016:** Behavioral Health Summit held in Santa Fe
- **November, 2016:** Bond authorizing \$2M for in capitol funds for a Crisis Center
- **June, 2017:** BCC votes in a 1/8 GRT with \$1.6M to operate a Crisis Center
- **August 2017:** Gap Analysis report completed confirming the need for a Crisis Center
- **October 2017:** Released the RFP for a Crisis Center Primary Partner
- **November 2017:** Deadline for RFP Responses
- **December 2017:** The RFP Committee reviewed the RFP's
- **December 2017:** The RFP Committee requested oral presentations from the responders
- **January 2018:** Oral presentations took place
- **January 2018:** RFP Committee recommends a partner
- **January 2018:** Contract negotiations between Santa Fe County and Primary Partner in process

# PRIMARY PARTNER NEW MEXICO SOLUTIONS

- **New Mexico Solutions is led by Dr. David J. Ley, licensed Clinical Psychologist**
- **New Mexico Solutions (NMS) is an outpatient behavioral health care agency located in Albuquerque New Mexico since 1999**
- **New Mexico Solutions is a nonprofit organization offering comprehensive community-based services that include but not limited to;**
  - **Outpatient individual and family counseling**
  - **Outpatient psychiatry and medication management services**
  - **Dual Diagnosed treatment and case management for those who suffer with co occurring disorders**
  - **Assertive Community Treatment for adults with chronic and severe mental illness**
  - **Intensive outpatient psychotherapy**
  - **Psychological Rehabilitation Services**
  - **Crisis Services**

# DUTIES OF A PRIMARY PARTNER: PHASE ONE PLANNING

## **Phase One: Planning (One Year: \$40,000)**

- Assist the County and other partners to plan, design, construct and equip a Crisis Center.
- Work with CHRISTUS, Presbyterian and other partners to secure MOA's and information sharing agreements.
- Work with Law Enforcement and EMS entities to develop criteria and protocols for client flow.
- Work with the County and HSD to respond to regulations being proposed by DOH/HSD for Crisis Center.
- Development of internal policies and procedures for the operation of a Crisis Center prior to opening its doors for services.

# PRIMARY PARTNER DUTIES: PHASE TWO OPERATIONS

## ■ Phase Two

### (A)

**Primary Partner begins partial operations and service provision to include but not limited to:**

- 24/7 Mobile Crisis Team
- Limited Navigation
- Information and Resources

### (B)

**Operations of the Crisis Center begins and service provision will include but not limited to:**

- Living Room Therapeutic Model
- 24/7 Mobile Crisis Team
- Screening and Brief Intervention
- Triage and Assessment
- Stabilization
- Pharmacy
- Transportation
- Respite
- Navigation
- Information and Resources

# MOVING FORWARD: KEY DECISION POINTS

- **Choosing a Primary Partner (February, 2018)**
- **Primary Partner contract to BCC (February, 2018)**
- **Choosing of a location for the Crisis Center (March, 2018)**
- **Feedback and ongoing work with DOH/HSD on Crisis Center Regulations (February, 2018)**
- **Procurement for Design/Bid vs. Design/Build/Bid (TBD)**
- **MOAs and Agreements with partners (Ongoing)**
- **Operations Begin (TBD)**