

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

March 28, 2017

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

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I. A. This meeting of the Santa Fe Board of County Commissioners was called to order at approximately 8:30 a.m. at the Santa Fe County Commission Chambers with Commissioners Hamilton, Hansen and Moreno in attendance, and immediately recessed to conduct an inspection of the Youth Development Facility.

The regular session was reconvened at 2:45 by Chair Henry Roybal in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

B. Roll Call

Roll was called by Laura Hernandez of the County Clerk's Office and indicated the presence of a quorum as follows:

Members Present:

Commissioner Henry Roybal, Chair
 Commissioner Anna Hansen, Vice Chair
 Commissioner Robert A. Anaya
 Commissioner Anna Hamilton
 Commissioner Ed Moreno

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance was led by Melissa Blaylock, the State Pledge by John Tennyson and the Moment of Reflection by Adam Bailey of the Finance Department.

I. F. Approval of Agenda

1. Amendments

2. Tabled or Withdrawn Items

CHAIR ROYBAL: Do we have any amendments, tabled or withdrawn items?

KATHERINE MILLER (County Manager): Mr. Chair, we did have some amendments from the initial posting of the agenda. A week ago last Friday we did add some amendments. On the Consent Agenda we added under III. B. Resolutions, item number 5 on page 2. Also on page 3, under Matters from the County Attorney, item VII. B, executive session, to include the collective bargaining agreement between Santa Fe County and Santa Fe County Firefighters Association and also potential action item, item VII. C, the approval of that agreement. And those are the only items that have been added since posting the original agenda. These were all added prior to the 72-hour deadline.

CHAIR ROYBAL: Okay. Thank you, Manager Miller. I had a couple of amendments. One was the Matters of Public Concern. I'd like to move that after the Consent Agenda and also item VIII. B, Presentations, I'd also like to move that after the Consent Agenda. Is there any other changes from the Board?

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: Did you note the public input? I didn't catch if you did. But I wanted to see if we could do a public input after approval of the minutes and then if we had some other people here that wanted to make public comment, do one before we go into executive, I would just suggest that as a possible amendment. I have a gentleman that came up from Edgewood and wants to make some brief comments and that's why I'm requesting that, Mr. Chair.

CHAIR ROYBAL: Okay, I did make that motion after Consent but we can move it up to after approval of the minutes. Is that where –

COMMISSIONER ANAYA: Consent is fine, Mr. Chair. I apologize. I didn't hear that, but Consent works. After Consent's fine.

CHAIR ROYBAL: Thank you, sir. So we have those changes. Is there any other changes from the Board? So what's the pleasure of the Board?

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

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: So we have a motion and a second.

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

I. G. Approval of Minutes

1. Approval of February 28, 2017, Board of County Commissioners Meeting Minutes

CHAIR ROYBAL: What's the pleasure of the Board? Commissioner Hansen.

COMMISSIONER HANSEN: I have some changes.

CHAIR ROYBAL: Okay. Go ahead and read those into the record.

COMMISSIONER HANSEN: Yes. On page 5 of the minutes, under Commissioner Hamilton is speaking, seven lines down, it says That's lost and I reconnect with those people. I think Commissioner Hamilton meant to say that's odd. So if we could make that change on page 5. And then on page 39, ten lines down we have Chair Roybal saying, Okay, do we have a second. Then Commissioner Hansen was inserted, so

we have a motion and a second. I believe all of that was said by Chair Roybal and Commissioner Hansen should be stricken from the minutes. So those are the only two changes that I saw.

CHAIR ROYBAL: Okay, thank you, Commissioner Hansen. Is there any other comments from any other Commissioners.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: I just want to thank Commissioner Hansen and confess that I don't read the minutes as detailed as she does but I greatly appreciate that she does and that you bring forth those modifications because I think it's important to accurately reflect the minutes. So I sincerely appreciate it.

COMMISSIONER HANSEN: Thank you, Commissioner Anaya.

CHAIR ROYBAL: I would ditto those comments. All right. If we don't have any other comments from the Board I'll go ahead and ask what's the pleasure of the Board?

COMMISSIONER HAMILTON: I move to accept the minutes as amended.

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

COMMISSIONER ANAYA: I'll second, Mr. Chair.

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

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

I. H. Employee Recognition

1. Recognition of New Santa Fe County Employees

MS. MILLER: Actually, Mr. Chair, I wanted to note first the new employees. In your packet under item H. 1 is recognition of new Santa Fe County employees and I just wanted to go through those real quickly. I don't know if any of them are here. Most of them are in our Public Safety Department and work different shifts so I don't believe that they are but if somebody is here and I mention your name please stand up and be recognized by the Commission.

In our ASD Department, IT, we have Jason Martinez, who is a new IT Generalist I. In Finance we have two new payroll specialists. We have Marie Martinez and Shana Vigil, and then in the County Sheriff's Office, as you can see we have four new cadets, Jason Carney, Alexander Haughney, Edgar Madrid, Kevin Miller, and a new Sheriff's Deputy II, Oliver McCartney.

In Corrections we have two new Detention Officers, Marvin Tapia and Aaron Ureste-Flores. In Fire we have a new secretary, Paulina Lujan, and I think about seven firefighter volunteers, and that is David Best, Alexander Garcia, Devin Henderson, Eric Louive, Hannah Reiter, Christopher Salas, Irvin Saldivar, Jeffrey Vigil. And then a custodian, Anthony Anderson in our Public Works, and a Maintenance Technician, Fabian Salas, and then Daniel Smith in Projects in Public Works, a Project Manager II.

Those are all our new hires in the month of February and I just want to welcome

them to the County.

CHAIR ROYBAL: Great. Congratulations to the new employees.

Welcome aboard. Commissioner Anaya.

COMMISSIONER ANAYA: Ditto, Mr. Chair. Welcome to all those new employees to the County.

CHAIR ROYBAL: Do we have any other comments from the Board?

COMMISSIONER HANSEN: Welcome.

COMMISSIONER HAMILTON: Absolutely, welcome.

COMMISSIONER MORENO: Welcome.

CHAIR ROYBAL: Okay. Great.

I. H. 2. Recognition of Years of Service for Santa Fe County Employees

MS. MILLER: Mr. Chair, then the other thing I just wanted to note that we do recognize employees who, while we recognize the new employees, we also like to recognize the employees who have been here and have met a milestone of a five-, ten-, fifteen, twenty-, sometimes 25-year mark with Santa Fe County. And that's a consecutive timeframe. While we have some people who have been here for a while and leave and come back these are individuals who have hit a year of service mark of five, ten, 15, 20 years in consecutive time. I just would like to congratulate them and thank them for their service.

In Corrections, we have Matthew Duran who is a case manager. An appraiser in the Assessor's Office, Herbert Gerstner, and Community Services Director, Rachel O'Connor. Training Coordinator in RECC, Randy Vallejos, and Truck Driver II, Richard Lopez in Public Works, they've all met their five-year anniversary just this past – actually most of them between March 12th and March 24.

And then in Fire, Fritz Fuchs is a firefighter/paramedic ten years with the County. In Corrections, Beverly Fernandez who's a detention officer, corporal, and Ardis Thomas, our CQI Coordinator, they all hit their ten-year mark with the County. And then in Public Works/Solid Waste, Dominic Martinez, who is a transfer station maintenance foreman who hit a 15-year anniversary with us last week.

So I just want to thank them for their service and continued commitment to the County.

CHAIR ROYBAL: I also would like to say thank you and congratulations on the years of service, and all the new employees, hopefully we're recognizing you as the years come on and you choose Santa Fe County to be where you make your career. Do we have any other comments from the Board? Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. Rachel, five years goes fast, doesn't it? Congratulations on your five years and to all the employees that have reached those marks. It just makes me feel good, the tenured employees that we have and the people that stick around. It's a good thing. We rely on that expertise and experience. So thanks to all of you and I see Mr. Gomez over there, Diego is here and then we lost him for a little bit but then we went and got him back. And so thanks to Mr. Kelley, Mr. Martinez and Ms. Miller. Thank you for bringing back people that do good things. So welcome back, Diego. You're not going to leave again, are you? This is on the

record. Just kidding. It's good to have those tenured employees and the new employees as well. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Anaya. Do we have any other comments from the Board?

COMMISSIONER HANSEN: Just congratulations. Even in my short time here I've really enjoyed working with Rachel, so thank you for your service.

CHAIR ROYBAL: Thank you. Any other comments? Okay, thank you, Commissioners.

III. Site Visit and Inspection of the County Juvenile Detention Facility Pursuant to NMSA 1978, § 33-3-4

CHAIR ROYBAL: We did go out earlier and do the visit and maybe we could have just a summary of how that visit went today. Manager Miller or Attorney Shaffer.

GREG SHAFFER (County Attorney): Mr. Chair, we did conduct an inspection of the Youth Development Program today. In attendance were Commissioner Hansen, Commissioner Hamilton and Commissioner Moreno, as well as myself and the Assistant County Attorney, Cristella Valdez, as well as staff from the Youth Development Program. A report of the inspection will be presented to the Board within the month of April, concerning the areas inspected and the observations made, but overall, I think that the inspection went well.

CHAIR ROYBAL: Thank you, Mr. Shaffer. I know that in years past – I didn't have the opportunity to go today but in the years past they always did a great job with that tour. So is there any other comments from the Board?

COMMISSIONER ANAYA: I have one.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I was not able to go today or to the Adult. Those are the first two that I've missed but I appreciate my colleagues were in good hands. Like Allstate over here. So I'm glad they were able to go and conduct the inspection and I thank my colleagues for going that were able to go. Thank you.

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

COMMISSIONER MORENO: We toured the facility. The director is here. Thank you for the sobering experience. It tells me that we really need to fix how we treat children in this county and good luck and we'll support you in any way that I can do. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Moreno. Is there any other comments from the Board?

III. CONSENT AGENDA

A. Miscellaneous

- 1. Approval of County Health Care Assistance Claims in the Amount of \$24,124.24 (Community Services Department/Kyra Ochoa)**

B. Resolutions

1. **Resolution No. 2017-26, a Resolution Establishing a New Capital Fund (310) for the Transfer of Development Rights Bank and Requesting an Increase to the Fund (310) of \$40,000 to Budget an Operating Transfer from the General Fund (101) for the Santa Fe County Transfer of Development Rights Bank (Finance/Don Moya)**
2. **Resolution No. 2017-27, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget One (1) Grant Awarded through the US Marshals SWIFT Task Force / \$2,846 (Finance/Don Moya)**
3. **Resolution No. 2017-28, a Resolution Authorizing the County Attorney to Bring Condemnation and Other Appropriate Court Actions to Acquire Property Interests Needed to Commence Construction of the Santa Fe River Greenway Project Within the Frenchy's Field to Siler Road Segment by July 1, 2017 (County Attorney's Office/Gregory S. Shaffer)**
4. **Resolution No. 2017-29, a Resolution Delegating to the County Manager the Authority to Negotiate and Execute a Tolling and Reservation of Rights Agreement *[Exhibit 1: Revised Packet Material]***
5. **Resolution No. 2017-30, a Resolution Delegating to the County Manager the Authority to Execute an Amendment to the Professional Services Agreement Between Santa Fe County and Montgomery & Andrews, PA *[Exhibit 2: New Packet Material]***

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

COMMISSIONER ANAYA: I move for approval, Mr. Chair.

COMMISSIONER HAMILTON: Second.

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

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

[Clerk Salazar gave the numbers for the resolutions and ordinances throughout the meeting.]

V. MATTERS OF PUBLIC CONCERN

CHAIR ROYBAL: Commissioner Anaya, I believe you had somebody that wanted to talk today.

COMMISSIONER ANAYA: Mr. Chair, Mark is here from Edgewood, so Mark, the floor is yours.

MARK WINSCOTT: Thank you, Mr. Chair and the Commissioners for hearing me today. My name is Mark Winscott. I live at the southern end of the County,

down close to Frost Road towards Edgewood for reference. I'm here to voice an opinion on the Ordinance 2014-10, which is three or four years ago. It concerns the solid waste schedule and the cost of permits within that schedule. Currently for the next year and two years from now, the solid waste permit is going to go up 30 percent and then 27 percent respectively. And I am of the opinion that the Board is wanting to keep the County, or get it into and keep it into a growth style instead of a stagnated style, keeping the economy going, keeping and getting more people to work, that kind of thing.

I see these rates in this particular item as a financial hardship both on the people and myself in this county and therefore I'm asking the County, or the Commissioners, you guys, if you would consider adjusting this schedule in that ordinance to one that is more flat, which means for a permit right now, a 12-trip permit the cost right now is \$85 for this year. Like I said before, it goes up 30 percent next year, 27 percent the year after. And so I would request that the Commissioners consider holding that fee constant, at least for the next five years, to allow, to help some of the folks in the county and to as a measure to try to boost or encourage people to move into the county and/or to increase the economy and make it better than it certainly has been the last five years. So that's my opinion. That's my request. Right now if you buy the permit for the solid waste it's got 12 punches on it, and like I said it's running \$85. If it would be within you all's good graces I'd like to see that revert back to a 24-punch ticket, but anything would be appreciated. Any questions?

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I've not been shy or quiet on the Commission about wanting to see stagnant transfer station fees and even lower transfer station fees. I had several conversations. Mr. Barela had several conversations with Mark over quite some time now and I told Mark, I said why don't you come to the Commission meeting and voice your concern. And I would just put this out to anybody, not only on this matter but any matter. This Commission meeting is not our meeting, it's the public's meeting. So anybody has the opportunity to come before this Commission to provide their perspective and provide us feedback. Understandably, we have a lot and a wide array of perspectives and differing perspectives, but I greatly appreciate your feedback. I didn't coach you to come here. You provided that feedback to me over some time. I said we actually agree in large part on this particular item. But I also wanted to just point out, to thank you for coming and to also encourage any member of the community across the whole county to come and speak to the Commission on any matter that they're concerned about. It's your right and it's your privilege and you're entitled to come here. So we're glad you're here. Thank you for the feedback and the input.

We're actually going to be broaching the topic of the ordinance itself. I know Commissioner Hamilton has brought up some items that she wants us to take a look at. So it's something that we're actually going to see in the not too distant future. So thank you so much for your feedback. We'll let you know and the public know when we're going to have hearings that relate to this particular item, but I appreciate the input. Thank you, Mr. Chair. Thank you, Mark.

CHAIR ROYBAL: Do we have any other comments from the Board? I do have another comment. First of all, I'd like to say thank you, Mark for being here today

and I want to say on the record that I've had several calls from constituents in regards to the same subject where they feel that the cards are getting too expensive. I know they went up recently. So I did ask because I knew it didn't come before the Board but I guess there was something built in, which you just explained earlier which it is going up. So I think it is something that we need to look at and consider. So I appreciate you bringing this topic up today, so thank you for being here sir. And I would like to encourage the public that have similar requests or situations that they would like to bring forward to the Commission as well. Thanks again, sir. Appreciate it, and thank you, Commissioner Anaya for your comments.

VIII. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

B. Presentations

1. Presentation on and Recognition of the La Puebla Volunteer Fire District

DAVE SPERLING (Fire Chief): Thank you, Mr. Chair, Commissioners. It's my honor to introduce La Puebla Volunteer District Chief, Joseph Sandoval to five a presentation on the La Puebla District today. Joseph has been with the Santa Fe County Fire Department for 15 years and he's been the district chief in La Puebla for the last ten. Does an outstanding job and with that I'll turn it over to Joseph.

JOSEPH SANDOVAL: Good afternoon, Mr. Chair, Commissioners. My name's Joe Sandoval. I'm the district chief for La Puebla Fire District. I serve the northern part of Santa Fe County into Rio Arriba and also the City of Espanola. So we're a very busy district. We're ISO Class 4. We also run a paramedic unit out of our fire station so we are extremely busy up in the north.

We right now, our call volume has extremely gone up right now from last year. We're probably over 100 calls from last year so we're an extremely busy district. Again, like I say, we do cover a lot of different areas within the northern region. Also, our needs for our department, with our huge call volume I'd like to see more staffing up in the northern region to help us accomplish emergency services for our taxpayers. I think it's very crucial and important to fulfill the emergency response to our taxpayers. Do you guys have any questions?

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, Chief, we appreciate what you do, day in and day out. You and your whole team. We're honored to have you here. I want to say a clarifying point. The last gentleman that got up I said it's a privilege for him to be here but what I mean is it's a privilege for me to be here and for people like yourself and Mark and the public to come and speak and to do the things that you do day in and day out. So I very much appreciate the commitment. I understand the commitment and have lived the commitment but greatly appreciate what you do day in and day out and your whole team, those countless hours. I say it over and over again, because it matters that much. When everyone's asleep and everyone's comfortable in their homes is when your pagers go off and when those pages go off, your primary goal is service, and you do it. You go out there and volunteer to go help people in their times of their highest

need. And so I don't forget about it. I appreciate it and I'm glad you're here and thank you so much.

DISTRICT CHIEF SANDOVAL: Thank you, Commissioner.

COMMISSIONER HAMILTON: Mr. Chair.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: So you let a lot of things slip under the radar that I think the other Commissioners would really be interested in hearing. First of all I want to point out that Chief Sandoval's is one of the first districts to really work and get a much lower, much better ISO rating, and that was with – you said the words high call volume a few times but I think you should mention just how many calls when you average it out to calls per day and how many people respond to that. Because that just shows a level of effort that you guys put out that is phenomenal.

DISTRICT CHIEF SANDOVAL: Again, it's a lot of man-hours. ISO requirement, it's tough to meet those requirements. It's a nationwide thing and we're in competition with big cities so it's a big accomplishment to get an ISO 4, 1 being the lowest. So we've worked our way. We were a 6, so back in April we went down to a four so it is a big accomplishment for our department to achieve that goal.

COMMISSIONER HAMILTON: It puts them in the top 14 percent. So how many calls did you do last year?

DISTRICT CHIEF SANDOVAL: Last year we were about 640 calls.

COMMISSIONER HAMILTON: That's like two calls a day, guys. For volunteers, that's pretty cool.

DISTRICT CHIEF SANDOVAL: And actually, I pulled a report, we're about 100 calls more this year from last year so again, are calls are increasing. A lot of hard man-hours dedicated from our volunteers.

COMMISSIONER HAMILTON: Thank you.

CHAIR ROYBAL: Thank you, Chief Sandoval. Again, I've had the opportunity to come to meetings at the fire station and as you mentioned earlier and I always mention this, that I went to the pre-meeting for the ISO and I'll continue mentioning it because I was just so impressed with all the hard work and dedication that you and your volunteers have to put through, and our staff as well, but it's really commendable as a volunteer, all the time and effort that you put in. Words alone can't express the amount of gratitude and just the amount of service that you give the community. It's very hard to even put it in words how much gratitude there is for your service. So I really appreciate it and thank you sir. Do we have any other comments? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you so much for your service because it is clearly very hard work to protect our citizens. I'm grateful. Thank you.

DISTRICT CHIEF SANDOVAL: Thank you.

CHAIR ROYBAL: Commissioner Anaya, you have something else?

COMMISSIONER ANAYA: I was just going to say we never change. We get a little older but we never change. We also want to take pictures with firefighters. I'd be honored, Mr. Chair, if we could take a picture with the Chief. I know usually we have several.

CHAIR ROYBAL: And I think Chief Sperling had something else as well,

and then after that we'll go down and take a photograph.

CHIEF SPERLING: Thank you, Mr. Chair and Commissioners. I know Joseph won't do this himself but I did want to give him a shout-out for doing an outstanding job as a leader in the north of Santa Fe County. He sort of transcends the La Puebla District and really does a great job leading his volunteers, speaking on behalf of the volunteers in the north. And I've taken great pleasure in my tenure with Santa Fe County in working with him. He's a real stand-up individual and his district members follow his lead and do a great job. So I just wanted to pass that along because I know he's not going to say it.

CHAIR ROYBAL: Thank you for those words.

[Photographs were taken.]

IV. ACTION ITEMS

B. Appointments/Reappointments/Resignations

1. **Appointment of Two Members to the Health Policy and Planning Commission: One Member from District 2 and One Member from District 5**

PATRICIA BOIES (Health Services Director): Good afternoon, Mr. Chair, Commissioners. I staff the Health Policy and Planning Commission and I'm bringing before you today two appointments to the Health Policy and Planning Commission, the HPPC, one in District 2. Her name is Sophie Andar, and the second in District 5. Her name is Laurie Glaze, and you have in your packets their résumés. The both come with a lot of public health and health education experience and I recommend their appointment.

CHAIR ROYBAL: Okay, do we have questions from the Board? Seeing none, what's the pleasure?

COMMISSIONER HAMILTON: I was just going to comment, I was very impressed with the résumés.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. I thought the résumés were very good résumés as well. Commissioner Hansen, do you have something?

COMMISSIONER HANSEN: I was just going to make a motion to move that we appoint Sophie Andar and Laurie Glaze to the HPPC Board.

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

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

The motion passed by unanimous [4-0] voice vote. [Commissioner Anaya was not present for this action and tendered his votes on the following matters retroactively. See page 27.]

IV. B. 2. Appointment/Reappointment of Six Members to the County Fair Board

ANNA BRANSFORD (Program Manager/Community Services): Good afternoon, Mr. Chair, Commissioners. I serve as County liaison to the County Fair Board. The ordinance No. 2000-5 establishes our duties, powers and procedures to the board, including the appointment and composition of the board members. As of December 31, 2016 we had six members whose term expired. That is Teri Werner, Eric Sanchez, Gary Runer, Karen Paige, Karolyn Wilson and Jeff Boulware. Jeff Boulware actually chose not to seek reappointment. He got a new job and resigned in a letter to the board at our January meeting.

So pursuant to our bylaws they took nominations and voted on someone to submit to the Commission. That person is Lisa Boulware. She has been a very active member of our association. Teri, Eric, Gary, Karen and Karolyn have all been members of the Fair Board. Teri and Eric have served as chairperson and co-chairperson. So today we're asking that those members be reappointed and Lisa Boulware be newly appointed to the Fair Board. Now I stand for questions.

CHAIR ROYBAL: Do we have any questions from the Board.
Commissioner Hansen.

COMMISSIONER HANSEN: I had the pleasure of meeting with Jackie Baca yesterday, who runs the 4-H and she spoke very highly of everyone on the board and it was really nice to hear about her programs and I just wanted to give her a shout-out. We were working on this and with that I will move to approve the members of the board, Teri Werner, Eric Sanchez, Gary Runer, Karen Paige, Karolyn Wilson and Lisa Boulware to the County Fair Board.

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

COMMISSIONER HAMILTON: I'll second.

CHAIR ROYBAL: We have a motion and a second. I just want to make a quick comment as well. My son does participate in the 4-H as well so I've had the opportunity to work with a lot of the individuals that are here, and Karen Paige in particular. She does a great job with the Northern Stars out of the Pojoaque area. My son is a member of that chapter and they do a great job. We always need to keep in mind – we were just recognizing the Fire Department for their volunteers but the volunteers that are here, they don't get paid to do this but they do a great job and they keep these programs going. They are programs that are available to our kids that teach them responsibility, teach them leadership. There's a lot of great opportunities in the 4-H so I just want to commend these volunteers for their hard work. And with that, we did have a motion and a second.

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

IV. B. 3. Appointment of Two Members to the Santa Fe County Water Policy Advisory Committee

TONY FLORES (Deputy County Manager): Thank you, Mr. Chair. Good afternoon, Commissioners. I'm happy to say we're getting closer on getting a quorum for the Water Policy Advisory Committee. We've brought back a couple of resignations over the past three months and today we're bringing back two more members for recommendations to serve in the District 4 seat. Staff is recommending Dr. Jesse Roach. In the Soil and Water Conservation seat we are recommending Mr. Shann Stringer to fill that position. These again are for the Water Policy Advisory Committee. It's a 12-member body established to provide recommendations to the Board on a myriad of water related issues. So Mr. Chair, I would recommend the appointment of those two individuals. And I stand for questions.

CHAIR ROYBAL: Okay, do we have any questions from the Board?

COMMISSIONER HAMILTON: I have a couple comments.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: I know both of these individuals. I actually strongly encouraged them to apply. They're both well qualified. They bring great professional backgrounds for this. And I think it's really important because I think I've mentioned to the Board before, to my fellow Commissioners, that the Water Policy Advisory Committee has served a really valuable function and part of the reason it functions so well, aside from getting direction and working so well interactively with the BCC is because of the membership and it has had a very strong membership and I think some of the people that were appointed previously and with the addition of these two are starting to rebuild a very strong, professional, highly qualified group, which I think will be to our benefit.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. Any other comments from the Board?

COMMISSIONER MORENO: A question. You need a person in District 4. Are all the districts populated?

MR. FLORES: Mr. Chair, Commissioner Moreno, that's a good question. I was going to bring it up after the Board acts on these two vacancies and again remind the Board and the public that we still have a vacancy in the small water system/mutual domestic for District 1. We have a vacancy from the Estancia Basin Water Planning Committee, which is District 3. We have a vacancy in the Central Planning Region, which is District 5. We have a vacancy for the District 2 representative and we have a vacancy for the District 3 representative. So we still lack five members to complete the 12-member board.

COMMISSIONER MORENO: Okay.

CHAIR ROYBAL: Thank you for that information. Any other comments from the Board? What's the pleasure of the Board?

COMMISSIONER HANSEN: I'll make a motion. I move to approve Dr. Jesse Roach and Mr. Stringer to the Water Policy Advisory Board.

CHAIR ROYBAL: Okay, we have a motion from Commissioner Hansen to approve the suggested individual that Deputy Manager Tony Flores has recommended.

Do I have a second?

COMMISSIONER MORENO: Second.

COMMISSIONER HAMILTON: Second.

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

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

IV. B. 4. Appointment of Citizen Member to the Santa Fe County Audit Committee

MR. FLORES: Thank you, Mr. Chair. To take the Board back a couple of months, in November of 2016 the BCC amended and replaced a resolution establishing the Internal Audit Board or Committee, the Santa Fe County Audit Committee. At that time the changes reflected the inclusion of two Board of County Commission members which in January of this year, as part of the overall Board designation of boards and committees, Commissioner Hamilton and Commissioner Hansen both sit on that Santa Fe County Audit Committee. With the changes that were done in November the Board has to take applications or nominees to fill the citizen member position.

We're bringing forward today the name of Ms. Teresa Martinez, who's the former Santa Fe County Finance Director to serve in that position of the citizen member of the Santa Fe County Audit committee. And with that, Mr. Chair, I'll stand for questions.

CHAIR ROYBAL: Do we have any questions from the Board?
Commissioner Hamilton.

COMMISSIONER HAMILTON: Just that once again this seemed to be a highly qualified, impressive résumé and good applicant for this position.

CHAIR ROYBAL: Okay, so what's the pleasure of the Board?

COMMISSIONER MORENO: I move to approve. Do I hear a second?

COMMISSIONER HAMILTON: Second.

CHAIR 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.]

IV. C. Resolutions

1. Resolution No. 2017-31, a Resolution Authorizing the County Manager to Negotiate and Execute All Agreements Up To and Including the Construction Contract for the Planned Additions and Renovations of the Agricultural Extension Office Located at the Santa Fe County Fairgrounds

MARK HOGAN (Public Works): Thank you, Mr. Chair, Commissioners. Projects Division makes this request in order to further the execution of the contract at the fairgrounds. There's two reasons why we're motivated to get this moving as quickly

as possible and we get about a three-week advantage if the County Manager is authorized to negotiate and sign. But the first is that we have a 2013 grant for a portion of this project – I think I outlined this in the packet – that we need to spend by June 30th and so I want to give the contractor every opportunity to make sure we're meeting that threshold.

And the second one is we have the fair, which there'll be some crossover in the construction period with the fair so we have to secure the facility and the sites. We'd like to get as much of the big construction done prior to that as possible. So with that I'll stand for questions.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: How large will this facility be? How many square feet?

MR. HOGAN: That's a good question and I didn't bring the facts with me on that. I'd be happy to get back with you on that. There's the existing facility which we're renovating, and then we're doing an additional – I'm going to guess it's 2,200 to 2,300 square feet, but I'd like to confirm that. So the combined facility will have more meeting space, new, renovated bathrooms, and a demonstration kitchen as well.

COMMISSIONER HANSEN: Will the kitchen be a commercial kitchen?

MR. HOGAN: Yes. It's actually both commercial and residential grade fixtures as well because they use it as a training, demonstration kitchen.

CHAIR ROYBAL: Okay, do we have any other comments from the Board? Commissioner Hamilton.

COMMISSIONER HAMILTON: Is there anything else about the timing between now and June 30th that gives you concerns in terms of getting things in place and getting appropriate levels of work done that will expend the money effectively but not create other rush problems?

MR. HOGAN: Mr. Chair, Commissioner, it's a tight enough time frame where we always believe that Murphy's Law is in play and so we don't want to be put in a position where we're having to go to extraordinary measures. So it's a tight enough window that we thought that it might be an important advantage.

CHAIR ROYBAL: Okay, any other questions from the Board? Comments? Okay I would like to just say I think this is going to be a great project. I think it's well overdue. It's something that's needed. I think the 4-H uses it and many other groups, I believe. Is that correct, Mark?

MR. HOGAN: It's used by the University of New Mexico – or New Mexico State for all kinds of educational programs running from youth to seniors and everything from gardening to agricultural practices, home demonstrations, home economics. It's a very extensive program.

CHAIR ROYBAL: I'm glad to see this moving forward. Thank you, Mr. Hogan. And what's the pleasure of the Board?

COMMISSIONER HANSEN: I move to approve.

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

COMMISSIONER HAMILTON: Second.

COMMISSIONER MORENO: Second.

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

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

IV. C. 2. Resolution No. 2017-32, a Resolution Requesting a Net Budget Increase to Various Capital Project Budgets to Realign the FY2017 Budget / \$2,878,737

DON MOYA (Finance Director): Thank you, Mr. Chair, Manager Miller and Commissioners. This BAR represents primarily carryover of capital projects from the previous fiscal year as it explains we spend the first part of the year reconciling and tying back to the original amounts that were allocated by the Commission. We're also undergoing at the Manager's direction a huge cleanup and reconciliation of the capital projects. This represents a large portion of that. So I stand for questions.

CHAIR ROYBAL: Okay, do we have any questions from the Board? We don't have any questions, so what's the pleasure of the Board?

COMMISSIONER HANSEN: I move to approve.

CHAIR ROYBAL: We have a motion for approval.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: And a second from Commissioner Hamilton.

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

IV. C. 3. Resolution No. 2017-33, a Resolution Requesting a Budget Increase to the Enterprise Water Fund (505) for a Refund of Pre-Bill Credits Remitted by Santa Fe County to the Buckman Direct Diversion Project from 2011-2014 /\$571,026.00

MR. MOYA: Thank you, Mr. Chair, Manager Miller and Commissioners. I think it's pretty self-explanatory. Again, this is a refund of pre-billed credits that we received from the BDD based on a previous agreement. Since it's changed they are now refunding that amount of \$571,000 which we will be rebudgeting partially to pay for some water emergencies in Nava Ade and to replenish a portion of the fund that was used for the water rights agreement with the City. I stand for questions.

CHAIR ROYBAL: Do we have any questions from the Board? Seeing none, what is the pleasure of the Board?

COMMISSIONER HAMILTON: I move to approve.

CHAIR ROYBAL: We have a motion for approval. Do I hear a second?

COMMISSIONER MORENO: Second.

CHAIR ROYBAL: We have a second from Commissioner Moreno.

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

V. MATTERS OF PUBLIC CONCERN

CHAIR ROYBAL: I want to go back to Matters of Public Concern. I want to call one more time since we did have that earlier. Is there anybody here from the public that would like to address the Board? Okay, seeing none, I'm going to close Matters of Public Concern and move on to item VI.

VI. MATTERS FROM THE COUNTY MANAGER

A. Miscellaneous Updates

MS. MILLER: Mr. Chair, Commissioners, the first one, we had a little bit of discussion when we were in the Housing meeting, because if we move one meeting, likely we need to move them both. So the first item I had is that on April 25th is our regularly scheduled second meeting of the month and on April 25th I'm aware of two Commissioners that will be out of town and not available. And I was hoping that rather than risk now having a quorum for the April 25th meeting if anything else were to happen where another member of the Board might not be available for the entire meeting, that we move the regularly scheduled April 25th meeting to May 2nd. That is the following Tuesday and to my knowledge, although I have not had an opportunity to speak to Commissioner Anaya, to my knowledge, that was the date that everybody was available and that we could also have our second budget study session with the Board on that day. And we would subsequently move the Housing meeting as well. So if we move this regular BCC meeting we would also move the Housing meeting.

CHAIR ROYBAL: Any comments from the Board? I think we all kind of agreed we were okay. Commissioner Hansen.

COMMISSIONER HANSEN: Do we need any motion?

MS. MILLER: Mr. Chair, I don't, as long as I know that everyone's schedule is good with that. We will renote the meeting from April 25th that it's changed to May 2nd. We will also do the same for the Housing meeting and then we will put out any notice for any budget study session if it's at a different time.

COMMISSIONER HANSEN: Thank you.

MS. MILLER: That kind of is a good segue right into the FY 18 budget calendar. What we currently have and are proposing for the Board's consideration, and I just want to make sure that I had the opportunity to discuss this with you that on April 11th would be our first budget study session. We would do a working session. We don't take any official budget action but we go through briefing the Board on what we see are major challenges and opportunities going into the budget cycle, that that would be April 11th from 12:00 to 2:00, prior to our regularly scheduled meeting.

And then at that point, as I said, we would also reserve May 2nd for a follow-up budget study session, and then May 9th, potentially 12:00 to 2:00, another budget study session. It's really typically we do two to possibly three study sessions to make sure that we've addressed all of the issues in the upcoming budget, and then we bring the budget back for interim approval on the last meeting of May. That particular meeting, it's very difficult for us to make any changes to the interim budget because we are submitting it basically the next morning to DFA, but you would have an opportunity in June to make

changes to the final budget before that is submitted by the end of June.

So that's the next follow-up is May 30th, would be our regular BCC meeting where we would request approval of the interim budget, and then we send that to DFA. It has to be in to them by June 1st, and then the final approval of the FY 18 budget would need to be done at the June 27th meeting. So we would reserve that first meeting in June for any potential adjustments that you would want from the interim to the final budget, bring you the final budget on June 27th for approval. That's another one where we can't make major changes because we're pretty much submitting it the next day, because it is required to be in to DFA before the July 1st.

Then they subsequently return to us any comments or concerns they have that we need to approve in July and hopefully by the end of the July give us final budget approval. We do post our budget July 1 and work off of that, recognizing we may have to make some changes if DFA requires them.

So that's our budget calendar and I wanted to just make sure that works with everybody's schedule.

CHAIR ROYBAL: Okay, Manager Miller. Commissioner Hamilton has a question.

COMMISSIONER HAMILTON: Quick little question. If we do – are we going to put this second budget study on May 2nd? Or May 9th? I was just wondering the times, since we would have a 1:00 meeting. I was just wondering what you were thinking.

MS. MILLER: Mr. Chair, Commissioner Hamilton, we hadn't initially – because I wasn't really sure what we were going to do with this. I didn't put that on the schedule, but what we could do is do April 11th from 12:00 to 2:00, May 2nd, 12:00 to 2:00, and then reserve May 9th.

COMMISSIONER HAMILTON: We can't really do May 2nd 12:00 to 2:00. We could do it 11:00 to 1:00. Because then we have Housing

MS. MILLER: I'm sorry. 11:00 to 1:00.

COMMISSIONER HAMILTON: Okay, that might be a good idea.

MS. MILLER: I can send you out the notices of the potential times, but that was what I was thinking and we could do a morning one and then reserve May 9th as the one if we need it.

COMMISSIONER HAMILTON: Sounds good. Thank you.

MS. MILLER: Does that work with everybody's schedule, if we do it that way? Okay. So that's what we'll do then. We'll make a study session April 11th, a study session the morning of May 2nd, and then we will reserve May 9th only if we need that additional study session.

CHAIR ROYBAL: Okay. Thank you, Manager Miller. Do we have any other questions from the Board?

MS. MILLER: Okay on that one. I have a couple other miscellaneous updates on Community Services. As you know, we've been holding some Community Services Health townhall meetings. They're hosting a series of them. I think we've done – I believe we've done three. We have a total of five because I think there is one today at the Bennie J. Chavez Center. Then there's two remaining after that. That's April 5th on school health. It's 3:15 p.m. at the Pojoaque Middle School Auditorium, and then April

13th, general and senior health, that's at 12:30 April 13th at the Edgewood Senior Center.

So the purpose of these meetings or forums trying to do a gap analysis throughout the county, intended to gather information from the consumers on their health needs, and identify any unmet needs. These help populate our health strategic plan and also we've held forums so far on behavioral health and other senior health issues.

Then the Animal Control Ordinance Advisory Committee, on March 14th. The Board did establish the Animal Control Ordinance Advisory Committee, which is comprised of seven members, one member from each Commission district, one member who shall offer informed input into human restraint of dogs, and one member who shall offer informed input in regulating barking. If you have any suggestions on committee members, either from your individual districts or the two at-large members, please provide them to our office so that we can work on bringing forward recommendations to the Board as soon as possible. Additionally, we will advertise for that but if you do have individuals who have expressed an interest to you, if you would pass their names onto us. We'll make sure that we contact them and interview them for participating on that committee.

And then with that, Mr. Chair, those are all my miscellaneous updates and I'd like to turn it over to Tony and Hvtce on the legislative updates.

VI. B. Legislative Update [Exhibit 3: Report]

1. Discussion of, Direction on, and Possible Vote of Support for or Opposition to Bills Passed by the Legislature During the First Session of the 53rd Legislature of the State of New Mexico

HVTCE MILLER (Intergovernmental Coordinator): Good afternoon, Mr. Chair, Commissioners. Provided to you earlier is a copy of a report with the Orange County logo here and I can briefly go over what's contained in the report for you. Starting on page 2 there's a list of dates there that are important to take note of because that will reflect what will be happening within the coming weeks regarding legislation that was passed.

The first Friday in April, the 7th, is the last date for the Governor to act on any legislation that was passed through both houses and if she doesn't then it just automatically dies and then the next following date there is June 16th. That lets you know the effective date of legislation that was passed and signed. So anything without a specific date in the legislation, that's when that will go into effect.

Below that are the statistics for the bills that were passed, and as you can see, in the top table there, currently there's only 29 items which have been signed into law out of – passed through both houses there was 311 items. So there are still a lot of items that are pending.

Starting on page 3 is the list of everything that is currently signed right now. No real big pieces of legislation contained within that group of signed items right now. The next section starts on page 8 and that's the vetoed items. There's ten items contained here and I just wanted to mention there's a unique situation that's currently in play and that is that there are three Senate bills which were I would say had their veto rejected in the Senate and those items are Senate Bill 6, Senate Bill 67 and Senate Bill 134. So those

items are currently kind of in limbo right now. They're not signed, chaptered, and they're also not listed as vetoed items. I believe the next stop for these items will be in the court system to see what will become of those particular items.

Senate Bill 67 relates to a TID notification that the Treasurer's Office was supporting and it had passed and it was sent up and it was given language that wasn't reviewed by the legislative council services as sufficient to provide a veto, according to the state statute standards. So those items – we'll have to wait and see what goes on in those particular items as they go on.

The last section here is the NMAC-backed legislation and that starts on page 10. On page 10 we have House Bill 174 related to elections that had passed both houses waiting for signature. Also we have House Bill 175 waiting on signature. House bill 321 also shown on page 11 that has been signed. Page 14 there's Senate Bill 46 that has now passed and signed as well. Page 16 you have Senate Bill 317, passed and signed. And I think that completes the passed and signed items within there.

But the big item which we have been speaking about in the previous presentations is the budget and tax changes within the state and what's currently going on is the version of the state budget that was passed by the Senate and House and will be going to the Governor most likely will not be enacted and won't be signed. She's stated that she doesn't want any new taxes and doesn't want to increase that burden on the citizens within the state. So there's also been mention of a special session which is supposed to be called to fix out the budget situation and the tax situation that is occurring currently within the state.

So what that means for the County is that currently no hold-harmless changes, no changes to the safety net care pool or any other state budget items that would be related to the County are still in limbo right now. So once the special session is called Mr. Flores and I and Rudy will make sure to let you know when that will occur and we'll be back at it, seeing what we need to do to make sure no detrimental changes occur for the County here and its financial issues. With that, that summarizes things right now. Mr. Flores.

MR. FLORES: So Mr. Chair, just a couple of other points of interest. Senate Bill 462, which was introduced by Senator Cisneros included a \$9.1 million appropriation to the Indian Water Rights Settlement Fund which was to deal with some of the state's contribution to Aamodt. That piece of legislation did not make it into this round of bills that got through both sides. That's important because that was the state's continuing obligation to pay under the settlement or funding agreement. So I wanted to point that out.

Also Senate Bill 362, which was the reauthorization of prior severance tax bond projects did make it through committees and we're still waiting to see if that bill will be signed into law. That was important to many ditch associations in Santa Fe County because what it does is reauthorize aged severance tax bond funding for those projects that have not been completed. So those are two pieces of legislation that we continue to monitor but we know for sure there is no Aamodt money in the current legislation that is moving forward to the Governor.

The other item dealing with annexation which was Senate Bill 98 introduced by Senators Martinez and Cisneros also did not make it to the House floor for votes so that piece of legislation, from my words, died during this session.

COMMISSIONER HAMILTON: Which one was that?

MR. FLORES: Senate Bill 98, Mr. Chair. That was the annexation bill.
And with that, Mr. Chair, Commissioners, we'll stand for questions.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: I wonder if it might be useful for us to have input from you and the County Manager and the Attorney at some point about what the implications of the lack of state funding for Aamodt will be for our moving forward with the process. We might just want to get that on the schedule.

MR. FLORES: Mr. Chair, Commissioner Hamilton, that is the intent. We have some continuing dialogues occurring, but I did want to point that out because that is one of those pieces of legislation that does have an impact on us. We discussed this yesterday during our pre-meetings for today about trying to get an agenda item on, probably in the next meeting to be able to update the Board on what that implication means to Santa Fe County and how that continues the ball moving forward.

COMMISSIONER HAMILTON: I appreciate it, because I'm also concerned that we might be facing a similar discussion with regard to ongoing federal funding, because I know not all levels of federal funding were approved and almost certainly might be in some jeopardy, depending on what goes forward on the federal level.

MR. FLORES: Mr. Chair, Commissioner Hamilton, there are two pieces of legislation that we continually monitor from the federal side. That's the PILT, or payment in lieu of taxes, and our Secure Rural Schools program which gives funding to Santa Fe County for offsetting taxes that the federal government owns lands of and also funds the safe rural schools. So that is continual legislation that would be impactful if that does not move forward. This is the time of year that we always get the call to action for those two pieces of federal legislation, so we will continue to apprise the Board of those actions or non-actions.

CHAIR ROYBAL: Commissioner Hansen, did you have something?
Commissioner Moreno, did you have anything? No. Okay. Thank you guys.

VII. MATTERS FROM THE COUNTY ATTORNEY

A. Presentation of Jail Inspection Reports

- 1. Report of February 9, 2016 Inspection of Santa Fe County Adult Detention Facility and Youth Development Program**
[Exhibit 4: 2016 Report]
- 2. Report of February 28, 2017 Inspection of Santa Fe County Adult Detention Facility** *[Exhibit 5: 2017 Report]*

MR. SHAFFER: Thank you, Mr. Chair, Commissioners. As you know, Section 33-3.4 NMSA 1978 requires the governing body of the County to annually conduct a site visit to the jail or detention centers under its jurisdiction so as to inspect the overall conditions at the facility. Following that site visit an inspection report is to be presented at a regular meeting of the governing body.

As the County Clerk suggested be done back in February, I did want to make a short statement on the record relative to the purpose of the inspection which again is not

to formulate public policy or discuss public business or take action. Rather the purposes of those site visits and inspections are to view and inspect the facility, gather information concerning facility operations and make a report of the inspection. Again, as indicated, the reports are to be presented at a regular meeting, which I understand to mean that they are publicly available and made part of the governing bodies meeting minutes.

So two reports are being presented today and were included in the packet that is in front of you and that was also available on line to the public. First, there's a catch-up report for last year's inspections of the Adult Detention Facility and the Youth Development Program and second there is a report from the February 28, 2017 inspection of the Adult Detention Facility. You'll notice a difference in the format of the two reports. The report for last year was more narrative in form. This year's report uses a checklist format that was developed by the New Mexico Association of Counties to assist with such site inspections and visits. Use of the checklist format both streamlines the development of the post-inspection report and helps ensure that the inspection is both comprehensive and focused in its scope.

So with that I would stand for any questions concerning the content of the reports, but again, they are included in the packet and will be made available or have been made available to the public and will be part of the meeting minutes and record of today's meeting, so I would not propose to go over them verbatim.

CHAIR ROYBAL: Okay, did we have any questions or comments from the Board? Seeing none, we can go on now to executive session.

MS. MILLER: Mr. Chair, could I just request one thing before we do that?

CHAIR ROYBAL: Sure, Manager Miller. No problem.

MS. MILLER: I was just thinking, if we could take care of two other things before that, or maybe three other things, so that the only things we need to do when we come out of executive session would be approval or consideration of the collective bargaining agreement and then the public hearing no later than 5:00. That we do any matters from the Commissioners or other elected officials, and whether you have any questions on the informational items. That way any of the directors that are here could answer any questions you might have about reports and they could leave after we go into executive session.

CHAIR ROYBAL: Okay, so you want to move item VIII before we go into executive session, VIII. A. 1 and 2?

MS. MILLER: Mr. Chair, item VIII. A. 1 and 2, and also we already did VIII. B. 1, and then also items X. A through G if there are any questions on any of the monthly reports.

CHAIR ROYBAL: Sure. We can do that.

VIII. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

A. Matters from County Commissioners and Other Elected Officials

1. Elected Officials Issues and Comments

CHAIR ROYBAL: Do we have any elected officials that would like to address the Board today or say anything on record?

GERALDINE SALAZAR (County Clerk): Chair Roybal, nothing other

than we will be having an election for the City on May 2nd. That's the only update. And anyone that wants to update or register to vote, please do that. You can do that on line or at the Clerk's Office or third party. So in order to participate, ensure that your voter registration is up to date and that you can vote. Thank you.

CHAIR ROYBAL: Thank you for that information, Madam Clerk. I'm going to go ahead and close Elected Officials' Issues and Comments and we'll move on to A. 2, Commissioners' Issues and Comments.

VIII. A. 2. Commissioner Issues and Comments

CHAIR ROYBAL: Do we have any Commissioners that would like to bring up any comments or issues today? Okay, we don't have any from the Commission as well.

X. INFORMATION ITEMS

- A. Growth Management Monthly Report**
- B. Public Safety Monthly Report**
- C. Public Works Monthly Report**
- D. Human Resources Monthly Report**
- E. Administrative Services Monthly Report**
- F. Community Services Monthly Report**
- G. Financial Report for the Month Ending February 28, 2017**

CHAIR ROYBAL: What about any other – item X Information Items – Growth Management Monthly Reports, Public Safety Monthly Report, Public Works Monthly Report, Human Resources, Administrative Services, Community Services or Financial Report for the month ending February 28th. Are there any questions from the Board on any of those issues or reports? No.

- VII. B. Executive Session. Threatened or Pending Litigation in Which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(5) NMSA 1978, and Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations, as Allowed by Section 10-15-1(H)(7), Including the Following:**
- 1. Collective Bargaining Agreement Between Santa Fe County and the Santa Fe County Firefighters Association, Local 4366, International Association of Firefighters**

CHAIR ROYBAL: I'll entertain a motion to go into executive session. Greg, can you give us a snap view of what we'll be going over?

MR. SHAFFER: The purpose of the executive session and the authority for it is to discuss threatened or pending litigation in which Santa Fe County is or may become a participant, as allowed by Section 10-15-1 (H)(5) NMSA 1978, and discussion of bargaining strategy preliminary to collective bargaining negotiations, as allowed by section 10-15-1(H)(7), including the following: collective bargaining agreement between

Santa Fe County and the Santa Fe County Firefighters Association, Local 4366, International Association of Firefighters.

CHAIR ROYBAL: Okay, so do we have a motion to go into executive session?

COMMISSIONER HAMILTON: I would move that we go into executive session, including all the boundaries just from our Attorney.

CHAIR ROYBAL: Okay, so we have a motion to go into executive session as it's been highlighted by County Attorney Shaffer. Do I have a second?

COMMISSIONER MORENO: Second.

CHAIR ROYBAL: Okay, can I get a roll call, Madam Clerk?

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (7 and 5) to discuss the matters delineated above passed by unanimous roll call vote as follows:

Commissioner Anaya	Not Present
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Moreno	Aye
Commissioner Roybal	Aye

[The Commission met in closed session from 4:05 to 5:05.]

CHAIR ROYBAL: Okay, we're back from executive session. I'll entertain a motion to come out of executive session.

COMMISSIONER HANSEN: So moved.

COMMISSIONER MORENO: Second.

CHAIR ROYBAL: Do you want to go ahead and say the items that were discussed?

COMMISSIONER HANSEN: The only items that were discussed in executive session were the items on the agenda, collective bargaining agreement between Santa Fe County and – is that enough?

CHAIR ROYBAL: Yes, and your second stands with that, Commissioner Moreno?

COMMISSIONER MORENO: Yes.

CHAIR ROYBAL: Okay, so we have a motion and a second to come out of executive session.

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

VII. C. Request Approval of the Collective Bargaining Agreement between Santa Fe County, New Mexico and the Santa Fe County Firefighters Association, Local 4366, International Association of Firefighters

CHAIR ROYBAL: We do have an item, Commissioner Hansen.

COMMISSIONER HANSEN: I'd like to make a motion to approve the collective bargaining agreement between Santa Fe County and the Santa Fe County Firefighters Association, Local 4366.

CHAIR ROYBAL: Okay, before we get a second, I'd like to invite the president of the International Association of Firefighters, IAFF, Eutimio Ortiz, and Randy Haugen is the vice president, if they'd like to come forward. And I'd just like to invite you guys to address the Board and the floor is yours, so go ahead.

EUTIMIO ORTIZ: Chairman Roybal, Commissioners of the Board, thank you for having us today and I can't thank you enough for believing in Local 4366. We're trying to make a name for ourselves and we're spending the majority of our time showing you and the community what we're capable of and just how good we are so you know that you can always say you have a group of firefighters to be proud of. It means a lot to be here today and it means a lot that you've all considered our agreement. Thank you, County Manager as well as Bernadette Salazar, Chief Sperling and we don't have our firefighters here today but they're the reason why we're here so I thank them as well.

RANDY HAUGEN: I'd like to just second what he said. Thank you guys all for your support. Thank you to the two of you guys and Chief Sperling for allowing us this opportunity to come to an agreement on this contract. We really do appreciate it. And again, we're just the two standing here in front of you guys today. It's our members that we do this for and we appreciate you guys giving us the time to do this today.

CHAIR ROYBAL: Thank you. I want to thank you both for being here today and just the service that you provide and thank you both for being here to represent the firefighters of Santa Fe County. They are the best of the best so I appreciate you guys being here today. Do we have any other comments from the Board? Commissioner Hamilton.

COMMISSIONER HAMILTON: I just want to echo that and thank you for what you guys do and for the level of excellence you bring to your work because it's an incredibly important service for the County.

CHAIR ROYBAL: Okay, any other comments from the Board?
Commissioner Hansen.

COMMISSIONER HANSEN: I also want to thank you so much for all the service that you provide to the County and I'm so happy we can move forward.

CHAIR ROYBAL: Thank you. Commissioner Moreno.

COMMISSIONER MORENO: Yes. Public Safety is the most important thing we do in the County in my opinion and with good people, well trained and dedicated to your vocations I think it's a really good thing. And I'm proud of everybody who participated in reaching this agreement. Thank you.

CHAIR ROYBAL: And we have Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, thanks to the Commissioners, staff, the union and Bern, yourself, the whole team. There's a process in collective

bargaining, as we all know, across multiple collective bargaining units in the County. Some negotiations and communications take more time than others but I think the goal is always the same, the intent is always the same. We always all walk into the room collectively. You walk into the room with management and collectively bargain in good faith, and as I said, sometimes things take more time and more communication but we're here and we're happy to be here and appreciate the efforts of our firefighters. We appreciate our union. We appreciate our management team. We appreciate the whole system of collective bargaining working to get us to these points where we can advance, approve and move forward. So thank you to all that have been part of that process. Thank you, Mr. Chair, my colleagues, our Manager and everyone involved and in the benefit, as Commissioner Moreno said, and in the interest of public safety for our citizens and for our employees who actively work to provide that public safety, thank you very much. We appreciate it.

CHAIR ROYBAL: And we have Manager Miller.

MS. MILLER: Mr. Chair, Commissioners, thank you for letting me speak. I just want to thank Eutimio and Randy. You guys were really great to work with and I know you put in a lot of your personal time. I was telling the Commission that I'm quite impressed with Randy's spreadsheet skills. And I thought he's got to have a business background in there and he does. So I really appreciate the effort that you put into it, your professionalism in coming in and talking with me and Bern and coming to a resolution. I think you're great representatives of your union and I'm glad that we were able to come to an agreement. So thank you for your time and your professionalism in this, and also, Bern, thank you so much for your time and dedication to getting this resolved.

CHAIR ROYBAL: Okay. Thank you guys. I really appreciate it. You did a great job. I'm glad that we were able to come to common ground and move forward and I just want to thank all of you for your hard work.

MR. ORTIZ: Thank you, Commissioners, and we're extremely optimistic that we can maintain this good relationship with our Commissioners, with the County Manager, with Human Resources, with our Fire Chief, and that's the only way we can see success is if we all work together. So thank you.

CHAIR ROYBAL: I agree. Thank you so much. Any other comments from the Board? Thank you. So we have a motion. Did I hear a second?

COMMISSIONER ANAYA: Second.

CHAIR ROYBAL: Commissioner Hansen made a motion and did we have a second?

COMMISSIONER ANAYA: I'll defer to Commissioner Hamilton for that. How's that?

COMMISSIONER HAMILTON: I'd be happy to second it.

CHAIR ROYBAL: So we have a motion and a second.

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

IX. PUBLIC HEARINGS

A. Ordinances

- 1. Ordinance No. 2017-2, an Ordinance Amending Ordinance No. 2009-2 to Remove Requirement of a Biannual Public Hearing so as to Allow the Low Income Tax Rebate to be Repealed by Ordinance at Any Time**

CHAIR ROYBAL: From the County Attorney's Office we have our County Attorney, Greg Shaffer.

MR. SHAFFER: Thank you, Mr. Chair, Commissioners. This item has been discussed in front of the Board several times in the last couple months so I'll be brief. Ordinance No. 2009-2 adopted the low income taxpayer property tax rebate for Santa Fe County residents for the 2009 and subsequent tax years. Although not required by state law, Section 3 of that ordinance seemingly requires the Board of County Commissioners to hold a public hearing in January of each odd-numbered year on whether the County should consider repealing the tax rebate. In addition, some might argue that the Board may only consider repealing the tax rebate biannually after that public hearing.

The proposed ordinance would do away with any requirement of a biannual public hearing and any limitation on the Board's legislative discretion to consider an ordinance repealing the tax rebate. Again, it would not in and of itself repeal the tax rebate; it would just preserve the Board's legislative discretion in that regard and again, do away with the somewhat confusing and busy work of public hearing on the question of whether or not to consider a repeal. So with that I would stand for any questions.

CHAIR ROYBAL: Do we have any questions from the Board? Okay, seeing none, this is a public hearing and it's the first and only public hearing on this issue. So I don't see anybody from the public but I'd like to call, is there anybody from the public that would like to speak to this issue? Seeing none, I'll close public comment. What's the pleasure of the Board?

COMMISSIONER HANSEN: I move to approve.

COMMISSIONER HAMILTON: Second.

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

The motion to approve Ordinance 2017-2 passed by unanimous roll call vote as follows:

Commissioner Anaya	Aye
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Moreno	Aye
Commissioner Roybal	Aye

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I had to step out earlier and I would ask that the record reflect that I voted with the majority on those items that I missed.

CHAIR ROYBAL: Note taken, sir. Thank you, Commissioner Anaya.

VIII. CONCLUDING BUSINESS

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

Having completed the agenda and upon motion by Commissioner Hamilton and second by Commissioner Anaya, Chair Roybal declared this meeting adjourned at 5:13 p.m.

Approved by:



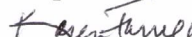
Board of County Commissioners
Henry Roybal, Chair

ATTEST TO:


GERALDINE SALAZAR
SANTA FE COUNTY CLERK



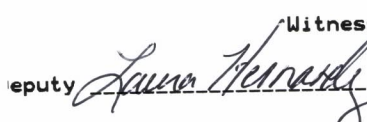
Respectfully submitted:


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



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
Hereby Certify That This Instrument Was Filed for
Record On The 3RD Day Of May, 2017 at 09:55:35 AM
and Was Duly Recorded as Instrument # **1824618**
of The Records Of Santa Fe County

BCC MINUTES
PAGES: 69

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy  County Clerk, Santa Fe, NM



**THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY**

RESOLUTION NO. 2017-_____

**A RESOLUTION
DELEGATING TO THE COUNTY MANAGER THE AUTHORITY TO NEGOTIATE
AND EXECUTE A TOLLING AND RESERVATION OF RIGHTS AGREEMENT**

WHEREAS, the Santa Fe County (County) Land Use Administrator has determined that (i) the Vista de Sangres Subdivision (Subdivision) was not approved in accordance with State law and County ordinance and, therefore, (ii) the Replat & Subdivision of Lot 11 Tracts 1, 2 and 3 for Vista de Sangres Subdivision (Plat) is not legally valid, although apparently signed by a former Land Use Administrator; and

WHEREAS, the developer of the Subdivision disputes the Land Use Administrator's determinations, but the developer may be willing to make one or more applications to the County to have the Subdivision approved; and

WHEREAS, the developer is concerned that (i) such applications will be used by the County as an admission that the Plat and other associated approvals are not valid and/or a waiver of rights of the developer and property owners to challenge the Land Use Administrator's determinations, if necessary; and (ii) that the statute of limitations will continue to run on any claims the developer and property owners may have concerning the Plat and other associated approvals; and

WHEREAS, if mutually acceptable terms can be negotiated, a tolling and reservation of rights agreement would allow applications to be made while addressing the developer's concerns and protecting the County's interests; and

WHEREAS, the Board of County Commissioners (Board) of the County desires to delegate to the County Manager the authority to negotiate and execute on behalf of the County a tolling and reservation of rights agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

1. The Board hereby delegates to the County Manager the authority to negotiate and execute on behalf of the County a tolling and reservation of rights agreement that:
 - a. Tolls the further running of the statute of limitations on any claims that the County and developer may have against each other concerning the Plat and other associated approvals for a period of time determined by the County Manager to be adequate for applications for approval of the Subdivision to be filed and acted upon;
 - b. Provides that the County will not use the fact of such applications as an admission by the developer that the Plat and other associated approvals are not valid, or claim that such applications acts as a waiver of the rights of the developer or property owners; and
 - c. Contains such other terms and conditions as the County Manager determines to be necessary or advisable to protect the County's interests.

A.S. 11

2. This Resolution and execution of the tolling and reservation of rights agreement contemplated hereunder do not obligate the Board, any County recommending or decision making body, or County staff to approve or support any applications concerning the Subdivision, which shall be independently evaluated on their merits without regard to this Resolution or the tolling and reservation of rights agreement.

PASSED, APPROVED, AND ADOPTED this 28th day of March, 2017.

**THE BOARD OF COUNTY
COMMISSIONERS OF SANTA FE COUNTY**

Henry P. Roybal, Chair

ATTEST:

Geraldine Salazar, County Clerk

APPROVED AS TO FORM:



Gregory S. Shaffer, County Attorney

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

To: Board of County Commissioners

From: Gregory S. Shaffer, County Attorney

Date: March 24, 2017

Re: **Resolution No. 2017-___, A Resolution Delegating to the County Manager the Authority to Execute An Amendment to the Professional Services Agreement Between Santa Fe County and Montgomery & Andrews, P.A.**

Issue. Santa Fe County (County) and Montgomery & Andrews, P.A., are parties to Professional Services Agreement No. 2013-0170-LG/PL-E for Legal Services ("Agreement"), as amended by Amendment Nos. 1-6. The Agreement expires on March 31, 2017. Due to work in connection with on-going litigation in which Montgomery & Andrews represents the County, the maximum compensation available under the Agreement may need to be increased. The amount of the necessary increase is unknown as of March 28, 2017, but is anticipated to exceed the County Manager's signature authority. Consequently, staff is recommending that the Board of County Commissioners (Board) delegate to the County Manager authority to timely execute any necessary amendment.

Background. Montgomery & Andrews, P.A., was selected, along with other firms, to provide legal services to the County pursuant to a competitive request for proposals issued in 2013. The four-year Agreement expires on March 31, 2017, and cannot be further extended due to the maximum term authorized by the Procurement Code for professional services agreements.

The Agreement was amended six times before, so as to extend the term of the Agreement and increase the maximum compensation. Currently, the maximum compensation available under the Agreement is \$218,000, inclusive of NM Gross Receipts Tax, which is the maximum amount payable over the entire four years of the Agreement.

Due to its ongoing work in the matter of *Board of County Commissioners of Santa Fe County v. Gregory Fuess*, State of New Mexico, County of Santa Fe, First Judicial District, Cause No. D-101-CV-2015-01936, the maximum compensation under the Agreement may need to be increased. Any such increase would exceed the County Manager's general signature authority under Resolution No. 2014-143.

Any amendment increasing compensation should be in place prior to expiration of the Agreement. The proposed resolution would authorize the County Manager to timely execute any necessary amendment.

Recommendation. Adopt the proposed resolution.

Attachments: Exhibit A – Proposed Resolution

SFC CLERK RECORDED 05/03/2017

2.8. III

**THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY**

RESOLUTION NO. 2017-_____

**A RESOLUTION
DELEGATING TO THE COUNTY MANAGER THE AUTHORITY TO EXECUTE AN
AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN
SANTA FE COUNTY AND MONTGOMERY & ANDREWS, P.A.**

WHEREAS, Santa Fe County (County) and Montgomery & Andrews, P.A., are parties to Professional Services Agreement No. 2013-0170-LG/PL-E for Legal Services ("Agreement"), as amended by Amendment Nos. 1-5; and

WHEREAS, the Agreement expires on March 31, 2017; and

WHEREAS, due to work in connection with on-going litigation in which Montgomery & Andrews represents the County, the maximum compensation available under the Agreement may need to be increased; and

WHEREAS, the amount of the necessary increase is unknown as of March 28, 2017, but is anticipated to exceed the County Manager's signature authority; and

WHEREAS, the Board of County Commissioners (Board) of the County desires to delegate to the County Manager the authority to execute Amendment No. 6 to the Agreement, so as to ensure that any necessary amendment is executed before the March 31, 2017, expiration date of the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board that it hereby delegates to the County Manager the authority to negotiate and execute on behalf of the County Amendment No. 6 to the Agreement.

PASSED, APPROVED, AND ADOPTED this 28th day of March, 2017.

**THE BOARD OF COUNTY
COMMISSIONERS OF SANTA FE COUNTY**

Henry P. Roybal, Chair

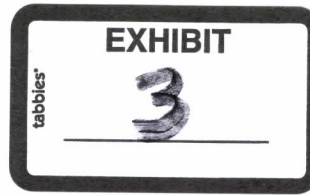
ATTEST:

Geraldine Salazar, County Clerk

APPROVED AS TO FORM:



Gregory S. Shaffer, County Attorney



3/28/2017

SFC CLERK RECORDED 05/03/2017



SANTA FE
COUNTY

BOARD OF COUNTY COMMISSIONERS' MEETING
LEGISLATIVE REPORT

2017 REGULAR SESSION SCHEDULE (60 Day Session)

- 03/18/2017 -- Session ends (noon)
- 04/07/2017 -- Legislation not acted upon by governor is pocket vetoed
- 06/16/2017 -- Effective date of legislation not a general appropriation bill or a bill carrying an emergency clause or other specified date

2017 BILL STATISTICS

Statistics for All Bills	Total
Bills Introduced	1473
Bills Passed in 1st House	689
Bills Passed in 2nd House	311
Bills Sent to Governor	120
Bills Signed into Law	29

Statistics for House Bills	Total
Bills Introduced	739
Bills Passed in 1st House	348
Bills Passed in 2nd House	146
Bills Sent to Governor	43
Bills Signed into Law	18

Statistics for Senate Bills	Total
Bills Introduced	734
Bills Passed in 1st House	341
Bills Passed in 2nd House	165
Bills Sent to Governor	77
Bills Signed into Law	11

SIGNED LEGISLATION

Bill: HB1

Sponsors: Stapleton (D19)

Title: LEGISLATIVE FEED BILL

Summary: Makes a series of appropriations from the General Fund for expenses of the 2017 Session of the Legislature and the operation of legislative agencies during FY2017 and FY2018. The General Fund appropriation is apportioned as follows:

Status: 02/02/2017 – Signed by the Governor

Bill: HB4

Sponsors: Lundstrom (D9)

Title: REVERTING FISCAL YEAR-END FUND BALANCES

Summary: (For the Legislative Finance Committee) (Duplicate of 2017 SB111) Relating to fiscal solvency; reverts balances in the Insurance Operations Fund, the Fire Protection Fund, the Fire Protection Grant Fund and the Law Enforcement Protection Fund at the end of each fiscal year; requires periodic allotments during a fiscal year from those funds; and makes no transfers from the Fire Protection Fund to the Fire Protection Grant Fund for FY 2017 and 2018.

Status: 02/01/2017 – Signed by the Governor

Bill: HB12

Sponsors: Trujillo, Christine (D25)

Title: MAGISTRATE COURT-HEARING SITES DOWN-SIZED IN TAOS AND CATRON COUNTIES

Summary: (Endorsed by Courts, Corrections and Justice Committee) Closes court-hearing sites in Quemado, Catron County, and in Questa, Taos County, by removing requirement that the magistrates in each of these counties ride circuit to the outlying communities of Quemado and Questa, respectively.

Status: 03/11/2017 – Signed by the Governor

Bill: HB29

Sponsors: Brown (R55)

Title: CARLSBAD BRINE WELL REMEDIATION ADVISORY AUTHORITY

Summary: (For the Radioactive and Hazardous Materials Committee) (See companion 2017 HB30 for appropriation) (Similar in concept to 2016 SB8 and HB12, but without regulatory authority and without the power of eminent domain.) Proposes a new section of law to create the Carlsbad Brine Well Remediation Advisory Authority and the Carlsbad Brine Well Remediation Fund to address the danger posed by the Carlsbad brine well. Does not carry a specific appropriation but authorizes funding from federal grants, appropriations, donations, earnings from investment of the fund, with its use subject to legislative appropriation.

Status: 03/16/2017 – Signed by the Governor

Bill: HB31

Sponsors: Lewis (R60)

Title: DRIVER'S LICENSE: ONE DWI CONVICTION UPON PROOF OF SENTENCE COMPLIANCE

Summary: Amends the Motor Vehicle Code to provide for the issuance of a driver's license to a person with only one prior conviction for driving a motor vehicle while under the influence of intoxicating liquor or drugs in

another jurisdiction, whether or not installation of an ignition interlock device was a condition of the sentence. The person must show proof of completion of all conditions of the prior sentence.

Status: 03/17/2017 – Signed by the Governor

Bill: HB60

Sponsors: Trujillo, Carl (D46)

Title: BROADBAND INFRASTRUCTURE IN LOCAL ECONOMIC DEVELOPMENT ACT

Summary: Adds infrastructure for new broadband telecommunications network facilities to the definition of “economic development project” eligible for funding in the Local Economic Development Act.

Status: 03/08/2017 – Signed by the Governor

Bill: HB77

Sponsors: Trujillo, J. (D45)

Title: RESTRICTION ON TRANSPORTATION NETWORK COMPANIES

Summary: Excludes from the Transportation Network Services Act (Section 65-7-1, et seq.) entities of any kind that receive funding to supplement transportation services through Title IIIB of the federal Older Americans Act of 1965.

Status: 03/17/2017 – Signed by the Governor

Bill: HB97

Sponsors: Adkins (R29)

Title: MUNICIPAL LIFE INSURANCE BENEFITS TRUST

Summary: Allows a municipality to establish, maintain and use a post-employment life insurance benefits trust with the advice and consent of the municipal board of finance. Contributions to the trust are irrevocable and dedicated exclusively to funding post-retirement life insurance benefits as provided by the trust. Earnings and income from investment of the trust shall be credited to the trust. A trust company includes an individual or a company, corporation, firm, partnership, state-chartered bank, national bank or other legal entity that provides investment services pursuant to the Trust Company Act.

Status: 03/17/2017 – Signed by the Governor

Bill: HB113

Sponsors: Smith (R22)

Title: CHIEF INFORMATION OFFICER TO DEVELOP STATEWIDE BROADBAND NETWORK

Summary: Requires the state’s Chief Information Officer (CIO) (Department of Information Technology, DoIT) to develop and maintain a statewide, multipurpose, high-capacity scalable telecommunications and broadband network to meet the demand of state agencies, political subdivisions and educational institutions. The mandate is to be undertaken in partnership with the Public Education Department, Higher Education Department, political subdivisions, state universities and other educational institutions.

Status: 03/08/2017 – Signed by the Governor

Bill: HB122

Sponsors: Trujillo, Carl (D46)

Title: BAN BENEFIT CLAIMS FEES AGAINST A PHARMACIST OR PHARMACY

Summary: Provides a new section of the Pharmacy Benefits Manager Regulation Act to prohibit a pharmacy benefits manager—either at the time of claim adjudication or any time before or after—from charging or holding a

pharmacist or pharmacy responsible for a fee for any step or component of the adjudication of a claim, including:

Status: 03/17/2017 – Signed by the Governor

Bill: HB127

Sponsors: Gentry (R30)

Title: REQUIRES ELECTRONIC TRANSFER PAYMENT ON INSURANCE CLAIMS

Summary: Amends the Insurance Code to require an insurer to pay claims arising under its policies by electronic transfer when a claimant requests payment by this method. Same penalties for nonpayment within 10 days by check or draft also apply for delayed payment by electronic transfer.

Status: 03/17/2017 – Signed by the Governor

Bill: HB162

Sponsors: Johnson (D5)

Title: SALE OF LIQUOR FOR CONSUMPTION OFF LICENSED PREMISES

Summary: (Similar to 2017 SB124) Amends the Liquor Control Act to provide for local option districts to restrict the hours of sale of alcoholic beverages for consumption off a licensed premises. Applies to a Class B County with a population greater than 70,000 and less than 76,000 and to a municipality located within a Class B County with a population greater than 70,000 and less than 76,000. (Lea County appears to meet this criteria.)

Status: 03/14/2017 – Signed by the Governor

Bill: HB197

Sponsors: Harper (R57)

Title: UPDATES 1999 PUBLIC ACCOUNTANCY ACT

Summary: Modernizes some provisions of the 1999 Public Accountancy Act. Allows a nonresident certificate holder seeking to renew a certificate to meet the New Mexico continuing professional education requirement if the nonresident has met the requirement in the state where the nonresident's principal place of business is located.

Status: 03/16/2017 – Signed by the Governor

Bill: HB230

Sponsors: Ezzell (R58)

Title: AUTOMATIC VOIDING OF A RACETRACK GAMING OPERATOR'S LICENSE

Summary: Automatically voids a gaming operator's license if a racetrack paid state tax in the prior fiscal year on a net take greater than \$8 million but failed to maintain a minimum of four live race days a week with at least nine live races on each race day during its licensed race meets.

Status: 03/14/2017 – Signed by the Governor

Bill: HB261

Sponsors: Gentry (R30); Ivey-Soto (D15)

Title: SUPPLEMENTAL APPROPRIATIONS: AOC & 12TH JUDICIAL DISTRICT

Summary: Makes a supplemental appropriation from the General Fund of (1) \$80,000 to the Supreme Court for use in FY2017 for operational needs; (2) \$800,000 to the AOC for use in FY2017 for the Jury and Witness Fee Fund and operational needs; and (3) \$37,100 to the 12th Judicial District Court for use in FY2017 for

operational needs.
Status: 02/24/2017 – Signed by the Governor

Bill: SB28
Sponsors: Kernan (R42); Salazar, T. (D70)
Title: EDUCATION RETIREMENT ACT REVISIONS
Summary: (For the Investments and Pensions Oversight Committee) Bill makes several technical and stylistic changes to Educational Retirement Act but also some substantive changes. "Regular member" of the Educational Retirement Association now includes all employees of the educational institutions and related entities, not just the persons employed as teaching, nursing or administrative employees.
Status: 03/18/2017 – Signed by the Governor

Bill: SB32
Sponsors: Kernan (R42)
Title: K-3 PLUS PROGRAM CHANGES
Summary: (For the Legislative Education Study Committee) Adds a new feeder school qualification, and a funding priority, for schools that apply to the Public Education Department for funding of a K-3 Plus program. Deletes statutory reference to the K-3 Plus Pilot Program.
Status: 03/17/2017 – Signed by the Governor

Bill: SB75
Sponsors: White (R19); Gonzales (D42)
Title: UPDATING DEFERRED COMPENSATION ACT FOR GOVERNMENTAL EMPLOYEES
Summary: (For the Investments and Pensions Oversight Committee) Updates language of the Deferred Compensation Act. Collapses the list of types of deferred compensation investment options that may be approved to mutual funds, including stock, bond or capital preservation funds, or any other investments determined by the Public Employees Retirement Board to fulfill the goals, thereby dropping explicit mention of life insurance and annuity contracts and options provided by New Mexico banks and savings and loan associations.
Status: 03/17/2017 – Signed by the Governor

Bill: SB103
Sponsors: Kernan (R42)
Title: CLARIFY POST-SECONDARY EDUCATION ARTICULATION ACT
Summary: (Identical to 2017 HB108) Directs the Higher Education Department, in consultation with faculty of state public higher education institutions, to provide for the seamless transfer of lower-division credits between state public institutions of higher education. HED must develop and approve a statewide lower-division general education core curriculum for all categories of associate and bachelor degree; facilitate development and approval of statewide "meta-majors," 15-credits of lower division courses that articulate to multiple degree programs; and require that all courses with common course numbers, all meta-majors, and all lower-division transfer modules be accepted as equivalent for transfer and count toward fulfilling general education or degree requirements across all state institutions.
Status: 03/17/2017 – Signed by the Governor

Bill: SB113

Sponsors: Smith (D35)
Title: REDUCTION AND TRANSFER OF FY 2016 AND 2017 GENERAL FUND APPROPRIATIONS
Summary: (For the Legislative Finance Committee) (Duplicate of 2017 HB6) Reduces 2015 and 2016 General Appropriations Act appropriations; allows for FY 2017 General Fund appropriation reductions; and transfers money from funds and accounts to the FY 2017 appropriation account and the Operating Reserve Account of the General Fund.
Status: 02/01/2017 – Signed by the Governor

Bill: SB114
Sponsors: Neville (R2)
Title: SCHOOL DISTRICT CASH BALANCE CREDITS
Summary: (For the Legislative Finance Committee) (Duplicate of 2017 HB7) Takes credit for a total of \$50 million in school districts' and charter schools' FY 2016 cash balances against their 2017 State Equalization Guarantee Distribution over the remainder of FY 2017.
Status: 02/01/2017 – Signed by the Governor

VETOED

Bill: HB42**Sponsors:** Stapleton (D19)**Title:** INSTRUCTIONAL MATERIALS DEFINITION AND ALLOCATION**Summary:** (For the Legislative Education Study Committee) (Related to 2015 HB146, passed by both chambers and vetoed by the Governor) Eliminates all references in the Instructional Materials Law to private schools and their students. Broadens the definition of "instructional materials." Makes development of a multiple list by PED permissive rather than mandatory. Changes the way districts and state institutions may spend their instructional materials fund allocation and eliminates authority of local superintendents to apply for waivers for the use of funds. Changes the date for determining total student enrollment for purposes of calculating funds allocations.**Status:** 03/17/2017 – Vetoed by the Governor**Bill: HB241****Sponsors:** Harper (R57)**Title:** USE OF ATTENDANCE IN TEACHER EVALUATIONS**Summary:** (For the Legislative Education Study Committee) (Related to 2015 SB558) Amends the School Personnel Act to allow use of teacher attendance as part of a teacher's annual performance evaluation; excludes personal leave and up to 10 days of sick leave; requires documentation for more than three consecutive days of sick leave; allows the lowest score for teacher attendance on determination that use of sick leave was inconsistent with district policy, administrative regulation or a collective bargaining agreement.**Status:** 03/18/2017 – Vetoed by the Governor**Bill: SB24****Sponsors:** Padilla (D14); Smith (R22)**Title:** IDZ: LOCAL GOVERNMENT BROADBAND INFRASTRUCTURE DEVELOPMENT**Summary:** Amends the Infrastructure Development Zone Act (IDZ) to provide for broadband infrastructure development by a local government.**Status:** 03/15/2017 – Vetoed by the Governor**Bill: SB64****Sponsors:** Stewart (D17)**Title:** REMOVES PUBLIC SCHOOL CAPITAL OUTLAY TIME PERIODS FOR TECHNOLOGY INFRASTRUCTURE**Summary:** (Relates to SB63) Deletes language limiting the time during which Public School Capital Outlay funds may be used for an education technology infrastructure deficiency corrections initiative.**Status:** 03/15/2017 – Vetoed by the Governor**Bill: SB176****Sponsors:** Smith (D35)**Title:** LEGISLATIVE SESSION, LEGISLATIVE AGENCIES, COURTS AND ADULT PROTECTIVE SERVICES**Summary:** Legislative Session, Legislative Agencies, Courts and Adult Protective Services**Status:** 01/30/2017 – Vetoed by the Governor**Bill: SB184****Sponsors:** Papen (D38)**Title:** HORSE RACING: OCCUPATIONAL LICENSES AND EQUINE HEALTH AND TESTING**Summary:** (Identical to 2017 HB229; related to 2015 HB379 [vetoed], SB366, SB 403 and SB489 [c. 140 of 2015])

Removes the exceptions to conduct requiring denial or revocation of an occupational license where the otherwise forbidden conduct is specifically permitted by the commission or steward.

Status: 03/15/2017 – Vetoed by the Governor

Bill: SB200

Sponsors: Sapien (D9)

Title: CERTIFIED SCHOOL EMPLOYEE PROGRAM UNITS

Summary: (Duplicate of 2017 HB130; identical to 2014 HB400, 2015 HB122) Makes the present award of extra program units to school districts or charter schools through the State Equalization Guarantee applicable to all licensed school employees certified by the National Board for Professional Teaching Standards, not just teachers. This expands the provision to include school administrators, counselors, school nurses, and other licensed personnel.

Status: 03/11/2017 – Vetoed by the Governor

Bill: SB222

Sponsors: Stefanics (D39)

Title: RAISING DOLLAR THRESHOLD FOR BEING EXEMPT FROM “LOCAL PUBLIC BODY”

Summary: Raises from \$10,000 to \$50,000 the amount of annual revenues (exclusive of capital outlay and federal or private grants) that a mutual domestic water association, land grant, incorporated municipality, special district or school district may receive without the organization being a “local public body”.

Status: 03/15/2017 – Vetoed by the Governor

Bill: SB297

Sponsors: Griggs (R34)

Title: DISABLED VETERANS’ SPECIAL REGISTRATION PLATES

Summary: Amends Motor Vehicle Code to clarify that a 50% or more disabled veteran shall be issued up to two distinctive or special registration plates for which he or she is eligible, in any combination of the special registration plates cited in Secs. 66-3-409 through 66-3-424.21 free of charge, notwithstanding any fee that would otherwise be charged for a special registration plate.

Status: 03/18/2017 – Vetoed by the Governor

Bill: SB356

Sponsors: Rodriguez (D24)

Title: NOTIFY COUNTY TREASURER WHEN FORMING PUBLIC IMPROVEMENT DISTRICT

Summary: (Similar to SB67) When the formation of a public improvement district is approved, the governing body is required to notify the county treasurer (in addition to the county assessor) of the district’s formation.

Status: 03/15/2017 – Vetoed by the Governor

NMAC LEGISLATIVE ITEMS (concluding progress)

BILL	DESCRIPTION	House 1				House 2				PL/Chap	Last Action	Status
		I	C	RC	P	C	RC	P	G			
HB32	<i>Gonzales (D42)</i> AMEND ENHANCED 911 AND 911 BOND ACTS (Similar to 2015 HB126; and 2011 HB328 and SB422, both of which were vetoed by the Governor) Amends the Enhanced 911 Act and the Enhanced 911 Bond Act, which were initially established in order to provide 911 service to (and authorize a related surcharge upon) commercial radio operators, to apply to users of modern telecommunication devices in addition to users of commercial radios. The bill contemplates existing communications technology as well as possible future advances.	.	.	.	.	.	.	.			03/15/2017	SJC
HB174	<i>Smith (R22); Ivey-Soto (D15)</i> LOCAL ELECTION ACT (Similar to 2017 HB104, relates to 2016 HJR 7) Proposes the Local Election Act to provide a single election day and uniform processes for many local government elections; provides for mailed ballot elections for special election ballot measures held at times other than general or local elections and for statewide ballot question elections, and establishes procedures for mailed ballot elections; prohibits advisory questions; eliminates write-in candidates in local elections; creates a fund appropriated to the Secretary of State to pay the costs of local elections, and authorizes the Secretary to assess local governments for the fund; repealing the School Election Law, the Mail Ballot Election Law, the Municipal Election Code and other conflicting	.	.	.	.	.	.	.			03/17/2017	HCONCUR

	sections of law; making conforming amendments to the Absentee Voter Act, Uniform Military and Overseas Voters Act and many other sections of law.																		
HB175	<i>Maestas (D16)</i> RESTRICTING SOLITARY CONFINEMENT IN CORRECTIONAL FACILITIES Creates the Isolated Confinement Act to restrict the use of solitary confinement in correctional facilities, including county jails, prisons or other detention facilities. Beginning July 1, 2017, no one under 18 years of age and no pregnant woman can be placed in solitary confinement. Beginning January 1, 2018, inmates with known serious mental illnesses cannot be placed in solitary confinement. Also includes reporting requirement.	•	•	•	•	•	•	•							03/17/2017	HCONCUR			
HB242	<i>Thomson (D24)</i> RESTRICTING THE USE OF SOLITARY CONFINEMENT IN CORRECTIONAL FACILITIES (Identical to 2017 HB175; almost identical to 2016 HB193 and 2016 SB140) Creates the Isolated Confinement Act to restrict the use of solitary confinement in correctional facilities, including county jails, prisons or other detention facilities. Beginning July 1, 2017, no one under 18 years of age and no pregnant woman can be placed in solitary confinement. Beginning January 1, 2018, inmates with known serious mental illnesses cannot be placed in solitary confinement. Also includes a reporting requirement. (2017:HB175)	•	•												01/25/2017	HSGIC			
HB321	<i>Gallegos, David (R61)</i> ACTING SHERIFFS DURING VACANCY (Almost identical to 2017 SB317, except this bill declares an emergency). Amends the powers of	•		•	•	•	•	•	•						03/22/2017	GOV			

[illegible]

	home or trailer among qualifying movable or portable housing structures. Eliminates the size requirements for a manufactured home but adds the requirement that it be primarily for long-term permanent placement at a single location.								
HB418	<i>Armstrong, G. (R49)</i> WATER DIVERSIONS: ADDITIONAL APPLICATION PROCEDURES AND PERMIT REQUIRED (Similar to 2014 SB77) Requires additional procedures in the application process for the diversion of surface or underground water from the basin of origin for use in another basin. Does not apply to diversions of less than 1,000 acre feet, or certain diversions by a municipality or inter-basin diversion project.	•	•					03/15/2017	HCAL
HB457	<i>Eby (D23)</i> TAX ADMINISTRATION ACT CONFIDENTIALITY REVISION Amends Section 7-1-8.9 to require federal authorization for the release of confidential tax information, specifically taxpayers' taxable gross receipts, by Taxation and Revenue Department to municipalities and counties only when release of the information is subject to an agreement with the IRS. Also changes the information subject to release from a range of taxable gross receipts to the actual amount of taxable gross receipts.	•						02/15/2017	HTRC
HB490	<i>Hall, J. C. (R28)</i> FUNDS TO COUNTY- SUPPORTED MEDICAID FUND Mandates that, in addition to other required contributions, every county must transfer to the County-supported Medicaid Fund in quarterly installments, beginning March 2017, an amount equal to one-sixteenth of the taxable gross	•						02/16/2017	HLGEC

SB202	<p><i>Ivey-Soto (D15); Woolley (R66)</i></p> <p>PROPERTY FORFEITURE AUTHORITY BY LOCAL AND STATE LAW ENFORCEMENT AGENCIES</p> <p>OVERVIEW. (Related to 2015 HB560) 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). "Property subject to forfeiture" means property declared to be subject to forfeiture by the act, a state law outside of the act, or a local ordinance. Expands the authority of state and local law enforcement agencies to seize and dispose of forfeited property. Deletes the prohibition of retention of the forfeited property by a law enforcement agency.</p>	<p>• • • • •</p>	03/08/2017 HJC
SB277	<p><i>Ortiz y Pino (D12)</i></p> <p>RELEASING PREGNANT OR LACTATING INCARCERATED WOMEN</p> <p>Provides for the release of incarcerated women who are pregnant or lactating. Requires the court to take into account an incarcerated woman's pregnancy and lactation status when determining whether she is eligible for release or bond and make a presumption in favor of release. Provides for release of an incarcerated woman due to give birth, at the court's discretion, continuing for up to eighteen months after the birth of her child or for as long as medically indicated, unless a finding is made in court that public safety or the well-being of the woman or her child would not be best served outside of a correctional setting. A woman released pursuant to this section shall be placed on the least restrictive conditions of release necessary to ensure her return to</p>	<p>• • • • •</p>	03/18/2017 HPASS

	<p>MAGISTRATE COURTS BY SHERIFFS</p> <p>Amends Sec. 4-41-16 to provide for sheriffs to attend magistrate courts to provide security upon request. Adds to the duty of the sheriffs of the state to attend any session of a magistrate court for which the magistrate has requested the sheriff's presence for security purposes not less than seven days prior to the requested attendance. A sheriff may decline to attend due to lack of available resources.</p>								
SB433	<p><i>Cisneros (D6)</i></p> <p>HOSPITALS TAXED FOR TWO YEARS</p> <p>Subjects hospitals to the state (but not local) gross receipts tax and the governmental gross receipts tax for the period July 1, 2017 through June 30, 2019. Distributes the tax proceeds from hospitals during the two-year period to the Medicaid Trust Fund.</p>	•	•					03/02/2017	SFC
SB451	<p><i>Munoz (D4)</i></p> <p>EXCLUDES CERTAIN LOCAL GOVERNMENTS FROM HOLD HARMLESS DISTRIBUTIONS</p> <p>(Similar to 2016 HB233 and similar in part to 2015 HB421 and 2014 HB132) Denies food and medical hold harmless distribution amounts to municipalities and counties that have imposed a local option hold harmless gross receipts tax.</p>	•						02/16/2017	SCORC

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

CLERK RECORDED 05/03/2017

To: Board of County Commissioners
From: Gregory S. Shaffer, County Attorney
Via: Katherine Miller, County Manager
Date: March 21, 2017

Re: Report of February 9, 2016, Inspection of Santa Fe County Adult Detention Facility and Youth Development Program

In accordance with NMSA 1978, § 33-3-4, I submit this report of the February 9, 2016, inspection by the Board of County Commissioners (Board) of the Adult Detention Facility (ADF) and Youth Development Program (YDP).

People Present During Inspections

Commissioners Present. Commissioners Robert A. Anaya, Miguel M. Chavez, Kathy Holian, Henry P. Roybal, and Elizabeth "Liz" Stefanics were present for the inspections.

Staff Present for Entire Inspections. County Manager Katherine Miller, Deputy County Manager Tony T. Flores, Public Safety Department Director Pablo Sedillo, III, County Attorney Gregory S. Shaffer, and Paralegal Kathleen Ortiz were present for all of the inspections.

ADF Inspection

Operational Overview. During the operational and challenges overview, the following were noted as challenges facing the ADF:

- ***Mental illness.*** It was explained that, nationwide, detention facilities have become the de facto treatment facilities for mental illness. Various staff noted the following:
 - The percentage of mentally ill inmates was great, with approximately 67% of inmates taking psychotropic medications;
 - ADF is fortunate to have mental health treatment professionals;
 - Increased use of treatment guardians for those mentally ill inmates incapable of giving informed consent was allowing those inmates to be treated by having a guardian make medical decisions for them;
 - Treatment options for mental illness outside of detention facilities is limited since there is only one state hospital with limited capacity and the re-entry programs in the community are limited;
 - Santa Fe County cannot provide the community services and support necessary to successfully divert mentally ill inmates from ADF or successfully re-enter inmates into the community;
 - Indigent inmates for whom competency has been raised in their criminal trials can stay in jail longer than they should, since (i) they lack money or property to post bail and (ii) capacity constraints at the Las Vegas mental hospital are limited;
 - ADF was using interdisciplinary teams to try and meet the needs of mentally ill inmates;
 - ADF had one inside and one outside re-entry specialist and was trying to hire another inside re-entry specialist, to help inmates successfully re-enter the community by enrolling them in Medicaid and other measures; and

- Being incarcerated increases the risk of suicide; specifically, the risk of suicide increases four times for individuals with the same diagnosis who are in jail versus those who are not.
- *Booking area.* It was explained that the booking area presents unique challenges and potential dangers, since you do not know the individuals who are being incarcerated, you must manage inmates with different classification levels, mental illness, and intoxication, the number of intakes, releases, and arraignments processed in a day, and the potential presence of contraband and special efforts used to combat it (e.g., dry cell).
- *Medical treatment for a generally unhealthy population.* Medical staff explained that the inmate population has a large percentage of unhealthy individuals who:
 - generally do not take care of themselves outside of ADF;
 - began taking drugs at an early age, thereby severely damaging their bodies;
 - take a combination of drugs, thereby amplifying the damage caused by chronic drug use and making detoxification more difficult;
 - ingest large amounts of drugs at the time of arrest, to avoid being arrested in possession of the drugs; and/or
 - do not provide accurate or complete medical histories.

As a result, medical treatment for the ADF inmate population is a challenge.

Specific medical challenges noted included:

- Infections and abscesses;
- Rare forms of infections, such as infections of the clavicle bone caused by the injection of drugs; and
- Pregnant women who are addicted to methadone and heroine.
- *Staffing.* Recruitment of nurses and Correction Officers were noted as particular problems. With regard to nurses, it was noted that:
 - Turnover is a constant problem; and
 - Nurse vacancies are covered with agency nurses as a short-term solution.

With regard to staffing issues generally, it was noted that providing opportunities for advancement and progression were key retention issues and for helping people think of ADF jobs as careers. In this regard, it was noted that currently there are no tiers within the various job titles.

- *Electronic Monitoring Program Costs.* It was explained that:
 - Participation in the Electronic Monitoring program had increases by approximately 74%; and
 - Judges appear to be overusing the most expensive forms of monitoring devices.

Inspection. During the inspection of various parts of ADF, the following were observed and discussed:

- *Full body scanner.* This device is used to scan for contraband and weapons. All inmates are scanned upon intake and upon returning from arraignments or other trips outside the facility, except for pregnant women and impaired individuals who cannot stand. Highlighting the challenges of an ever-changing population, it was noted that there were approximately 10,000 intakes or releases per year.
- *Medical unit.* It was explained that various medical units could hold, one, two, four, or six inmates. Various signs were noted providing instructions for various types of special

watches, such as constant suicide watches, 15 minute suicide watches, and 15 minute health watches. It was explained that multiple inmates on suicide watch are sometimes housed in a single cell to decrease the likelihood that they will commit suicide.

- *Electronic Monitoring Program.* Various types of monitoring devices were explained, including global positioning system units, used to constantly monitor participants' exact whereabouts and ensure they stay away from victims and other areas of concerns (e.g., bars), and sober link units, used to ensure that someone is not using alcohol. In addition, it was explained that the program has standby warrants for all program participants. This allows someone who violates the terms of program participation to immediately be arrested after consultation with a judge.
The fee structure was explained, as well as the sliding scale used to determine how much (if any) money program participants would be charged.
- *Facility Constraints.* It was noted that the design of ADF presented various challenges that staff hoped to address through future capital planning. With regard to recent improvements, the new server area was inspected. This would provide more and better space for storing ADF's servers and other electronic devices.
- *Control Unit within Housing Unit.* It was noted that access into and out of the pods was controlled from the Control Unit, with all movements recorded. In the event of a power outage, it was noted that ADF has a backup, gas powered generator, which is inspected and tested each week.

YDP Inspection

Operational Overview. It was explained that the YDP is largely underutilized. In particular, the Day Reporting Program had no participants. Explaining the general operations of the facility, it was noted that incarcerated youth enter through a sally port in the back of the facility. Youth are only housed at YDP until their delinquency hearing. After the delinquency hearing, the Children, Youth, and Families Department handles a youth.

Inspection. During the inspection of various parts of YDP, the following were observed and discussed:

- *Day Reporting.* It was explained that this program allowed non-incarcerated youth to maintain a structure and continue with their studies. Challenges to the program include a low number of participants – only three youth had been referred to the program by CYFD or the Courts since August, 2015 – and a lack of a teacher. With respect to the teacher, it was noted that the Santa Fe Public Schools District has not been willing to provide a teacher for some time. In addition, a grant with the City was expiring.
- *Medical.* It was explained that nurses staffed YDP 24 hours a day, 7 days a week, and that all youth go through a head to toe nursing assessment upon arrival. The medical questionnaire is extensive, covering medical and mental health. In addition, urine pregnancy tests are used for all female youth admitted to YDP.
It was noted that YDP was a NCCHC Accredited facility, a designation that took several years to obtain. A RN on duty noted that staffing was inadequate to provide any relief factor. Nurses were able to take vacation because others were willing to cover their shifts and through use of agency nurses.
- *Behavioral health.* It was noted that all youth are provided with a behavioral health assessment. Common conditions include:

- Depression;
- Anxiety;
- Suicidal ideations; and
- Self-medicating.

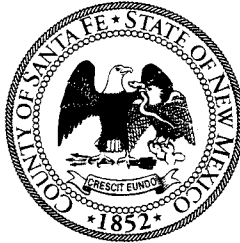
It was noted that group therapy was provided.

- *Pod Inspection.* A pod was inspected, including individual cells. It was noted that each youth is housed in a single occupancy cell. It was explained that pod windows had been tinted, to avoid gang related and other unhealthy communications between youth. In addition, it was noted that youth earn privileges through good behavior.
- *Programming.* It was explained that youth are offered a variety of programming, including opportunities to participate in a GED program and be taught in a classroom, poetry workshops, and library services.
- *Kitchen and Laundry Areas.* It was noted that youth do not work in these facilities or anywhere else in YDP.

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

To: Board of County Commissioners
From: Gregory S. Shaffer, County Attorney
Via: Katherine Miller, County Manager
Date: March 21, 2017

Re: Report of February 28, 2017, Inspection of Santa Fe County Adult Detention Facility

In accordance with NMSA 1978, § 33-3-4, I submit this report of the February 28, 2017, inspection by the Board of County Commissioners (Board) of the Adult Detention Facility (ADF). Present for the inspection were Commissioners Anna Hansen, Anna T. Hamilton, and Ed Moreno.

The report consists of the NM County Adult Detention Center Commissioners' Annual Operation Review Checklist attached hereto as Exhibit A, which records the areas of ADF inspected, operational issues observed, notes, and comments.

In addition, Commissioners were given an information booklet entitled, Santa Fe County Board of County Commissioners Annual Inspection Tour, 2017, a copy of which is attached hereto as Exhibit B.

REC CLERK RECORDED 05/03/2017

**NM County Adult Detention Center
Commissioners' Annual Operation Review Checklist**

Updated: 2/16/2017

OBSERVED	Operational Issue	Question/Concern	Comments
<input checked="" type="checkbox"/>	SALLYPORT OUTDOOR		
<input checked="" type="checkbox"/>	Incllement weather.	Is the area Clean and Organized?	Yes. Guns are secured in vehicles or locked outside in gun box.
<input checked="" type="checkbox"/>	SALLYPORT PORT INDOOR		
N/A		Is the area Clean and Organized? Are gun boxes in good working order?	
<input checked="" type="checkbox"/>	OBSERVED BOOKING	Question/Concern	Comments
<input checked="" type="checkbox"/>		Officer Posts are clean and organized All documentation is properly maintained: - Room/Cell & Unit Checks properly completed - Daily Shift Log - Inmate movement properly logged - Officer has necessary equipment	Yes. Cameras record property intake. Property forms are later compared to individual property boxes. Any discrepancies are resolved using the video footage. Virtually all inmates, except for pregnant inmates, are scanned for contraband upon entering the facility. Common contraband found includes drugs and syringes.
<input checked="" type="checkbox"/>	PROPERTY STORAGE		Inmates are medically screened at intake.
<input checked="" type="checkbox"/>		Is the area Clean and Organized? All property clearly labeled in designated property bin	Yes. Inmate property is stored in individual, locked and numbered box specific to the inmate. Property boxes are locked in secure area within a locked room.
<input checked="" type="checkbox"/>	FILE STORAGE		
<input checked="" type="checkbox"/>		Is the area Clean and Organized? All property clearly labeled in designated property bin	Yes. Files of federal inmates are maintained in a locked cabinet separate from the files of other inmates. Inmate files are kept readily accessible until the person has not been in ADE for two (2) consecutive years.



**NM County Adult Detention Center
Commissioners' Annual Operation Review Checklist**

OBSERVED	Operational Issue	Question/Concern	Comments
V	MASTER CONTROL		
X		<p>Officer Posts are clean and organized</p> <p>All documentation is properly maintained:</p> <ul style="list-style-type: none"> - Room/Cell & Unit Checks properly completed - Daily Shift Log - Inmate movement properly logged - Officer has necessary equipment 	<p>Yes. Facility has an onsite generator to provide electricity in the event of a power outage. Generator is tested every Friday and can run for three days on one tank of gas. Inmate headcounts are conducted seven times a day, with two formal and five informal counts.</p>
X		<p>All Security Monitoring Equipment is operational:</p> <ul style="list-style-type: none"> - Locking Mechanisms - Fire Alarm Systems - Lighting (Internal & External) - Video Surveillance (Internal & External) - Control Center(s) Electronic Systems 	<p>Every person entering or exiting the facility/ is logged.</p> <p>Master Control has built in redundancy for logging inmate movement and counts.</p>
OBSERVED	Operational Issue	Question/Concern	Comments
V	MEDICAL DEPT.		
X		<p>Medical area is clean and organized</p> <p>Is the equipment properly maintained and secure?</p> <p>Are medications properly secured and accounted for?</p> <p>Is there a daily sick-call for Inmates?</p> <p>Medical staff dispenses & distribute medications</p> <p>Inmates are provided Medical & Mental Health care based on their respective needs</p> <p>Inmate Medical and Mental Health records are properly maintained and secured</p>	<p>Yes. It was noted that medical needs could be identified through the booking process, which includes a medical screening by a nurse.</p> <p>Inmates have the opportunity to request medical treatment daily through written sick call requests.</p> <p>Facility has 24/7 nurse coverage. Filling and keeping nursing positions filled is a continuous challenge.</p> <p>Inmates are given medicine and water. Their mouths are checked to ensure that the medication was swallowed. Compliance with taking prescribed medication is documented in real time using pharmacy software.</p>

**NM County Adult Detention Center
Commissioners' Annual Operation Review Checklist**

Updated: 2/16/2017

OBSERVED	Operational Issue	Question/Concern	Comments
V	HOUSING CONTROL		
X		<p>Officer Posts are clean and organized</p> <p>All documentation is properly maintained:</p> <ul style="list-style-type: none"> - Room/Cell & Unit Checks properly completed - Daily Shift Log - Inmate movement properly logged - Officer has necessary equipment 	<p>Yes.</p> <p>It was noted that all persons entering a housing unit are logged in and out.</p>
X		<p>All Security Monitoring Equipment is operational:</p> <ul style="list-style-type: none"> - Locking Mechanisms - Fire Alarm Systems - Lighting (Internal & External) - Video Surveillance (Internal & External) - Control Center(s) Electronic Systems 	<p>Yes.</p>
OBSERVED	Operational Issue	Question/Concern	Comments
V	UNIT/CELLS		
X		<p>Staff are assigned to each housing unit</p> <p>If not, how often do staff complete unit/room checks?</p> <p>Is there documentation for all checks?</p> <p>Are all Inmates in HU the same classification?</p> <p>Are all areas of the HU functioning properly:</p> <ul style="list-style-type: none"> - Showers, lighting, cell doors, fire alarm? <p>Can Inmates contact staff at all times?</p> <p>Is the HU and Cells clean and free of vermin and pests?</p> <p>Recreation area is clean?</p>	<p>Each housing unit has assigned staff.</p> <p>All checks are documented.</p> <p>Housing units were generally clean and free of vermin and pests.</p> <p>Inmates are appropriately classified.</p> <p>Inmates can contact staff.</p> <p>It was noted that the ADF library provided inmates with many reading opportunities and had benefited greatly from the donation of books. Books are screened by K-9 Unit and Correctional Officers prior to placement in the ADF Library.</p> <p>Art programs are offered and inmates have opportunities to display art. Art supplies are offered to inmates through the commissary.</p>

NM County Adult Detention Center Commissioners' Annual Operation Review Checklist

OBSERVED	Operational Issue	Question/Concern	Comments
✓	FOOD SERVICE DEPT.		
X		Culinary tools and equipment are properly secured and accounted for at all times All annual inspections completed and up-to-date Licensed Dietician reviews and approves menu at least Annually Meals are served per meal schedule	Yes, except as noted. It was noted that many inmates have special dietary needs. Menus are prepared in advance and are reviewed and approved by licensed dietician quarterly. Inmates working in the kitchen have to be medically cleared to handle food.
✓	LAUNDRY		
X		Laundry equipment working properly Laundry area is clean and organized Inmate Clothing cleaned and issued twice weekly Inmate Bedding cleaned and issued weekly	It was noted that colors are washed twice per week and whites are washed 3 times per week.

Other Notes and Comments:

Before the inspection, the Warden provided an operational overview of the facility, including which housing units house which type and classification of inmates. The challenges of housing a population with high incidents of mental illness and drug addiction were discussed. It was explained that a mental health team meets weekly to assess and discuss the most severe mental health cases in the ADF.

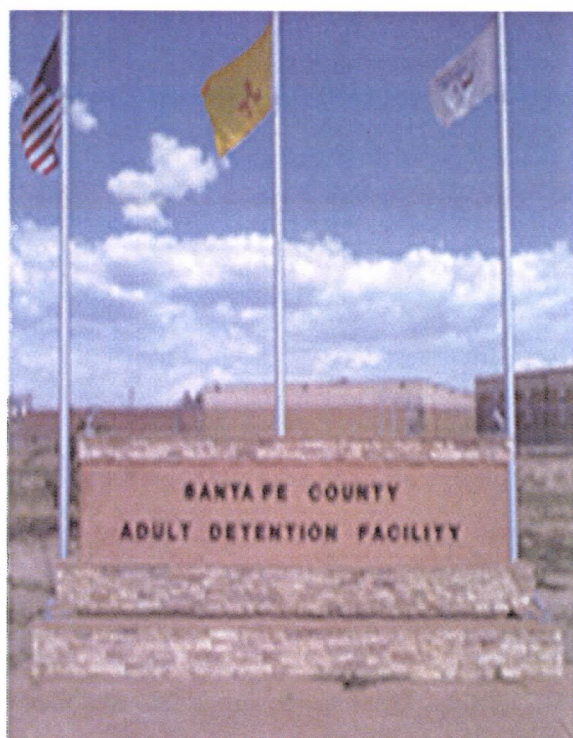
The Electronic Monitoring Program area was also inspected. It was explained that participants were given the rules and regulations of the program as well as orders and restrictions on their activity when they are enrolled. Participants are required to report weekly to the program area. Some participants are required by the Court to submit supervised drug tests. The different types of monitoring devised were explained as well as the average case load of case managers.

The visitation area was also inspected. It was explained that visitation is allowed Wednesday through Sunday from 8:00 a.m. to 4:00 p.m. Visitation is monitored via video as well as random officer walkthroughs. No contact visits are allowed at the ADF, except for meetings between inmates and their attorneys.

After the inspection, Commissioners ate the same lunch served to inmates that day in the conference room, before departing for the County Administrative Building.

2017

**SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
ANNUAL INSPECTION TOUR**



Pablo Sedillo, III
Public Safety Director

Derek J. Williams
Warden

Keryl Work
Deputy Warden

EXHIBIT

tabbies

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Welcome

MISSION STATEMENT

It is the Mission of the Santa Fe County Correctional Facility to Protect the Public and Provide a Safe and Secure Environment for both, Inmates and Staff under the Principles of Unit Management and in Accordance with the Santa Fe County Department of Public Safety Values of Integrity, Professionalism, Service, Knowledge and Teamwork.

FACILITY DESCRIPTION

Santa Fe County Correctional Facility is a multi-level security facility located eleven miles south of Santa Fe, NM on State Highway 14. The facility consists of a single, self-contained structure. It is directly adjacent to the Santa Fe County Sheriff's Office and across Highway 14 from the Penitentiary of New Mexico.

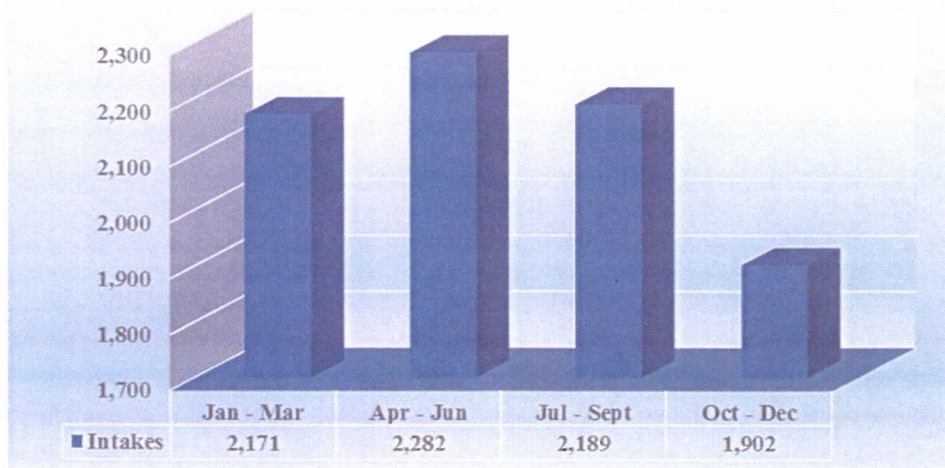
The SFC Correctional Facility was built by Landmark Industries in 1998. The facility was designed by Custer Basarich, Ltd Architectural Firm of Albuquerque, NM. The first inmates were brought into the facility in September 1998, at which time the jail was operated by Cornell Corrections. On October 1, 2001, Management & Training Corporation [MTC] took over operations. Santa Fe County assumed operation of the facility October 11, 2005.

All staff and guests must enter the facility through the Main Entrance. A Correctional Officer is posted at the Main Entrance to greet and screen all persons who enter the facility. Security screening includes the ability to successfully pass through a metal detector and if necessary, undergo magnetic wand or individual search of person and/or their possessions.

Following is an overview of quarterly information regarding daily activities which occur in the SFC Adult Detention Facility. A more detailed report is available, per your request.

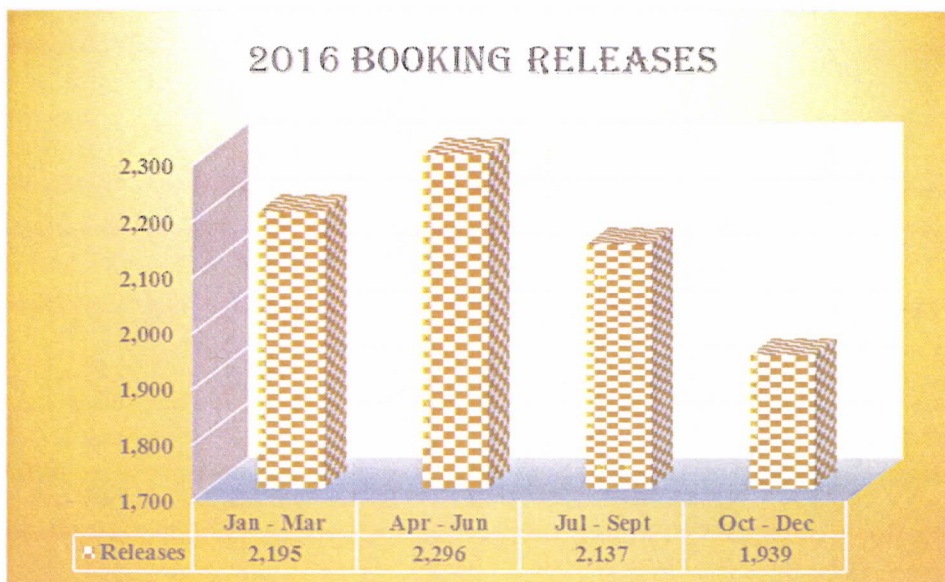
Intakes	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Totals
	2,171	2,282	2,189	1,902	8,544

2016 BOOKING INTAKES

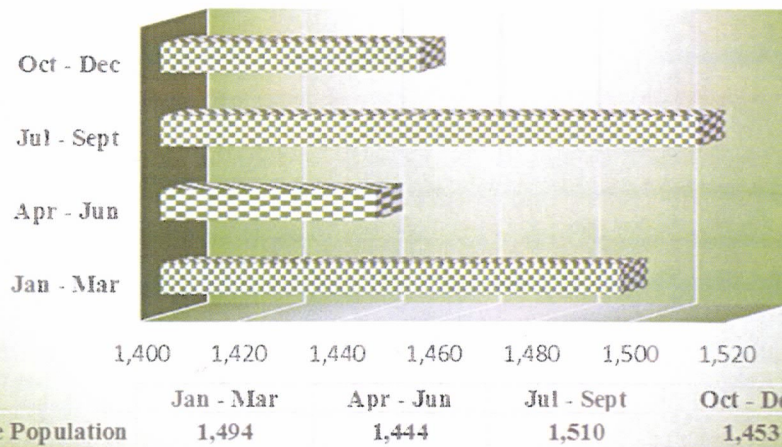


Releases	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Totals
	2,195	2,296	2,137	1,939	8,567

2016 BOOKING RELEASES

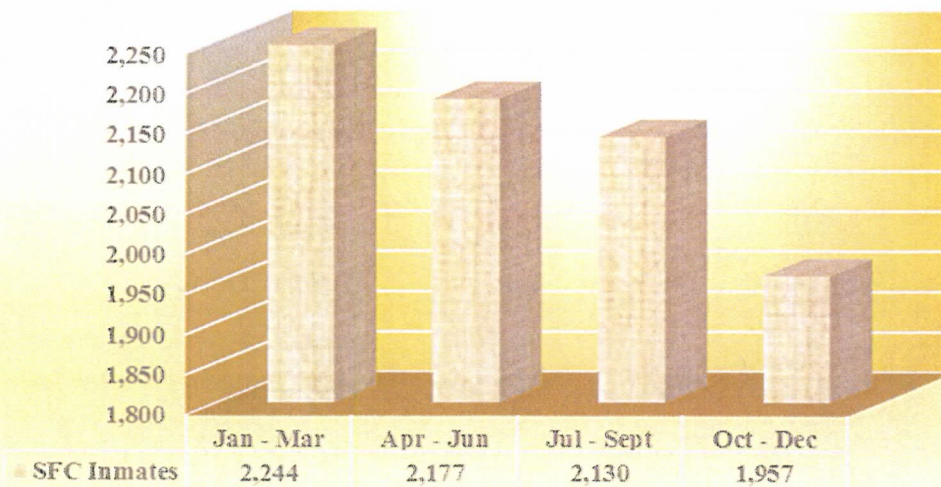


AVERAGE QUARTERLY POPULATION



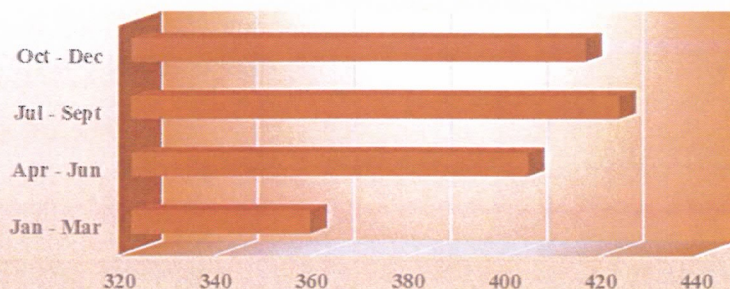
Average Population	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Totals
	1,494	1,444	1,510	1,453	5,901

2016 SFC [ONLY] INMATES



SFC Inmates	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Totals
	2,244	2,177	2,130	1,957	8,508

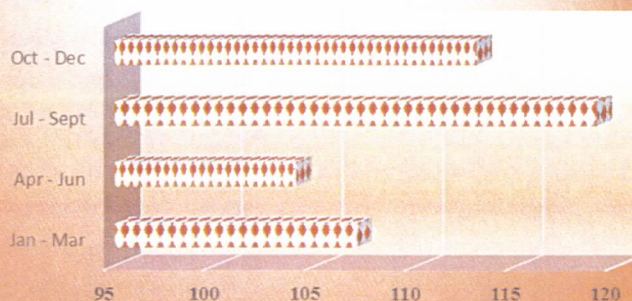
2016 US MARSHALS Quarterly Census



	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	
■ US Marshals	357	402	421	414	

US Marshals	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Totals
	357	402	421	414	1,594

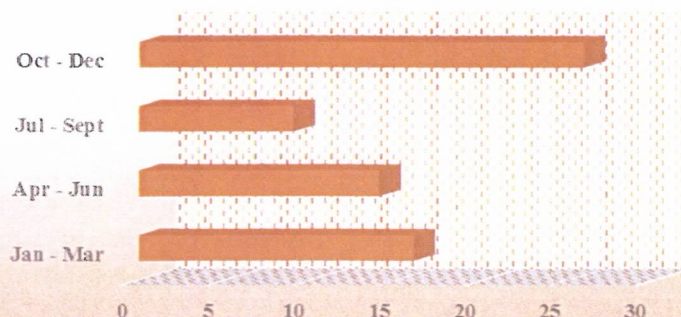
USM COURT TRANSPORTS



	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	
■ USM Court Transports	107	104	119	113	

USM Court Transport	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Totals
	107	104	119	113	443

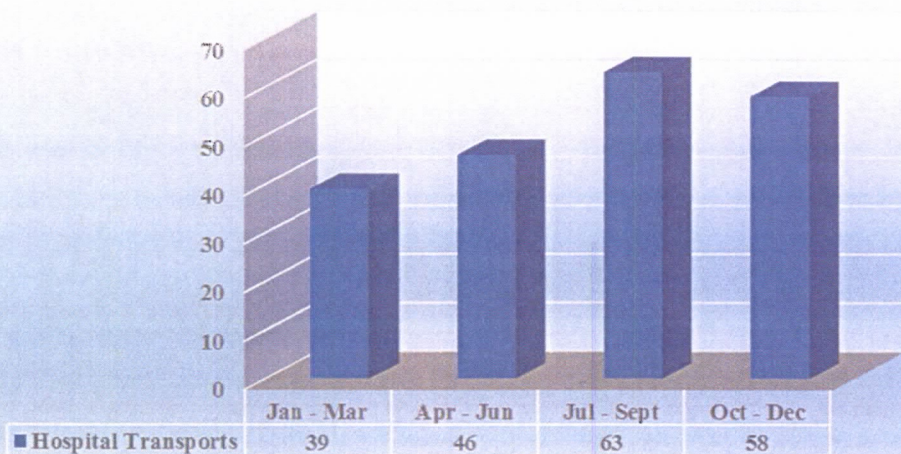
USM MEDICAL & ER APPTS



	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	
■ Medical & ER Appts	16	14	9	26	

2016 US Marshals	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Totals
Medical Appointments	14	13	9	24	60
Emergency Room Transports	2	1	0	2	5
Totals	16	14	9	26	65

2016 ER TRANSPORTS



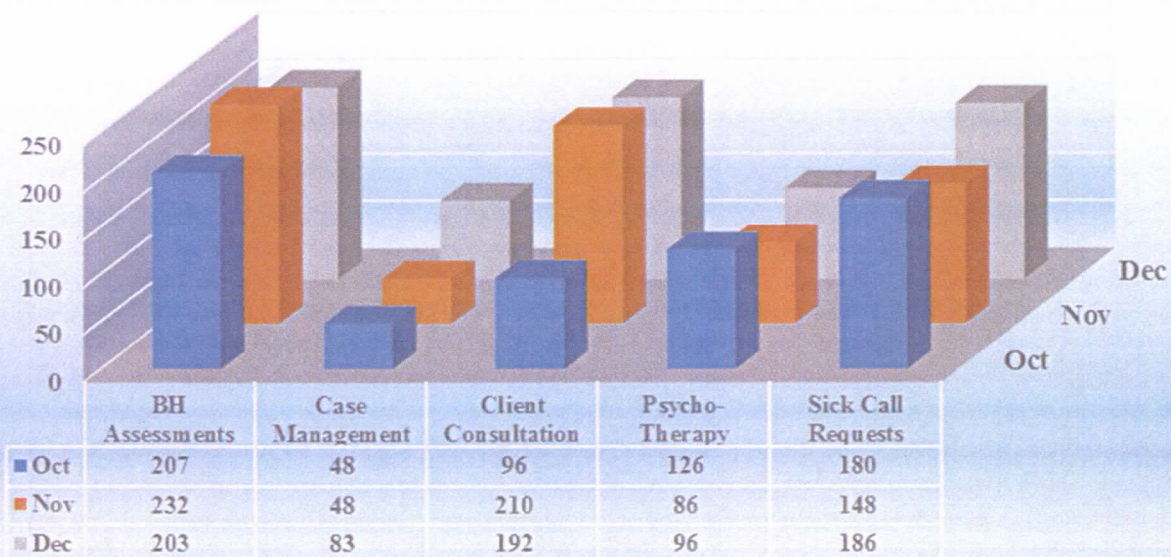
Hospital Transports	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Totals
	39	46	63	58	206

Substance Use / Abuse Reported

The following statistics refer to the 8544 Intakes for 2016

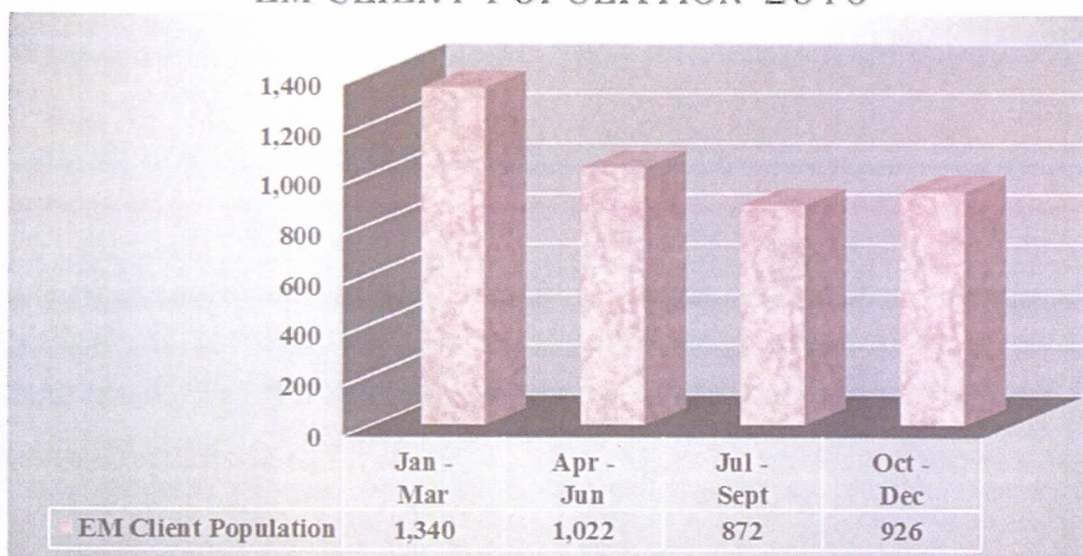
Total people admitting to use or abuse of high risk substances; including alcohol	95%	Are using or abusing high risk substances	
Percentages of inmates using opioids (heroin, methadone, buprenorphine, PO?)	32%		
Heroin	61%	of all the inmates using prescription opioids	
Methadone	7%	of all the inmates using prescription opioids	
Buprenorphine	22%	of all the inmates using prescription opioids	
Prescription Opioids	10%	of all the inmates using prescription opioids	
How many people were ordered an opiate withdrawal protocol?	74%	of all the inmates using prescription opioids	
People using Benzodiazepines	6%	of all the inmates using high risk substances	
People requiring supervised withdrawal from benzodiazepines	31%	of all the inmates reporting benzodiazepine use	
People drinking alcohol (socially to alcoholic)	40%	of all the inmates using high risk substances	
People requiring supervised withdrawal from alcohol	18%	of all the inmates reporting alcohol use	
Total number of people requiring supervised withdrawal	20%	of all the inmates reporting benzodiazepine or alcohol use	

BEHAVIORAL HEALTH



Behavioral Health	Oct	Nov	Dec	Totals
BH Assessments	207	232	203	642
Case Management	48	48	83	179
Client Consultation	96	210	192	498
Psycho-Therapy	126	86	96	308
Sick Call Requests	180	148	186	514
Totals	657	724	760	2,141

EM CLIENT POPULATION 2016



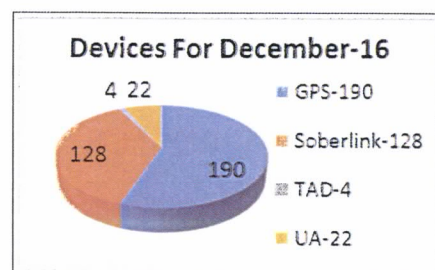
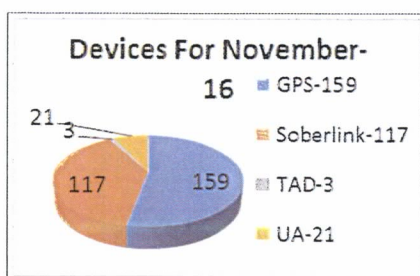
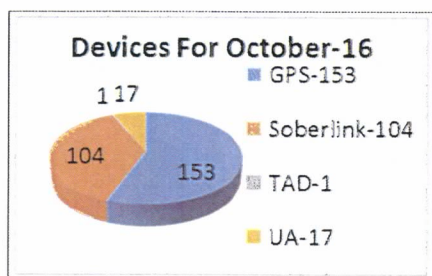
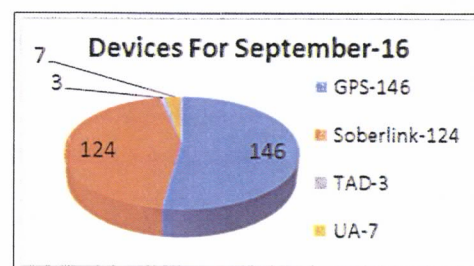
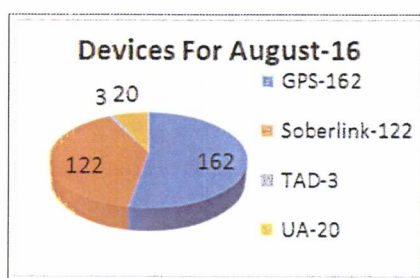
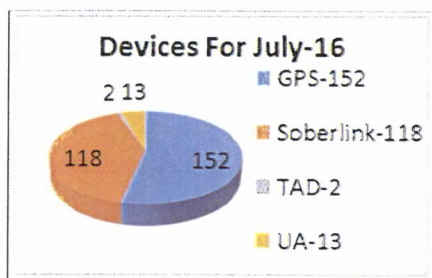
EM Client Population	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec	Totals
	1,340	1,022	872	926	4,160

- GPS (Global Position System)
- SOBERLINK (Mobile Alcohol Testing Device)
- TAD (Transdermal Alcohol Detection)
- DRUG TESTING CUP (Device to Test Urine)

Cost of Each Device

- GPS- \$6.00 per day
- Soberlink- \$6.00 per day
- TAD- \$8.25
- Urine Analysis Cup- \$5.00

Revenue generated from Electronic Monitoring clients was approximately \$188,785 for 2016.



Case Managers Average Monthly Contacts				
<i>Demographic Information</i>	Oct	Nov	Dec	Totals
Males	396	381	298	1,075
Females	80	76	57	213
<i>Custody Classification Level</i>	Oct	Nov	Dec	Totals
Minimum	153	140	102	395
Medium	83	76	74	233
Maximum	225	221	171	617
Unassigned: Booking	10	20	10	40
Total	471	457	357	1,285
<i>Sentenced w/J&S</i>	Oct	Nov	Dec	Totals
	53	47	34	134
<i>Classifications' Inmate Contact</i>	Oct	Nov	Dec	Totals
Alpha Unit	69	80	65	214
Bravo Unit	67	70	53	190
Charlie Unit	56	63	59	178
Delta Unit	83	88	72	243
Booking	129	123	109	361
Totals	404	424	358	1,186

The average case load for a Classification Officer are eighty [80] per day. Currently we have five Case Managers.

Essentially we have two levels of custody; Minimum and Maximum, anything outside of that will be Special Management (PHD, Disciplinary, Voluntary and Involuntary), or discretionary placements which would be used if an offender scores high but his behavior/history and or charges (criminal complaint) shows different or vice versa and will require documentation and approvals. Initial classification will take place in Booking as offenders come in within the initial 24 hours, the Classification Officer will determine any type of discretionary override based on scoring, history review and assessment of criminal complaint, discretionary override will then be reviewed and or approved or denied prior to offender being moved from Booking.

Public Safety / Corrections Division

FTE Status Report Oct - Dec 2016

Facility \ Program	Authorized FTE	Oct Vacant Positions	Nov Vacant Positions	Dec Vacant Positions	Vacancy Rate
Administration	6	0	0	0	0
Adult Facility	155	34	33	35	20
Electronic Monitoring	10	3	3	3	30
Maintenance	7	2	3	3	29
Medical	32	11	13	12	34
Totals	238	56	59	57	22

Adult Detention Facility/Security

Specific Vacancy Rates by Classification as of Oct - Dec 2016

Position Classification	Authorized FTE	Oct Vacant Positions	Nov Vacant Positions	Dec Vacant Positions	Vacancy Rate
Detention Officer	79	22	23	26	25
Corporal	15	1	0	1	7
Sergeant	14	6	6	6	43
Lieutenant	6	0	0	0	0
Captains	2	0	0	0	0
Major	1	0	0	0	0

Nursing Positions as of Oct - Dec 2016

POSITION	Authorized FTE	Oct Vacant Positions	Nov Vacant Positions	Dec Vacant Positions	Vacancy Rate
RN's	9	4	3	3	44
LPN's	6	2	3	3	33
Totals	15	6	6	6	77