

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
October 10, 2017

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

SFC CLERK RECORDED 11/15/2017

SANTA FE COUNTY

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

October 10, 2017

I. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:10 p.m. by Chair Henry Roybal in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

B. Roll Call

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

Members Present:

Commissioner Henry Roybal, Chair
Commissioner Anna Hansen, Vice Chair
Commissioner Robert A. Anaya [telephonically]
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 Chris Narvaiz, the State Pledge by Rick Francisco and the Moment of Reflection by Rudy Carrillo of the Public Works Department.

- F. Approval of Agenda**
 - 1. Amendments**
 - 2. Tabled or Withdrawn Items**

CHAIR ROYBAL: Is there any amendments or tabled or withdrawn items?

KATHERINE MILLER (County Manager): Yes, Mr. Chair. We posted the amended agenda on Friday the 6th at 1:29 pm. That agenda included a few items that had been added or captions changed or moved around. So if you go to page 2 on your

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agenda under miscellaneous II. B. 2, the resolution approving a lease agreement, that item was on but we had to clarify the caption. Then a little further down, under Action Items, Miscellaneous, item III. B. 2, the authorization to utilize design-build project delivery method, that item was added, as well as item III. B. 3, another request to authorize a design-build project delivery method.

Then at the bottom of page 3, under Matters from the County Attorney, we did add some items under executive session, and that would be item VI. A. 2, 3 and 4. And then also item VI. B was added, and that is a resolution authorizing the County Manager to take action necessary or appropriate to join as a plaintiff in an action against the United States Department of Housing, or HUD.

The also under our Public Hearings, item VIII. A. 5. These are land use cases. That item has been tabled. So those are all of the amended or withdrawn or tabled items that were posted to the amended agenda on October 6th.

CHAIR ROYBAL: Okay, is there any other tabled, or amendments or withdrawn items to be changed? Okay, I did have one request to move item number VII. B. 1 before executive session, so we'll be moving VII. B. 1 before executive session, and that is a presentation, a recognition of Shelley Mann-Lev for her dedication and service as the director of the Santa Fe Prevention Alliance and prevention coordinator.

So we need a motion. Do I hear a motion to approve?

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

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: And a second by Commissioner Hamilton.

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

- I. G. **Approval of Minutes**
 - 1. **Approval of September 12, 2017 Board of County Commissioners Meeting Minutes**

CHAIR ROYBAL: Is there any amendments or changes to that? Corrections? No? Okay, seeing none, what's the pleasure of the Board?

COMMISSIONER HAMILTON: Move to approve.

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

COMMISSIONER MORENO: Second.

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

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

- II. **CONSENT AGENDA**
 - A. **Resolutions**

- 1. **Resolution No. 2017-102, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget a Vehicle Purchase From an Insurance Recovery / \$14,742.50 (Finance Division/Don Moya)**

2. **Resolution No. 2017-103, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget Extension Funding Awarded Through the HIDTA Grant Program / \$5,729.11 (Finance Division/Don Moya)**
3. **Resolution No. 2017-104, a Resolution Requesting a Budget Increase to the Assessor's Property Valuation Fund (203) Budget to Purchase a New Chat Service Software Subscription (Assessor/ Gus Martinez)**

B. Miscellaneous

1. **Request Approval of Sub-Lease Agreement No. 2018-0117-GM Between Santa Fe County and Black Mesa Wireless, LLC to Use the REDI Net Fiber Lines to the Pojoaque Pueblo Fire Station for a Hook Up to an Internet Service Provider in Order to Provide Broadband Service to End-Users in the Pojoaque Valley (Growth Management/Chris Hyer)**
2. **Resolution No. 2017-____, A Resolution Approving Lease Agreement No. 2018-0119-PW Between Santa Fe County and Santa Fe Recovery Center, Inc. for the Operation of a Detoxification and Sobering Center at 2052 Galisteo Street, Santa Fe, NM (Public Works/Terry Lease) ISOLATED FOR DISCUSSION**
3. **Request Approval of Amendment No. 3 to Price Agreements No. 2015-0073-A-ASD/PL with Matthews Office Supply; Agreement No. 2015-0073-B-ASD/PL with Midway Office Supply; and Agreement No. 2015-0073-C-ASD/PL with School Specialty Office Supply for Office Supplies for all County Departments and Authorization for the County Manger to Sign the Purchase Orders. (Purchasing/Bill Taylor)**
4. **Amendment No. 1 to Collective Bargaining Agreement Between Santa Fe County, New Mexico and the American Federation of State, County, and Municipal Employees; New Mexico Council 18, Local 1782, AFL-CIO (Human Resources/Bernadette Salazar)**

CHAIR ROYBAL: Do we have any items on our Consent Agenda that need further explanation or would like to be moved to III. A. for extended discussion?

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I'd like to pull the item for the purchase of the fire apparatus from Galveston, and then I just have a couple questions. And then I would just like if Ms. Miller could talk briefly about the lease agreement with the recovery center. Those two items, Mr. Chair.

CHAIR ROYBAL: So this is on the Consent Agenda. Do you know which item numbers those are, Commissioner.

COMMISSIONER HANSEN: B. 2, I would also appreciate a few questions about that under the Consent Agenda.

TONY FLORES (Deputy County Manager): Mr. Chair, the actual item B. 2 is under Action, so we'll have a presentation on that one. That one is not under Consent. If that's the one Commissioner Anaya is referring to, that's where the Houston Galveston cooperative purchasing agreement is.

COMMISSIONER ANAYA: Oh, good. If it's action then I'm fine. I just have a couple questions. So then with the recovery center, that one's on Consent. Right, Tony?

CHAIR ROYBAL: I'm seeing item #B. 2. Is that correct?

MR. FLORES: Yes, Mr. Chair. That's on Consent.

COMMISSIONER ANAYA: B. 2, I just want a brief explanation of that.

CHAIR ROYBAL: Okay, so we're going to go ahead and move item #B. 2 for extended discussion, under III. A. So was that a motion, sir, with that one being pulled for more explanation? Commissioner Anaya.

COMMISSIONER ANAYA: Yes, I'll move it.

CHAIR ROYBAL: Okay, so we have a motion with item #B. 2 under extended discussion. Is there a second?

COMMISSIONER HANSEN: Second.

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

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

[Clerk Salazar provided the numbers for the Resolutions throughout the meeting.]

III. ACTION ITEMS

- A. **Items from Consent Agenda Requiring Extended Discussion/ Consideration**
- II. B 2. **Resolution No. 2017-105, a Resolution Approving Lease Agreement No. 2018-0119-PW Between Santa Fe County and Santa Fe Recovery Center, Inc. for the Operation of a Detoxification and Sobering Center at 2052 Galisteo Street, Santa Fe, NM [Exhibit 1: Resolution Text]**

MR. FLORES: Mr. Chair, how does Commissioner Anaya want this item?

CHAIR ROYBAL: Do you want under discussion, Commissioner Anaya, or do you have specific questions?

COMMISSIONER ANAYA: I just want a brief synopsis of what we're doing.

CHAIR ROYBAL: Okay.

TERRY LEASE (Public Works): Mr. Chair, Commissioner Anaya, this agreement – Christus St. Vincent has operated the detox center for several years. That agreement terminated August 24th. We entered into a short-term agreement with Santa Fe Recovery Center, giving us time to allow to prepare a longer-term agreement, which is before you here today.

The purpose of this agreement before you here today is to allow Santa Fe Recovery Center to continue to operate the detox center in the County building on Galisteo while we prepare a competitive process to find a new, long-term provider.

MS. MILLER: Mr. Chair, I might be able to add to that. If you recall, we had two separate agreements with Christus. We had a lease agreement for the facility, and they leased it from us, and then we had an operating agreement and they operated the facility. Now we have an operating agreement with the Recovery Center and we need to match that with a lease, because the Christus St. Vincent lease has expired or is expiring. So this is to match a lease of the facility to go along with the operating agreement. And then we'll be going out for longer term operating agreement and then we'll also look at whether we need to have the same lessee when we do the operating agreement. So this is to marry the two – the operating agreement and the lease of the facility for them to operate.

CHAIR ROYBAL: Okay, thank you for that explanation Manager Miller and Mr. Lease. Commissioner Anaya, did that answer your question?

COMMISSIONER ANAYA: So Mr. Chair, I appreciate the summary. These are, as everyone knows, essential functions and programs and services that we offer. Could you briefly, Ms. Miller, or Rachel or anyone else, comment on our comfort level with the capacity to deliver these services in the interim basis? Do we feel good, like they're going to be able to handle the administration of these facilities and services provided in the county and in the city?

RACHEL O'CONNOR (Community Services Director): Mr. Chair, Commissioner Anaya, we do. We feel very confident in the program that has been put forth by the Santa Fe Recovery Center. They are accepting new clients. They are providing a more intensive level of service than we have historically provided there that includes long-term navigation, counseling, enhanced medical services. So we have been very pleased thus far with the service that's being provided.

COMMISSIONER ANAYA: Excellent. I appreciate that, Ms. O'Connor and Ms. Miller and the team and Mr. Chair, I think it is an important enough service to make sure we highlight that we're still functioning and providing those services and now we're going to engage in a process to select a longer-term person or group. It may be them; it may not, but that we're currently functioning and providing the continued service to the community which is the operative point. So I just wanted to highlight that and ask those questions. I appreciate the indulgence, Mr. Chair, and I'd move for approval.

CHAIR ROYBAL: Okay. I agree with you 100 percent and I think we all realize that this service is imperative, so thank you, Commissioner Anaya. So I have a motion from Commissioner Anaya. Do I hear a second?

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: And we have a second from Commissioner Hansen. Under discussion, is there anything else? I know, Commissioner Hansen, you may have had other questions?

COMMISSIONER HANSEN: That was adequate and what I wanted to hear also. But I think it's really important, these services that we provide. I'm sure that you're looking forward to working with the Recovery Center continuing. And that relationship, because it seems to be moving in a very positive direction.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Any other discussion from Commissioners? No? So we have a motion and a second.

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

III. B. Miscellaneous

1. Request Board of County Commission Approval to Utilize the Houston Galveston Area Council Cooperative Purchase Agreement, Pursuant to Ordinance No. 2012-5, Section 1, Outside Contracts, to Purchase Two (2) Fire Department Ambulances in the Amount of \$564,373 and Authorization for the County Manager to Sign the Purchase Order

MR. FLORES: Thank you, Mr. Chair. Good afternoon, Commissioners. Item III. B. 1 is requesting authorization from the Board to utilize the HGAC purchasing agreement process pursuant to Ordinance 2012-5m which allows the County, if approved, to use outside contracts. In this particular case we are looking for approval to purchase two fire ambulances, one that will replace Med 61 for the Agua Fria district and the second one will replace Med 80, which serves the eastern region, specifically the Eldorado, the Hondo, the Galisteo and the Glorieta fire districts. And with that, Mr. Chair, I'll stand for questions.

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

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I appreciate letting me ask a question. Mr. Flores, we routinely purchase our fire apparatus, medical units, from a couple different providers and highly specialized – I understand they're highly specialized acquisitions and require highly specialized companies. But I wanted to just get your feedback as the former purchasing director and if anybody else would want to comment I'd be all ears open to assure that we're doing everything we can on our end to make sure that we're going through a competitive process and that we don't get too comfortable with agreements that we have with primary operators and companies. And I say that respectfully.

I don't say that and thinking that any staff or anything in any way but when you look at the acquisitions of this type of apparatus and the money that we expend to acquire this type of apparatus, it's a lot of money. And so I always like to stop and take a look at it and say, are we still as confident as we've always been that we're utilizing our money with the highest and best practice and functionally providing all providers that opportunity for competitive acquisitions.

So I can think of two companies – Becker and these guys and maybe one or two others but is our comfort level still the same associated with our acquisitions for these very large purchases?

MR. FLORES: So, Mr. Chair, Commissioner Anaya, I think that's an excellent question and one that I think you and I struggled with back in the early 1990s and 2000s when we were doing different types of acquisitions. I can tell you when we

utilize outside contracts, in this case the HGAC contract, that contract is competitively bid and that's one of the reasons why that mechanism is – I don't like to use the word convenient, but it is convenient for the County to readily acquire emergency apparatus in a timely fashion rather than going through a traditional bid-build process where we get the specs and then we send them out and then they build.

So with the HGAC contract, having an in-depth familiarity with it not only at the County but also with the City of Albuquerque we've purchased every one of our transit authority buses through this contract because of the fact that they do a national competitive process and they refine and they refine the bids. So I think from this particular acquisition, I am very confident. I am not the purchasing manager but very confident that HGAC provides the County a convenient and cost-effective way to acquire these large buys.

COMMISSIONER ANAYA: Mr. Chair, Tony, I appreciate that. Like I said, we make some large acquisitions with these companies and I just – from time to time, want to maybe reframe and restate the reasoning, and you've articulated that and I think it's just important to put on the record that we care and are cautious about the tax dollars we spend and do everything we can in due diligence to make sure we're getting the best price we can for the very specific needs that we have as it relates to this type of equipment. Thank you, Mr. Chair. I'll move for approval.

CHAIR ROYBAL: Thank you, Commissioner Anaya. Okay, we have a motion. Do I hear a second?

COMMISSIONER MORENO: Second.

CHAIR ROYBAL: I have a motion and a second. Under discussion, I'm going to go to Commissioner Hansen and then I'm going to go to Commissioner Hamilton.

COMMISSIONER HANSEN: Yes, thank you. Thank you, Commissioner Anaya, for your questions. Also, I noticed on the back page that one person will be going to Horton for final inspection and to pick up the trucks. Who will that be so that we're making sure that we get what we ordered?

DAVE SPERLING (Fire Chief): Mr. Chair, Commissioner Hansen, normally, we send our chief fleet mechanic to do the final inspection at the site to make sure that the vehicle has been built in accordance with our specifications.

COMMISSIONER HANSEN: Okay. Thank you very much.

MR. FLORES: And Mr. Chair, I just want to point out that that's standard operating procedure with the Fire Department, whether we use this contract or do our own bid. They always require the Fire Department to go out and inspect and accept before delivery is made.

CHAIR ROYBAL: Okay. Thank you. Commissioner Hamilton

COMMISSIONER HAMILTON: I actually just had a quick follow-up question to Commissioner Anaya's question. Does working through this contract – you mentioned it was competitively bid itself. Does that give us some – and this is just partly interest, future knowledge – does that give us some better buying power, essentially because they're doing more purchases than we ourselves would do and so you get some –

MR. FLORES: Mr. Chair, Commissioner Hamilton, absolutely. We leverage their buying power or their power to go out and solicit large contracts with a

definite quantity of items on there. So we're actually leveraging HGAC's ability to go out and get the best obtainable price for different pieces of equipment or apparatus.

COMMISSIONER HAMILTON: Question to Chief Sperling through. I certainly hope I know what the answer is but I know how badly these are needed but in that whole budget constraints and always trying to be efficient, do you feel like you've got what you felt we really needed in these or did you have to cut some corners or leave some things on the table?

CHIEF SPERLING: Mr. Chair, Commissioner Hamilton, no. We pretty much build the ambulances in accordance with what our needs are, and since this is funded out of our fire excise tax we do feel like we get what we need for the most efficient and practical price through this contract process.

COMMISSIONER HAMILTON: Good to hear. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. Thank you, Chief Sperling and Deputy County Manager Flores. Are there any other questions? We have a motion and a second? Okay, seeing no other questions.

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

III. B. 2. Request Authorization to Utilize the Design-Build Project Delivery Method for the East Mountain Regional Health Facility [Exhibit 2: Staff Report]

MR. FLORES: Thank you, Mr. Chair. We have two back-to-back items that deal with this subject matter. So the first one is item III. B. 2, and we're requesting authorization from the Board to utilize a design-build project delivery method for the East Mountain health facility. The state procurement code, as well as the Santa Fe County purchasing regulations manual allow the County to look at delivery methods for projects. We have a traditional method, which is the design, bid, build process, which is normal for about 99 percent of our projects.

But in the event that a project, because of circumstances where time constraints for delivery, funding issues, capability of potential teams, suitability, etc. can be evaluated, those two guiding documents – the state purchasing code and the County's manual on procurement gives us an alternative method for project delivery which is the design-build method. So we cut out one of those steps to try to get a project that has circumstances around it into the ground and developed at a faster pace.

In a design-build process, the design and construction run somewhat parallel. We're able to get a project started and things implement and it's a very parallel, iterative process where we get things moving faster. And the reason we suggest those types of projects is time and money. There's some advantages to doing that process rather than a design, wait for the design to go out for bid, wait for the bid, then to go out to construction if budget's available. Here we establish certain parameters, design specs, and we move forward.

The East Mountain Regional Health Facility that we're all familiar with, and we've been bringing pieces together, as of today we have \$6 million dedicated to this project and that includes GO bond money, state severance tax money, USDA WIC

money, Department of Health money, and First Choice is bringing money to the table. So we have a pot of \$6 million on the table. The project in size and type of facility lends itself to a rather accelerated process for development than going through the traditional method. There are also some time constraints with the funding. The WIC funding that we just approved or the Board just approved last month, there's some certain timeframes that go along with that. One of them is coming up on December of this year.

So the code and the manual allow the Board to look at certain things and to make that when we do something like this, the maximum utilization of the funding sources, dates of completion, dates of occupancy, are all considered and today we're asking for the Board to approve concept authorization and approval to proceed with the procurement process for the East Mountain Regional Health Facility under the design-build project delivery method. And now that I've confused everybody, including myself I'll stand for questions.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair and thank you, Mr. Flores. Having had the opportunity of working on both types of projects, I guess the one thing I would also add is that the design-build concept allows the team as a whole to collectively work through both facets of the project which helps to expedite the actual design and construction itself as opposed to a separated design process, bidding process, for that design and then plan sets, if you will, that then get evaluated by potential contractors and bid. So it actually affords an entire team to get their mind and their skill sets around the project and affords working through some bugs, if you will, sooner rather than later, because there's always going to be things that we have to work through. But I think conceptually, it makes sense to expedite timing and I would even say quality because you're working as a team. Do you have any comment on that piece of it, Tony?

MR. FLORES: Mr. Chair, Commissioner Anaya, I think you've said exactly what we were looking for, because the approach is different not only from the County and the user's perspective but also the team under design-build, a construction contractor brings all the facilities, personnel to the table that we would otherwise have to go out and end up having to solicit and then have them try to get all back together on the same page. So bringing both teams together actually provides a more efficient process and hopefully, ultimately, efficiency equals time and staying within an approved budget.

COMMISSIONER ANAYA: Thank you and thank you, Mr. Chair, I don't have any other comments. I'd move for approval.

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

COMMISSIONER HANSEN: I second.

CHAIR ROYBAL: Okay, we have a motion and a second. Under discussion, Commissioner Hamilton.

COMMISSIONER HAMILTON: So that all sounds really good and I have to be honest. I couldn't really think of anything that would raise an issue for me, with somewhat less experience than you guys have in terms of these kinds of projects, but I would think that the more complex a project is or when it has special or unique problems that would throw up, potential red flags, or things where – do you have – do

you see any potential pitfalls in this kind of approach for this, what seems to be a pretty straightforward project?

MR. FLORES: Mr. Chair, Commissioner Hamilton, there's always a concern about the project teams, right? So we're still going to have to go through a procurement process to engage a team of professionals, both construction professionals and design professionals. So there's always that potential for a difference of opinions, if you will, from the program. However, under this method when you go in for an RFP process and lump sum as a criteria when you get to a second phase, you're actually refining those potential pitfalls, and I think under the design-build process you have more control of one team rather than a set of different contracts with different professionals and everybody looking at each other to figure something out. In this case you have a team coming together as one individual contractor.

COMMISSIONER HAMILTON: Thank you.

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

COMMISSIONER HANSEN: I'm wondering – I don't remember the square footage of this building.

MR. FLORES: Mr. Chair, Commissioner Hansen, it's approximately 22,000 square feet.

COMMISSIONER HANSEN: Okay. Since we're under such a tight deadline, do we have design-builders in the pipeline that we're ready to reach out to?

MR. FLORES: Mr. Chair, Commissioner Hansen, absolutely not. I need to have first the approval to be able to begin solicitation. So do have an idea of who could potentially put in a bid? Absolutely.

COMMISSIONER HANSEN: Okay. That's what I was –

MR. FLORES: But again, that's through a separate process.

COMMISSIONER HANSEN: And how long will that take?

MR. FLORES: Well, since Bill's not here, Mr. Chair, Commissioner Hansen, I'm going to tell you that I've worked with him to try to get a contract before the Board at the end of November.

COMMISSIONER HANSEN: Okay. So that's what we have to do to fulfill this December 31st is have the contract.

MR. FLORES: Mr. Chair, Commissioner Hansen, yes. That's about 90 percent of that requirement.

COMMISSIONER HANSEN: Okay. And what's the other 10 percent?

MR. FLORES: Spending money, Mr. Chair, Commissioner Hansen.

COMMISSIONER HANSEN: And how much do we have to spend?

MR. FLORES: Mr. Chair, Commissioner Hansen, again, I think we're getting a little bit out of the realm. I don't want to put too much information out there with the solicitation and tip our hand, but it's a significant amount of the original funding.

COMMISSIONER HANSEN: Okay. I just want to know how it all works. But thank you. I appreciate that.

CHAIR ROYBAL: We have a motion and a second. Anything else under discussion?

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

III. B. 3. Request Authorization to Utilize the Design-Build Project Delivery Method for the County Administration Offices Project [Exhibit 3: Staff Report]

MR. FLORES: Thank you, Mr. Chair. I'll tee up the next item. As I prefaced my remarks, this is item III. B. 3, which we're requesting authorization from the Board of County Commissioners to utilize the same design-build project delivery method for our County administration office projects. I'm not going to go into the allowability of it under the procurement code or the purchasing manual but we are going to request the same type of method for this project. And just for some background, I also have Mr. Hogan from the Projects Division and our registered architect on board to answer any specific questions. We undertook some planning options for the new project back in 2013. As we know, it's going to be located on the site of the old judicial complex.

The efforts that have come to date have allowed staff to take a step back from that original or traditional process, so that contract was let under the traditional design-bid-build process. So staff has had a chance to take a step back, meet with the County Manager's Office of course and the purchasing director, and one of the things that we'd like to look at is if the Board authorizes us, or some of the reasons why the Board potentially could authorize this is we look at a timely project delivery method. We're a little behind right now in the schedule with the traditional method. We would be using the same type of thought where we'd have one contractor that's a contractor with all the additional professional services as one group rather an individual processes. We could look at the opportunity to gain and select multiple or different design options, the potential for a cost and scope control that we would establish on the onset rather than having it where we are subject to a design that goes out to a bid or subject to the bid and then I'm not sure where that lands. This has us going out in that team effort.

We also could look at reducing the opportunities for any late changes that would significantly bust the budget in the traditional method. If we hire a firm to go out and do a design, we take that design, we go out to bid, in that methodology, the low bid is the one that we look at and then we can only do certain things if it's within a certain budget parameter. So this approach actually allows the County to have a little bit more control of the process.

I think most importantly, looking at integrating the project – I hate that word but having a better look at the project and maybe a renewed or focused effort to look at how we move forward, associating sustainability and other features that were budget-driven the first time, maybe we can incorporate now under the design-build process that would give us the ability to select that team that actually can accomplish those goals for us.

So with that, Mr. Chair, unless Mark has any questions, we'll stand for questions and we are requesting authorization for concept approval to move forward with this method.

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

COMMISSIONER HANSEN: I just have a few questions after reading the

background summary. These might be a little more detailed than what you want to go into, but I just have some questions I wanted to ask. It says in here there would be two levels – it says in the background summary there will be two levels below-grade parking. I thought that we were having three levels. Or am I misremembering something else?

MARK HOGAN (Projects Division): Mr. Chair, Commissioner Hansen, it's always been two levels. We actually initially started off with one level anticipated below grade and then at the program approval the Commission added 60 spaces for fleet parking and so that pushed it to two levels below the grade as defined by the Grant Street location.

COMMISSIONER HANSEN: Okay. Great. And then it says – I thought maybe if you would expand a little bit. On page 3, on the bullet points, the process reduces opportunities for Santa Fe County to provide late input or changes requirements that can alter the scope of work and significantly influence the project budget. Just a little explanation.

MR. HOGAN: Sure. Mr. Chair, Commissioner Hansen, Mr. Flores touched on that earlier in that the process allows more seamless integration of ideas in the development of those. Since we will be letting the contract for both design and construction simultaneously, it gives us a more specific benchmark of where we're starting off and what our goals for the project are. Second it eliminates or certainly reduces the opportunity for ourselves to inject change into the process that could either delay it or affect the scope, which usually affects the budget. So it's really to provide better control within the County to keep on track as far as the scope of work goes.

COMMISSIONER HANSEN: I really appreciate, Deputy Manager Flores mentioning the sustainability and bringing more of that into the building, because as you know, that's incredibly important to me. So I appreciate hearing that. And then who will be the project manager? Under basic processes.

MR. HOGAN: Mr. Chair, Commissioner Hansen, we will have a subject matter expert in design-build that we'll retain as a consultant to help guide us through some of the specifics of the project, particularly looking for the right expertise in sustainability, things that will go into our initial selection. The Projects Division will be managing the project for the County and that will fall under my responsibility.

COMMISSIONER HANSEN: Okay. And under the list under E. 2, I didn't see the sustainability component listed on this list but I have read it earlier on, so does it need to be on this list? Are we still defining many of the things that we're going to want in the building. I don't have page numbers on this.

MR. FLORES: Commissioner Hansen, could you point me where –

COMMISSIONER HANSEN: On E #2, there was a list of other areas and expectations that should be addressed in the request for the proposal. It may include the following. And so I just didn't see sustainability components on that list.

MR. FLORES: So Mr. Chair, Commissioner Hansen, no. We have the ability to define the scope of the design-build process. That's where we come in and assert what the actual design parameters are. That's up to the County or the local public body, whoever is asking for it, to be able to insert that into the design requirements.

COMMISSIONER HANSEN: Okay. Thank you. I move to approve.

CHAIR ROYBAL: Thank you, Commissioner Hansen. We have a motion.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a second, and under discussion, did you –

COMMISSIONER HAMILTON: Yes, I had just a follow-up question from Commissioner Hansen, because it just seemed like the things you've said, Mr. Flores, were really good, that we have the ability to have input on the design issues that we have and that in fact having design-build offers greater flexibility for ongoing interactions, and then the one point that Commissioner Hansen asked about, which was to reduce our inputs, seems contradictory to me. And so I just wondered –

MR. FLORES: For clarification, Mr. Chair, Commissioner Hamilton, Santa Fe County under this process has more at the table than if we let an A&E contract and had the consultant come back with a design solution. So I just want to clarify that. And I also do want to say that this site is different than the one we just approved. The one we just approved is a flat, vacant piece of land. This one has a little bit more complexities in it and will require a little bit more oversight on the project team's part as well as the selection of that eventual contractor.

COMMISSIONER HAMILTON: I'm glad to hear you say that. Thank you very much.

COMMISSIONER HANSEN: Thank you for the clarification. I have one more question.

CHAIR ROYBAL: Okay, so we have a follow-up question from Commissioner Hansen.

COMMISSIONER HANSEN: Will this design-build contract include redoing this building? Or will that be separate?

MR. FLORES: Mr. Chair, Commissioner Hansen, this project is a total project, so it will include the site up the street and this building.

COMMISSIONER HANSEN: Okay. Thank you.

CHAIR ROYBAL: Thank you, Deputy Manager Tony Flores. So do we have any other items under discussion? Nothing else? So we have a motion and a second.

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

III. C. Resolutions

1. Resolution No. 2017-106, a Resolution to Support the New Mexico Association of Counties' 2018 Legislative Priorities

GERALDINE SALAZAR (County Clerk): Yes, Chair and Commissioners, the New Mexico Association of Counties has put together their 2018 NMAC legislative priorities. You have the resolution in front of you and the five priorities are: Forfeiture Act reform, protecting county funding of healthcare, tax reform, adoption of a Local Election Act, extending 2014 House Bill 16 Liquor Tax distribution sunset.

And for summaries, 1) Forfeiture Act reforms. Support legislation that would correct the unintended consequences of the 2015 amendments to the New Mexico Forfeiture Act to address federal equitable sharing, storage of abandoned property, and

expand local authority to seize and dispose of forfeiture property while preserving due process protections.

2) Protecting county funding of healthcare. Support the significant involvement of county policy makers and federal, state and local healthcare, human services and Medicaid planning, funding and service delivery decision making and oppose any measure that would further shift federal and state healthcare costs to county government.

3) Tax reform. Support legislation that protects county revenue and does not have a negative impact on county government. NMAC strongly believes that counties must be at the table for and fully participate in all tax reform efforts, strive to minimize tax policy that places counties and other local governments in conflict, and opposes any efforts that reduce the state's hold harmless distribution to counties or that reduces county GRT gross receipts tax authority.

4) Local Election Acts. Supports legislation that would enact the Local Election Act, aligning the date for local, non-partisan elections with taxation authority to the same day in the odd-numbered year.

Extend 2014 House Bill 16 liquor tax distribution sunset. Support legislation that would permanently increase the distribution percentage to local DWI grant funds.

Those are the five priorities. This is the resolution and so now it's for you to decide and pass if you would like to endorse this resolution.

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

COMMISSIONER HANSEN: I'm wondering if our County Manager Miller could speak about any of these items on this list and give us some information.

MS. MILLER: Mr. Chair, Commissioners, essentially what the Association of Counties is doing this year is slightly different than previous years. What they've done in the past is have a resolution for each one but this time they kind of took broad policy statements as the Clerk read, so those are the substance of their policy statements. And those came out of either a Tax Committee, which I am the chair of the Tax Committee. They have a Healthcare Committee and we have members of County staff that are on the Healthcare Committee. They have a variety of different groups that work on each one of these items, and then through the affiliate process or the task force or committee process, they bring forward recommended priorities for the next legislative session, and then they take those to the executive board and then the executive board takes them to the full board.

And so that's how they go through the process and they get vetted by all of the Counties having some input to try to make the policy statements applicable to all counties, as opposed to carved out for a particular type of county. So the statements are broad but they give the Association of Counties and the lobbyists direction on how they should approach pieces of legislation as they're introduced. And they like each county to verify whether or not through a resolution or some action whether the county supports that policy statement, and then that way they can say this is supported by all 33 counties, or this is supported by 30 of our 33 counties. So it gives them a sense of how much support they have from their membership to individual pieces of legislation and how to approach lobbying for or against individual pieces of legislation.

