

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
October 29, 2019

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

SFC CLERK RECORDED 12/03/2019

SANTA FE COUNTY

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

October 29, 2019

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:05 p.m. by Chair Anna Hamilton in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

B. Roll Call

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

Members Present:

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

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance was led by Julie Campos, the State Pledge by Tanya Garcia, and the Moment of Reflection by Julie Campos of the Public Safety Department.

Commissioner Hansen requested a moment of silence for Ed Reed, community member.

I. F. Approval of Agenda

1. Amendments

2. Tabled or Withdrawn Items

CHAIR HAMILTON: Manager Miller, are there any changes we should take note of?

KATHERINE MILLER (County Manager): Madam Chair, the agenda as

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posted does have some amendments from our original posting. We amended the agenda at 4:33 pm on October 25th and the items that were added, under item 9, that's the County Board of Finance, item E, a resolution for the adoption of an updated investment policy was added. Also under 11, Matters from the County Attorney, item 5 under executive session was added. And then under information and reports, item 13. G, the Public Works monthly report was added. And those are the only amendments to the agenda.

CHAIR HAMILTON: Thank you very much. So what's the pleasure of the Board?

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I move to approve.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: Thank you. I have a motion and a second.

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

I. G. Approval of Minutes: September 24, 2019

CHAIR HAMILTON: Were there any changes or comments?

COMMISSIONER HANSEN: Yes, Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I have changes to the minutes, but I have a question for Commissioner Garcia.

CHAIR HAMILTON: Go ahead.

COMMISSIONER HANSEN: Commissioner Garcia, I think you were making a joke but I'm not sure the meeting reflects this and the minutes reflect it but, Madam Chair, you say, Commissioner Garcia, another beautiful space in District 3. Commissioner Hansen actually likes to say District 2. I didn't say District 2. Were you just joking with me? I think you were.

COMMISSIONER GARCIA: Madam Chair, what is your question? To remove that from the minutes?

COMMISSIONER HANSEN: It's in the minutes and I would just like to have an explanation point or something that made it like referenced as a joke, instead of something that I said.

COMMISSIONER GARCIA: Madam Chair, I was just complimenting my district there. District 3 actually has some of the most beautiful open spaces in District 3. That's probably what that was about.

COMMISSIONER HANSEN: Yes. I was just commenting. I didn't say that the Ortiz Mountains were in my district. Okay. I just wanted to make that clear. And with that, and with the changes I have, I move to approve the minutes.

COMMISSIONER ROYBAL: Second.

CHAIR HAMILTON: Thank you. I have a motion and a second.

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

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1. H. Recognition of Years of Service for Santa Fe County Employees for October 2019

MS. MILLER: Madam Chair, back about five years ago we initiated a years of service recognition program and the program just recognizes employees on a monthly basis who have completed years of service, and I should say continuous service, in five-year increments. And we just want to acknowledge those employees and express our appreciation for those who continue to contribute to the County on a continuous basis and make the County a career choice.

So this past month, we had several employees who hit a milestone: Javier Blea, Rejeana Mascarenas, both at our adult correction facility, hit five years of service. In our Health and Human Services, Community Services, Seniors Program, Anna Bransford [War] hit her five years of continuous service for the County. And then at the adult facility, Demitrio Padilla hit ten years of service on October 5th. Also in Community Services, DWI, Paul Portillo, hit ten years of service.

At the dispatch center, Lisa Chavez also hit ten years of service on October 26th. And in the Fire Department, Ramon Vilorio hit ten years of service on October 15th and Brandon Smith hit 15 years of service on October 2nd. And then in the Sheriff's Department, in Region III drug enforcement program, Diana Lovato also hit 15 years of service. So I just wanted to recognize those employees and thank them for their commitment to Santa Fe County.

CHAIR HAMILTON: Excellent. Thank you so much. I know we always take this opportunity for Commissioners to comment but it's probably boringly restitutions but it's really important to us and a source of pride to have really good people who work continuously, give continuous service to the County. It's really what makes a difference to everybody. Does anybody –

COMMISSIONER HANSEN: Madam Chair, just to echo your comments. It's great to see longevity at the County and congratulations to all those people who made the five-year mark. It's always good to hit that number and thank you for your service to the County.

CHAIR HAMILTON: Thank you.

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: I'd just like to recognize Undersheriff, Mr. Kenny Johnson. Thank you for being here. I know the Sheriff is actually out of town, but thank you and your staff for being here and just from an individual that's worked for Santa Fe County for 28 ½ years, great place to work for, Santa Fe County. Sometimes it feels that time doesn't move as fast as you want it to move but before you know it, 28 ½ years is there before you know it. But thank you for all the County employees, especially the individuals that were recognized as into working for Santa Fe County. Thank you.

CHAIR HAMILTON: Thank you, Commissioner.

I. Recognition of New Hires in September 2019

MS. MILLER: Madam Chair, also we recognize employees that have had

the five-year increments of service but we also like to recognize our new hires and we recognize those that were hired in the previous month at the end of the following month, so in your Board materials there's a list of employees who started with the County in September. I know a couple of them are in here so if your name comes up, if you are in the room, if you would just stand up because I don't know if the Commission has actually got to see some of you yet or been introduced to you.

So in Finance, we have Linda Dominguez. Is Linda here? I don't see her. Linda is an accounting tech senior. Then also we have Anne Garcia, secretary senior. Also Olivia Martinez, accounting tech senior. And then budget administrator, Jo Rowe. There she is. She's our new Erika, if you haven't met Jo yet. You'll get to spend a lot of time with her in the next few months.

In the Legal Department I think you did just meet Roger Purcino. I don't know if he's here but you met him in the Housing meeting. And then in the Assessor's Office we have Alyssa Martinez and Alyssa Roque.

Then in Corrections we have several new employees: Joshua Garcia, Andres Lopez, Justin Luketich, Marvin Martinez, Aviv Stein, Nicholas Tarbox, Dwayne Colbensen, and Jeff Wasser. I think they're all out at the detention facilities. And then also in RECC, in our dispatch center, Matteo Trujillo. And then in the Fire Department, Nathaniel Dorsey is a volunteer firefighter, Raul Garcia and also Steve Moya is back as a volunteer after his retirement, so that's nice. And then the new Fire Chief, Erik Litzenberg. There he is.

And in Public Works, Oscar Salgado and in Public Works/Utilities, Lisaida Archuleta and Nicolette Martinez. And they're in our Utilities. So just welcome to those employees, glad that they have joined Santa Fe County and as Rudy said, hopefully they will make a career because time goes quickly when you're here.

CHAIR HAMILTON: I'm sure he'll say that. Definitely welcome to everybody, including those in the audience. We're so happy to have you here. Other Commissioners?

COMMISSIONER HANSEN: Welcome, everyone. Welcome to Santa Fe County. We look forward to working with you and enjoy. Thank you.

CHAIR HAMILTON: Thanks so much.

1. J. Santa Fe County Employee of the Quarter, 3rd Quarter of 2019 Awards

MS. MILLER: Madam Chair, every quarter we recognize employees who have made a significant contribution to Santa Fe County during the previous three-month period, and that significant contribution may include providing excellent service to constituents, developing and implementing a new program that benefits the organization, providing exemplary performance to Santa Fe County in their daily job, or just any contribution which a nominator believes to be important to recognize.

The process for selecting Countywide Employee of the Quarter begins with the designated recognition teams selecting one department or elected office Employee of the Quarter for their group, and then those employees that are nominated by their group are then considered for the Countywide Employee of the Quarter award. So this past quarter,

we had three nominations, one from the Public Safety group, which you can probably guess is from the Sheriff's Office, by the crowd in the audience; one from Community Services and one from the Public Works group. So in our Public Safety group, from the Sheriff's Office, Adrian Miranda, who is a Sheriff's Deputy II, who started at the County, on April 15, 2017, was nominated and selected by that group.

While at lunch one day in August with a fellow deputy, Deputy Miranda noticed a man and two small children walking through the McDonalds parking lot. The deputy's instincts prompted him to look into the matter in case something was amiss. The deputy greeted the man and his small children asking if everything was all right. After talking with the family, Deputy Miranda took notice of the children. Neither of them wore shoes and both children looked hungry. Deputy Miranda assessed the severity of the family's plight and wanted to make it better. Deputy Miranda bought fun meals for the kids and then proceeded to ask Deputy Guzman to stay with the family until he returned.

Upon his return to the restaurant, Deputy Miranda had a few surprises for the children. He came back with a backpack full of necessities and a new pair of shoes for each of the children. The actions taken by Deputy Miranda on that day demonstrate leadership, conviction and hope. It embodied the high level of duty that law enforcement officers strive to achieve.

So Deputy Miranda, if you would come forward.

So we provide a certificate of appreciation and recognition to the group person plus two hours of administrative leave. And then the individual who received the Countywide Employee of the Quarter receives an award and a day of administrative leave.

So in the Community Services group, Erica Gutierrez, who works in Community Services, DWI compliance monitor, and has been with the County since August 8, 2016 was nominated, and Erica was nominate for Employee of the Quarter for the dedication and commitment she displays on a daily basis towards the clients that she serves. Erica is a highly motivated individual, always willing to assist her coworkers. She is eager to learn, a quick-study, and willing to take on additional tasks. Erica is the lead in the accreditation process that the DWI program is currently undergoing. Erica is a very valued employee of the DWI compliance monitoring program and worth of this award. So, Erica, please come forward.

Then in the Public Works group, Kimberly Silva, department administrator. She's also been with the county since August 8, 2016 and Kimberly Silva does an outstanding job in Public Works coordinating various administrative, finance and human resource tasks. Her knowledge about these processes and always helpful attitude make her a wonderful resource for managers and staff at all levels within the County. Her dedication to meet the needs of customers, internal and external, and her consistent approach make her an invaluable asset. Kim leads by example. This consistent, positive approach to her job makes her and excellent candidate for this award. Kimberly, can you step forward?

So Commissioners, I just want to commend all three of these individuals for their hard work and excellent customer service and thoughtfulness to the community in which they serve. And unfortunately, all three of them cannot be the Countywide Employee of the Quarter but one individual from the three is selected by a committee and that individual for Employee of the Quarter is Adrian Miranda.

And Madam Chair, if you would like to come down and give Deputy Miranda – obviously after you make your comments – his award and his certificate we'd appreciate it.

CHAIR HAMILTON: We'll definitely be right down. We are exceedingly proud of everyone who gets nominated for this. We talk about having such a wonderful group of employees at the County so to be nominated by your peers and your managers' among a group of excellent employees is an achievement in and of itself. We're especially proud of you, Adrian, for what you did and for winning this. Commissioner Hansen.

COMMISSIONER HANSEN: Yes, congratulations to everyone and especially Officer Miranda. Thank you for stepping up when you saw somebody in need. It made me cry when you read what you did. Thank you so much for helping our most underprivileged in our community. So I am grateful to your service and you definitely deserve this award for your service, so thank you.

CHAIR HAMILTON: Commissioner Moreno.

COMMISSIONER MORENO: Thank you, Madam Chair. Charity is a great tool when you use it with kindness and supporting your people that we all live in. And I applaud you all for your contributions and thank you very much.

CHAIR HAMILTON: Thank you so much. Commissioner Roybal.

COMMISSIONER ROYBAL: I just want to say congratulations to all of you. It really is inspiring to see such a great work ethic and I think all of you deserve to be where you're at today and we want to recognize you for that. I just want to say keep up the great work. It's really staff and employees like yourself that is the heartbeat of our County so we really do appreciate everything that you do. And I think that everybody takes their job very seriously and tries to make the best out of it and I think that's really what we have to do to be happy where we're employed, so you guys do a great job and Officer Miranda, I really appreciate the extra effort and just seeing the need and stepping forward to go above and beyond. So great job. Thank you.

CHAIR HAMILTON: Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, as Commissioner Hansen related, it kind of puts a chill through your arms as to some of the things that you see, especially in my districts, individuals that walk down the Airport Road area. Wherever it is, you see this all the time and I really appreciate that. And to all the employees and to your supervisors that actually nominated you all, thank you for being a team like Santa Fe County is a team. Officer, that is totally cool. Thank you.

CHAIR HAMILTON: So we'll come down and do the presentation and then if you would like to say something if you care to. Then we're hoping to take pictures with all of you.

MS. MILLER: Madam Chair, we have a certificate, along with a letter and then we have the actual award that you get to put in your office or at your house, wherever you feel – in the car, on the dash.

[Photographs were taken.]

2. CONSENT AGENDA

- A. Resolution No. 2019-121, a Resolution Approving a Budget Increase to the 2019 GRT Series Fund (359) in the Amount of \$209,063 (Finance Division/Yvonne S. Herrera)**
- B. Resolution No. 2019-122, a Resolution Approving a Budget Increase to the Clerk's Filing Fees Fund (218) in the Amount of \$115,000 (Finance Division/Yvonne S. Herrera)**
- C. Request Approval of County Health Care Assistance Claims in the Amount of \$284.83 (Community Services Department/Jennifer Romero)**
- D. Resolution No. 2019-123, a Resolution Requesting an Increase to the Road Projects Fund (311) in the Amount of \$150,000 and an Increase to the Special Appropriation Fund (318) in the Amount of \$395,000 to Budget Four Different Grants Awarded to the County from the State of New Mexico (Finance Division/Yvonne S. Herrera)**
- E. Resolution No. 2019-124, Resolution Authorizing the Disposition of Fixed Assets Worth Less Than \$5,000 in Accordance with State Statute (Finance Division/Yvonne S. Herrera)**
- F. Resolution No. 2019-125, a Resolution Requesting a Decrease to the Listed County Funds to Align the Budgets of the Listed Capital Projects Due to Accounting Accruals, Grant Appropriation Corrections, Other Prior Year Expenditures, and Double-Budgeting in the Amount of \$1,319,894 (Finance Division/Yvonne S. Herrera)**
- G. Resolution No. 2019-126, a Resolution Determining Reasonable Notice for the Remainder of Calendar Year 2019 in Accordance with the New Mexico Open Meetings Act, Applicable to All Meetings of the Board of County Commissioners ("BCC") and to the Meetings of County Boards and Committees Created and Appointed by the BCC ("Appointed County Committees"); Establishing Permissible Meeting Locations and a Webcast and Broadcast Policy to Change the Place of Regular BCC Meetings and Place for Noticing Certain Other BCC and Appointed County Committees; and Repealing Resolution No. 2018-119 (County Manager's Office/Gregory S. Shaffer and County Attorney's Office/Rachel A. Brown)**

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CHAIR HAMILTON: Does anybody have an item they want discussion on: Commissioner Hansen.

COMMISSIONER HANSEN: I don't have any issue with this. I'm looking for the item. I did flag it. There was – I just want to ask a question. Request approval of County healthcare assistance claims in the amount of \$284.83. Do we need to approve that? Or is that above your limit, County Manager?

MS. MILLER: Madam Chair, the healthcare claims are always approved by the Board.

COMMISSIONER HANSEN: It's not a dollar amount.

MS. MILLER: It's not a dollar amount. It's been a matter of policy that

the healthcare claims have always come to the Board.

COMMISSIONER HANSEN: Okay. Great. Then I move to approve.

COMMISSIONER MORENO: Second.

CHAIR HAMILTON: Thank you. A motion and a second. Is there any further discussion?

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

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

3. APPOINTMENTS/REAPPOINTMENTS

A. Request Appointment of One Member to the County Open Lands, Trails and Parks Advisory Committee (COLTPAC)

CHAIR HAMILTON: Maria, thank you.

MARIA LOHMANN (Open Space and Trails): Madam Chair, Commissioners, our previous District 4 COLTPAC member resigned in September. He got a very exciting job as the parks and trails manager for Park City, Utah. So we are all very excited for him, but that does leave a vacancy on our County's Open Land, Trails and Parks Advisory Committee. So before you today is an appointment of a new member to fill the District 4 position. In your packet the memo outlines that members of COLTPAC shall be appointed by the BCC based on letters of interest, qualifications, countywide representation and advice from Open Space, Trails and Parks program staff. Additionally, the resolution outlines that committee members should represent diverse backgrounds and varied types of experiences, as well as user groups, and it outlines what would be ideal.

There are nine members on COLTPAC, five members to represent each of the Commission districts as well as four at-large members and there's also a membership table in your memo. We received two applications for the District 4 position and would like the BCC to appoint Matt Piccarello for the District 4 position based on his experience.

CHAIR HAMILTON: Thank you. Are there any questions or recommendations? Commissioner Hansen.

COMMISSIONER HANSEN: Madam Chair, it's your district so would you like to make the motion?

CHAIR HAMILTON: Yes, I support this. Procedurally, I don't know if I'm suppose to make –

COMMISSIONER HANSEN: It's okay.

CHAIR HAMILTON: Okay. So then I would move to appoint Matt Piccarello for this position.

COMMISSIONER HANSEN: I second that.

CHAIR HAMILTON: Thank you very much. So we have a motion and a second.

COMMISSIONER GARCIA: Madam Chair, just a quick couple of questions for staff.

CHAIR HAMILTON: Yes, please. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, really quick. How does – does staff have a committee that they actually decide who they choose? What if you had ten applicants? Who would actually choose the one out of the ten? Or the one out of the two?

MS. LOHMANN: Commissioner, Madam Chair, I did a cursory evaluation of who I thought would be the most qualified based on the letter of interest and the résumé that was submitted. Matt Piccarello in particular works for the Forest Stewards Guild and has some pretty relevant experience as to what we are focusing on at the open space program currently. And so I had a conversation then with Commissioner Hamilton about both applicants and made some recommendations, which Commissioner Hamilton agreed with.

COMMISSIONER GARCIA: Thank you. And it is my district. And I just want to say for the record that we were happy to receive both of these applications. They were both excellent applications. We would have done well with either but as Maria said, I agree with her assessment. They were very gracious in their process of doing the review and then providing information to the appropriate district Commissioner.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Is he here? Is Matt here?

MS. LOHMANN: Matt Piccarello is not here. He's actually fighting fires in northern California currently.

COMMISSIONER HANSEN: Thank you.

CHAIR HAMILTON: Which I also appreciate and he deserves recognition.

MS. LOHMANN: Absolutely. And I just want to add that we have been very lucky in our COLTPAC applicants in the recent past. It's always been a very hard decision of who to appoint to this committee and we're very lucky that we have very highly qualified applicants every single time.

MS. MILLER: Madam Chair, could I ask a quick question?

CHAIR HAMILTON: Yes, please.

MS. MILLER: I noticed there are two other terms that are expiring in December. Have you already started to work on either renewals of those or reappointments, or soliciting for –

MS. LOHMANN: Yes. We will be advertising for one position but we've also communicated with one of the other members who would like to be reappointed.

CHAIR HAMILTON: Excellent. So I guess I have a motion and a second.

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

3. B. Request Reappointment of the Community Board Member of the Santa Fe County Housing Authority Board.

CHAIR HAMILTON: Mr. Montoya.

JOSEPH MONTOYA (Housing Director): Madam Chair, members of the Board, I'm very happy to be able to submit a reappointment for Mr. Joe Lowey. Mr.

Lowey as you know, has extensive experience and background in Finance and he's actually had ten years experience working as a housing authority director in Connecticut. I can say that he's an extremely valuable member and we would request that you reappoint him because he knows the ins and outs of the operations and I have used him on several occasions and kind of a feedback loop to be able to assist me in most decision making processes and kind of visionary. So we'd appreciate your desire to reappoint him.

CHAIR HAMILTON: Thank you very much. Are there questions from the Board? Or what's the pleasure? Commissioner Hansen.

COMMISSIONER HANSEN: I move to approve Joe Lowey to the Housing Board. He's done an excellent job. Shows up every time and it is a pleasure to work with him, and I want to wish him happy anniversary.

COMMISSIONER GARCIA: Second.

CHAIR HAMILTON: Thank you. I have a motion and a second, and before I take a vote I just want to add my voice to what a valuable member of the committee and what a contribution Mr. Lowey has made. So I've just really appreciated his efforts. Commissioner Garcia.

COMMISSIONER GARCIA: Also, Madam Chair, just one of the things that the general public probably doesn't realize what the Housing Board, the Housing Authority Board actually does is we actually deal with a lot of individuals out in the community that need some housing. So whenever we vote, it seems like it's closed; it's always open to the general public because this is a public building and those are public meetings, but what we talk about in those meetings is housing for individuals, definitely housing for individuals that need it. And so like the other Commissioners said, you've been involved for many, many years. You get it. You understand it. And you're obviously loyal to the Housing Board and thank you for serving and ask you to be placed on the Board once again.

CHAIR HAMILTON: Commissioner Roybal.

COMMISSIONER ROYBAL: I just want to echo those compliments to Member Lowey. Joe's done a great job on the Housing Board and I want to appreciate his dedication and continued service and willingness to serve on our Housing Board, so thank you very much for that.

CHAIR HAMILTON: That's great. I appreciate the comments. We have a motion and a second. Commissioner Moreno.

COMMISSIONER MORENO: I just wanted to recognize Joe Lowey, my constituent. Thank you.

CHAIR HAMILTON: He's just trying to claim credit, which I don't blame him for at all. I have a motion and a second.

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

4. MISCELLANEOUS

- A. **Resolution No. 2019-127, a Resolution Amending Resolutions 2018-68 and 2019-78, and Supporting the United States Census Bureau by Creating a Census 2020 “Complete Count Committee” to Provide the County with Assistance and Advice in Obtaining the Most Accurate and Complete Population Count in the Upcoming Decennial Census**

CHAIR HAMILTON: Patricia Boies, welcome.

PATRICIA BOIES (Health Division Director): Thank you. Good afternoon, Madam Chair and Commissioners. This request is for the approval of a slightly changed way of adding members to the Santa Fe County 2020 Census Complete Count Committee. A few months ago this body approved a resolution establishing the Complete Count Committee and particular named people were appointed to that committee. Since then, several of the people have withdrawn or their positions have changed so that their institutional representation for which they were initially chosen is no longer accurate.

So what we're requesting with this amendment to the resolution is that when vacancies occur because somebody leaves or because there is a need for another member, that the County Manager or her designee, in conjunction and consultation with the committee chair, who is Commissioner Roybal, would be authorized to appoint a replacement. And we're asking this not only because of the fluctuation that's happened in just the last few months but the Census Committee is only going to be active for less than a year from now so there is a lot of urgency to make decisions quickly and coming before the Board every time for a new appointment would not be administratively convenient.

CHAIR HAMILTON: Good. So are there questions? Yes, Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, I don't have any questions. I just appreciate this amendment actually coming forward because as Ms. Boies actually brought forward, how do we get the individuals out there to realize how important the census is and the more team members we have and the more outreach we have, actually, does a great job. One of the things I brought up, and I think it's been done with the consultant that we have. Can we please contact the superintendent from the schools. Like I said, my district is very shy when somebody comes and knocks on their door and actually wants them to be counted, so how we actually educate these individuals, especially in my district would be very appreciated as to working together, but once again, if you could just contact the superintendent, which I believe you guys have, and I think this is a great amendment. Thank you. And with that, move for approval.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: Commissioner Roybal.

COMMISSIONER ROYBAL: I just want to thank staff for bringing this amendment forward as well, because as the parts are moving later on, when we're really trying to get the counts together it will make it a lot easier to make replacements on the board if necessary, and kind of keep it streamlined so that we can focus on what we really need to instead of waiting for the next Board meeting to approve a new member. So I appreciate you bringing this forward. Thank you.

CHAIR HAMILTON: Thank you. And the only point of discussion I'd like to make is to first thank – because this is so important – to thank Commissioner Roybal for chairing it and to thank Patricia for honchoing this and taking this so seriously and doing such an effective job, and to the committee for serving. Because this is hugely important. Further discussion? Commissioner Hansen.

COMMISSIONER HANSEN: Yes. I want to also thank Patricia and First Choice and Commissioner Roybal. This is incredibly important. Everybody needs to be counted. It is really an important census 2020. So please fill out your forms, everyone, and return them. I believe you can do it online, which makes it even easier, so I look forward to having a really good result.

CHAIR HAMILTON: Thank you so much. We have a motion and a second.

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

4. B. Request Approval of Water Rights Purchase Agreement Between Santa Fe County and the Tondre Land Trust

GARY GIRON (Interim Public Works Director): Madam Chair, Commissioners, this proposed agreement allows the County to enter into a water rights purchase agreement with the Tondre Land Trust to purchase water rights that the utility can use to back up deliveries. Santa Fe County Utilities is required to ensure that the County owns adequate water rights in order to back up water deliveries we make to our customers. Purchase of additional water rights is also necessary to support current and reasonably foreseeable future water demands over the County's 40-year planning horizon, plus an additional amount to provide an adequate backup supply.

Santa Fe County desires to purchase 19.418 acre-feet per year, a vested pre-1907 consumptive use surface water rights from the Tondre Land Trust at a rate of \$19,102 per acre-foot for a total of \$372,332.36. The water rights will be transferred to the Buckman Direct Diversion to back up water deliveries to our customers. The County has in the past purchased water rights to ensure adequate rights exist for backup deliveries and funding is still currently provided by connection and standby fees and with that, we ask for approval. And if you have any questions, either I can answer them or Ted can answer them.

CHAIR HAMILTON: Excellent. Thank you very much. So are there any questions?

COMMISSIONER GARCIA: Madam Chair, I have a couple questions.

CHAIR HAMILTON: Go ahead, Commissioner Garcia.

COMMISSIONER GARCIA: So whenever the County does purchase water rights, is there actually an appraisal that's done on the water rights? As in to what the fair market value of the water rights are at current day? Because in the past we've paid anywhere from \$29,000 an acre-foot to now we're paying \$19,000. I'm just wondering. If you can get me the answer a little later I'm fine with that.

MR. GIRON: Madam Chair, Commissioner, John Dupuis is actually out on paternity leave right now but he has done an assessment and based on his assessment

of what these water rights are worth, he has come up with this dollar amount at the present rate of what we should be paying for these water rights.

CHAIR HAMILTON: Manager Miller.

MS. MILLER: Madam Chair, Commissioner Garcia, we've been – you'll also recall that what we've been doing in our water rights ordinance, we've been steadily increasing the fee in lieu of bringing water rights and our current rate is \$19,500. That's what – and what John has been doing is bringing back a change each time the market for surface water rights that we can locate at BDD we've been bringing back what the going rate is for those water rights, so that either – if we have them, the developer can purchase – pay a fee in lieu of or the can bring their own water rights to the BDD. This rate is the market rate right now for a surface water right to the BDD.

COMMISSIONER GARCIA: Thank you. And then also in regard to what does pre-1907 water rights do for the County? Because there's water rights that are adjudicated, there's water rights that are pre-1907, there's water rights that are 1995.

MR. GIRON: Madam Chair, Commissioner, I will begin the answer to that. Pre-1907 water rights are very hard to dispute. So once the County takes ownership of those they have clear title to those and it's not going to be disputed. This still has to all be reviewed by the State Engineer.

COMMISSIONER GARCIA: Right. So just in regards to that, Mr. Giron, I see a lot of clauses in here and obviously our County Attorney actually has signed off on this, where there's 60 days after receipt, there's 30 days after receipt. So does all this – what if the State Engineer's Office takes 90 days, 120 days. We're still covered to get to purchase these water rights?

RACHEL BROWN (Interim County Attorney): Madam Chair, Commissioner Garcia, there is no deadline for the State Engineer to act, and our responsibilities are triggered by their decision and the accomplishment of the transfer.

COMMISSIONER GARCIA: And then this is kind of the challenge that I have when we purchase water rights. There's two challenges in my own opinion about purchasing the water rights. And I understand we have our new County code which is in Mr. Moreno's district. One of the things I would that our Utility Department would start gearing up to and going to, for existing areas in the county that don't have growth, that their wells, particularly – I'm going to be up front; is the State Road 14 area in Commissioner Moreno's district there which is across the Lone Butte area. And there's a huge fault that comes down the Canada de los Alamos mountain range up here on the east side. And it's unfortunate because there's a neighbor that can have 20 gallons a minute and then there's a neighbor that can have one gallon a minute. So I would just like to see some way how, if we can purchase all these water rights, not just for new development, but purchase water rights for existing individuals that have lived out there forever. Just kind of food for thought.

And then also one of the challenges I have with purchasing water rights from the Upper Rio Grande is whenever we purchase water rights from a farm, we purchase water rights from an individual's property, and then now that property gets dried up because it's all coming down. And I'll just say that for the record. It's all coming down to the Buckman Diversion, right?

So those are just some of the challenges I see as into what we've done in the past. We actually have purchased water rights and now those fields up there in the area are dried up because they come down here. But with that, I'd like to make a motion for approval.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. I have a motion and a second. Is there other discussion?

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

4. C. Resolution No. 2019-128, a Resolution Requesting a Budget Decrease to the Law Enforcement Operations Fund (246) in the Amount of \$160,006

YVONNE HERRERA (Interim Finance Director): Good afternoon, Madam Chair, Commissioners. We are here, myself and Undersheriff Johnson. We're here to talk about three resolutions for the HIDTA grant funding that had ended on October 1st. The first resolution: on July 1, 2019, Captain Lorenzo Aguirre of the New Mexico State Police, New Mexico Department of Public Safety addressed Jose Ramirez, acting director of the Southwest Border HIDTA that they would be accepting the transfer of responsibility for the Region III HIDTA grant funding for which Santa Fe County is the fiscal agent, or was the fiscal agent.

The transition from Santa Fe County to the New Mexico Department of Public Safety became effective on October 1st therefore ending the grant agreement. On August 23, 2019 Mr. Ramirez addressed a letter to County Manager Katherine Miller requesting that the budgeted HIDTA funds be decreased by \$160,006. The Region III HIDTA award number G19-SN-0011-A needs the adjustment of the \$160,006 to align the budget with HIDTA modification one as set forth by Shannon Kelly, the national HIDTA director. Funds shall be used only for the purposes set forth in the HIDTA grant. We are here requesting that the budget be reduced and we stand for any questions.

CHAIR HAMILTON: Great. So are there questions? Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, Undersheriff and I believe – is it Captain out there? Captain? Lieutenant. We met you before. So once again, what we're doing is we're actually going to decrease our budget to HIDTA so we will no longer have any individuals working with the State Police or how does it in a nutshell?

KEN JOHNSON (Undersheriff): We will be decreasing and turning over the responsibilities to the Department of Public Safety. The Department of Public Safety of New Mexico will be taking over the operations for the region and administrating the grant funding and be the lead agency.

COMMISSIONER GARCIA: Thank you. So Madam Chair, Undersheriff and Lieutenant, so once again, you guys are just taking over the operations part?

UNIDENTIFIED SPEAKER: The fiduciary aspect.

COMMISSIONER GARCIA: Thank you, Lieutenant. And then also is the reduction – so that means you guys are going to have \$160,000 less than what you have now for the HIDTA? Or no?

UNDERSHERIFF JOHNSON: So the County's basically transferring the remaining funds for this grant year over to the Department of Public Safety and then they'll take over as the fiduciary.

COMMISSIONER GARCIA: Perfect. Thank you, Undersheriff. Thank you, Lieutenant.

CHAIR HAMILTON: Manager Miller.

MS. MILLER: Madam Chair, Commissioners, so it's always been a multi-agency, the Region III has been multi-agency. Santa Fe County has been the fiscal agent for it. We will no longer be the fiscal agent. The state will be the fiscal agent. They'll receive the grant funds and coordinate the efforts of the task force instead of the Sheriff's Office doing it.

CHAIR HAMILTON: So it's an internal – it's a reduction in our budget to reflect that transfer.

MS. MILLER: Madam Chair, yes. So we're reducing our budget so that we can no longer spend, so that the Sheriff's Office can no longer spend in those line items or that category in their budget because those funds are going to the state.

CHAIR HAMILTON: Are there other questions?

COMMISSIONER GARCIA: Move for approval.

CHAIR HAMILTON: I have a procedural question. There are three resolutions here. Are we taking actions separately on each of them? Yes. I see our County Attorney shaking her head.

MS. MILLER: Madam Chair, yes. They are three separate things. The other ones are to transfer the assets that we've purchased with the federal funds, but it's all related to transferring the fiscal agent responsibilities over to the state.

CHAIR HAMILTON: Okay. So to avoid confusion we're going to do these separately. So I just had a motion which was to reduce the –

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: So I have a motion and a second to reduce the budget. Is that the BAR resolution?

MS. HERRERA: Madam Chair, yes, that is.

CHAIR HAMILTON: Excellent. So I have a motion and a second.

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

4. D. Resolution No. 2019-129, a Resolution Authorizing the Disposition of Fixed Assets Worth More than \$5,000 in Accordance with State Statute

MS. HERRERA: The next resolution that we are requesting is for the disposition of fixed assets worth more than \$5,000. Again, these are related to the HIDTA grant assets that we purchased using HIDTA money, and we stand for questions. We will be transferring these assets over to the Department of Public Safety.

CHAIR HAMILTON: Okay, so we have finished item C. That was the only resolution we needed to vote on.

MS. HERRERA: Yes, ma'am.

CHAIR HAMILTON: Excellent. I'm with you now. Does anyone have any further questions on item D.

COMMISSIONER GARCIA: Madam Chair, I'd like to make a motion for approval but I have a couple of questions.

CHAIR HAMILTON: Okay.

COMMISSIONER GARCIA: And just really quick, I understand what the situation is. It's very sensitive what we're talking about right now and so anything over \$5,000, does that mean if we actually purchased \$100,000 vehicle or we purchased ammunition – so over \$5,000 could be from here to here, right?

MS. HERRERA: Madam Chair, Commissioner Garcia, correct. There's a separate process for capital assets that are over \$5,000 and those that are under \$5,000, so that's the separation. But these assets happen to be the ones that are over \$5,000 that were purchased with the HIDTA money, whether they're fully depreciated or not, their estimated value as of the date of the transfer is over \$5,000.

CHAIR HAMILTON: But the fact of the matter is, just for clarification on his point, these are under our process of disposal of goods, but they're being transferred, essentially, right?

MS. HERRERA: Madam Chair, correct. These are all assets that we are currently using in the program or back before October 1st, and that are being transferred to the Department of Public Safety. In addition, Madam Chair, Commissioner Garcia, there's a list of the assets. There's six vehicles, six assets that were purchased with HIDTA money that are being transferred to DPS.

COMMISSIONER GARCIA: Prefect. Got it.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I know this is a minor detail, but when you put things into BoardDocs, if you can please make sure they're in the correct way because it doesn't help for us to turn the computer because the documents move with the computer and not with – so it's just a flaw in BoardDocs, but it's a little more work for you and I apologize, but I think it's been seconded. I think I seconded the motion.

CHAIR HAMILTON: Yes, you did. Is there any further discussion? So there's a motion and a second.

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

4. E. Resolution No. 2019-130, a Resolution Authorizing the Disposition of Fixed Assets Worth Less than \$5,000 in Accordance with State Statute

MS. HERRERA: This resolution is for the capital assets that are under \$5,000. Again, these assets were purchased with HIDTA grant funds and are being transferred to the Department of Public Safety. And I stand for questions.

COMMISSIONER GARCIA: Madam Chair, move for approval.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. If there's no further discussion, I have a motion and a second.

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

4. F. **Resolution No. 2019-131, a Resolution Amending Resolution Nos. 2018-74 and 2019-86 to Extend the Period for Completing the Conditions of Acceptance of Portions of Dinosaur Trail, Located in Commission District 5, as a Shared Maintenance Road by Six Months and to Clarify that the Applicants Shall Grant Right-of-Way or Easement to Santa Fe County as a Condition of Approval**

MR. GIRON: Madam Chair, members of the Commission, property owners along Dinosaur Trail who are the applicants submitted an application requesting redesignation of certain segments of Dinosaur Trail for shared maintenance. There is some background I'd like to read into the record. The BCC approved Resolution No. 2018-74 on July 31, 2018 to conditionally accept portions of Dinosaur Trail as a shared maintenance road. Pursuant to Resolution No. 2018-74 the conditional acceptance was void if the conditions of acceptance were not completed within a year from the date of approval of the resolution. The BCC approved Resolution No. 2019-86 to extend the period for completion of the conditions of the approval to October 31, 2019.

As of this date the applicants have completed most but not all of the conditions of approval. They are very close. Further, Section 7.A. 8 of the County's road acceptance policy. Resolution No. 2012-151 requires the applicants to provide – execute a grant of right-of-way or easement. Resolution No. 2018-74 and 2019-86 incorrectly stated that the applicant had granted right-of-way or easement; that has not happened yet. However, the applicants are working toward granting the easements to the County as well as making additional repairs. An extension of time for six months will provide additional time for the applicants to complete all the conditions for approval. And with that we ask for approval to extend this agreement.

CHAIR HAMILTON: Excellent. Thank you. So Commissioners, are there any questions? Commissioner Garcia.

COMMISSIONER GARCIA: I'd like to make a motion for approval and then for discussion I have a couple of questions.

COMMISSIONER ROYBAL: Second.

CHAIR HAMILTON: Great. I have a motion and a second. Under discussion, Commissioner.

COMMISSIONER GARCIA: So just really quick, Madam Chair, Mr. Giron, so we're actually going to accept Dinosaur Trail which is by the new El Parasol restaurant and goes all the up through –

MR. GIRON: La Pradera.

COMMISSIONER GARCIA: Right. That portion that's been redone in the last four weeks. So I don't know if this is part of the approval, but one of the questions I haven't talked to Manager Miller about that I would like for us to look into.

I've gotten a couple of calls. I know, Commissioner, it's your district, however, I know a couple of individuals in that area. We actually built a brand new trail through there. And so some of the questions that the businesses or the residents have is, so we build a brand new trail. Now we have individuals that are walking up and down this trail or riding bikes or whatever they do on the trail. And so now, they're kind of just a little worried that their – that we didn't put up a fence, some sort of a barbed wire fence along the trail here because not it's just so easily – there was never a trail through there and now it's so easy for anybody walking up and down the trail to just kind of go look around and say, what's inside this building or what's happening? Does the trail close? It's not closed? So I would just like for us to see if we can – how do we look at that or how do we address that? Because I think it's kind of important that while you have a trail that goes next door to your business and people are walking up and down the side of my business. I don't know if we can just look into that.

MR. GIRON: Madam Chair, Commissioner, we will look at that and then I will get you an answer.

COMMISSIONER GARCIA: Thank you.

CHAIR HAMILTON: Is there further comment under discussion? If not, I have a motion and a second.

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

5. MATTERS OF PUBLIC CONCERN

CHAIR HAMILTON: Is there anybody here from the public who wishes to address the Board? Again, is there anybody here from the public who has any issues they want to talk about? Seeing none, I will close matters of public concern.

6. PRESENTATIONS

No presentations were scheduled.

7. MATTERS FROM THE COUNTY MANAGER

MS. MILLER: Good afternoon, Madam Chair, Commissioners, I have quite a few updates. First of all, we have, as you know, there's a vacancy in State Senate District 6. We have advertised for applications for that position for the Board to make a nomination to the governor. The deadline for applicants to submit their applications, letters of interest, and résumés is November 4th and then on November 12th, the BCC, we will put it on the BCC agenda on November 12th for a recommendation as to who the Board nominates to the governor, and then we will also let the applicants know that they have up to three minutes to address the Board prior to the Board choosing a member. So they will be able to address you. You will also receive all of the applications, résumés and letters of interest in your packet material so that you know ahead of the Board meeting who has applied and who meets the qualifications. There are some statutory qualifications. We have to make sure that they're residents, etc. and provide you in your

Board packet with those materials I know that people have been contacting you directly but I did want to let you know we have a formal process in place and that that will come to you for a recommendation and nomination to the governor on November 12th and prior to her deadline for receiving recommendations from the individual county commissions that are within that district.

CHAIR HAMILTON: Thank you.

MS. MILLER: Also, I received a letter that there's a special US operations training that will be held from November 4th to November 14th at the State Pen on state land and it is a US Special Operations Command training, and I just want to let you know that while they're conducting this training and they have coordinated this training with the state and State Police they have requested that I at least send them a letter that we're aware that they will be conducting their training and the reason being is that they will have some aerial components and while the operation itself is all on state land you may receive some phone calls from constituents wondering what all the helicopter activity in the area is. It is their training. They do provide four of their own first responders for any injuries that they might incur during their training and they have also their own, if they have to Medivac anybody out that's injured in training, they have their own ability to do that. So I just wanted to make you aware of it and let you know that I will be sending their lieutenant colonel, their commander, a letter stating that we are aware that they will be conducting their training here.

CHAIR HAMILTON: That sounds good, but I can't help myself but ask, if our Fire Department and Assistant Chief Vigil who is the head of our emergency ops is aware of this also.

MS. MILLER: Madam Chair, they did not coordinate with our emergency management. I have talked to Director Sedillo to talk to the Chief and Assistant Chief but we actually checked with them and they had not been informed. It's out of Fort Carson, Colorado, and like I said, it's on state land and they coordinated this training with the state but then requested that we provide a letter saying, hey, we invite you to come, but we didn't invite you. You have already coordinated and set it up but I will let my Board know so that they're aware that – and their biggest reason for that request is that there might be aerial activity that people would wonder why do we have helicopters in the area.

CHAIR HAMILTON: I appreciate that you let us know but I also appreciate that you notified Director Sedillo and Chief Litzenberg, because we have a very aware department and you know that they're going to get calls also. So I really appreciate that you did that.

MS. MILLER: And then also I wanted to let you know that the City of Santa Fe Sustainable Water Future public sessions are going to be conducted at the Fogelson Library at 1600 St. Michael's Drive from 4:30 to 7:00 pm on November 12th and November 14th, and it's an open house and small group discussions concerning the City's water resource planning. So I don't know if any of you are interested in going but we're aware of it and I did want to make sure you were aware of that.

Then just to give you a couple of updates on the administrative complex. As you can tell we're moving.

CHAIR HAMILTON: Is that what all that chaos is.

MS. MILLER: As you're sitting at your desk it gets moved out from under

you. So, so far at 100 Catron we have moved in Community Services Department, Growth Management, and IT, and the Assessors. So they are out of this building and out of the building on Galisteo and are located at 100 Catron, and then we will be moving the County Treasurer and the County Clerk on November 6th and we'll be completely out of this building by November 12th and also the Bokum Building – the County Manager's Office is already over on the 3rd floor of the Bokum Building. And then tomorrow, the Commissioners – as I said, if you're sitting at your desk it might get move right out from under you, and the Legal Department will move to the first floor.

Then I just want to express appreciation to the staff who's been working on this. They have been incredible. This is not easy. We're doing it ourselves. We didn't hire moves. All of the staff that have moved their own items and then the Public Works staff, they have been so responsive to come over and bring the trucks and take individual's items over. IT has coordinated – Daniel Sanchez and his staff have been coordinating with IT Connect to move every computer and get everybody up and running relative to their IT needs.

I still request patience. I know as each office has moved in they've discovered things that would be nice to have or things they might need. We just ask that people write it down and after we get everyone moved in and we have a list of everything we'll go through and start addressing where we might have deficiencies in the new building. I think for the most part everybody's pretty excited. It's a very nice space and one of the department directors told me it feels like Christmas for County employees. Santa came early. They love their new space. So I just want to commend the staff for all their hard work in preparing for it and implementing the moves, to still be patient, and then also that we do have limited space in the Bokum Building and staff are moving from what I'll call more space for their personal office space as well as all of their files and everything. It's very limited in the Bokum and I can only say that will be about an eight-month timeframe for those who are moving into the first floor and the third floor, we're fitting a lot of people and things into that space, so please be understanding of those limitations of the temporary office space.

Also, we have what Greg calls a fire sale. We have amassed a fair amount of non-capital office equipment and we've been taking it from the offices as we've moved and putting it into the County Assessor's Office in this building, into their old office on the first floor. And they're not capital assets so it doesn't require us to do disposition of capital assets as you just did or transfers of those assets. But we are offering the property in there to other County departments so if anybody has some needs for supplies or non-capital items they are welcome to go look in that area. We will be moving all of the cubicles, relatively new office furniture in there. We're going to be taking those out to Public Safety for the Sheriff's Office, so that office equipment and cubicles were purchased with general fund and not with the Assessor's valuation fund. So we won't be selling it; we'll actually be re-using it over at the Sheriff's. I want to say that furniture is about two to three years old, so it's in really good condition and we don't want to surplus that. We want to use it where we need some new office furniture.

And then also anything remaining after our County departments have gone through we will offer to other governmental entities, and then potentially the public before being discarded in preparation for renovations of this building. We have to have

everything out of this building by November 12th.

And then one last thing. The all-important Halloween costume contest. The most important thing that happens in the County, at least for the Employee Benefits Committee. They do a lot of work, as you know, to put together a fun Halloween event and in spite of moving we are still going to celebrate Halloween with costumes. We're not going to have any office decorations as we usually do, but we the employees put together a costume contest from 11:30 to 1:00 in the 100 Catron Street building, so we will be on the first floor in the lobby there doing the costume contest, and also a lunch will be available, Chick-Fil-A for \$5. And I just want to thank the Employee Benefits Committee for still having the spirit of the season and putting that on even though we're in the middle of the move. So I think those were all of my updates and I stand for questions if you have any.

CHAIR HAMILTON: Excellent. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, Manager Miller, thank you for the updates. Just a couple things on what you talked about is regarding the late Senator Carlos Cisneros' appointment. Can we put that up at the beginning of the agenda? Just because it's my understanding that the City Council in Los Alamos has the same meeting as we have, the same night and they're doing the same thing we're doing. So if two or three individuals need to come from here and go up there, if we could just put it at the beginning of our meeting, because I think theirs starts at 6:00.

MS. MILLER: Okay. We can definitely do that.

COMMISSIONER GARCIA: And also in regards to the police training, is that actually – you said the National Guard Complex?

MS. MILLER: My understanding is it's at the State Pen property, the old State Pen, but I don't know the details of the training. I just was provided information that they would be having a training and they wanted to make sure we were aware and welcoming to their operation.

COMMISSIONER GARCIA: That affects our district. And then also we had a really great groundbreaking, ribbon-cutting for the new Edgewood Senior Center about a week ago and I'd just like to thank staff, everybody that actually helped out with that. It was an excellent turnout. Ambra, Tessa, Greg, everybody was – Anna, everybody that helped out there, Carmelita. It was a really great and awesome turnout and I thank the community. The senior center actually looks like a whole different center. So thank you for all the staff that actually participated in that.

And I was going to ask Paul Olafson a question but I'll ask him when he comes back.

MS. MILLER: Madam Chair, you did just remind me of something, Commissioner Garcia, and that is that also on November 12th we will be having the ribbon cutting for the 100 Catron Street facility at 11:00. We're going to do that before the BCC meeting, so we anticipate it will probably last 11:00 to 12:30, 1:00, with people able to tour the building. I'm going to have to ask everybody who is moving in to make sure that they put their boxes of stuff away so that people that are coming in to see the new facility aren't tripping over everybody's boxes that they have in the hallway right now as they're moving in. As a matter of fact I'm going to send out an email reminder of that, but it is November 12th. We've invited our legislative delegation. We've invited the

City Council. We've also asked if you have individuals that you would like on the invitation list we're requesting that you give us five names plus guest or a total of ten, because that will be 50 and also the other elected officials, if they have anyone, that would be another 50. We anticipate probably sending out about 200 to 300 invitations and I know there's a lot of interest in people who would like to come and see the facility so we may have quite a few people there that day.

COMMISSIONER GARCIA: And also, Madam Chair, just in regards to the move, I was walking through the building I think a day or two ago or maybe late last week and how are we notifying the general public that the zoning department is over there now? Do we need to put an ad in the paper, radio advertisement? I always relate this to my grandma. So my grandma comes and pays her taxes. Like I was with this elderly lady today and how do they know that we're no longer here anymore? We're no longer here?

MS. MILLER: Madam Chair, Commissioner Garcia, we have put out public announcements. There have been articles in all the newspapers about the dates of each office and when they are moving to the new building. We have it on our website and we have sent out press releases for it but it's also been printed in the newspaper, in both the *Journal* and the *New Mexican*. I don't think the *Reporter* has done it but the other two have printed the schedule of when the offices are moving.

COMMISSIONER GARCIA: And then also, Madam Chair, maybe since our County Treasurer is actually sitting in the audience there, I don't know if it's possible for whatever he mails out – the tax bill or the Assessor's notice of evaluation. We're no longer located at 102 Grant Avenue. We're now located at 100 Catron. Just food for thought. Like I said, my grandmother doesn't have internet; she doesn't have a cell phone so whenever she gets her bill how does she know that she can't come over here and pay anymore. She'll have to walk a whole three blocks. Just food for thought. Thank you.

CHAIR HAMILTON: Thank you.

8. MATTERS FROM COUNTY COMMISSIONERS

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

CHAIR HAMILTON: So actually that was slightly preemptively partially Matters from County Commissioners so I think that's what we'll go to before the actual finance meeting. Yes, Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. Thank you, Manager Miller for the extensive update. I have a pretty good update myself. On October 12th we had a harvest festival at the Reunity Resource Community Farm. It was very well attended. There were hayrides and horse rides and all kinds of fun and face-painting and music, and it was incredibly well attended. There must have been over 200 people who came out to the farm in Agua Fria and San Ysidro Crossing. So that was a great event.

And then Commissioner Moreno and I both attended Indigenous Peoples Day on the plaza, which was really a wonderful event which we have done annually for the last three years and it was a very nice event with the Mayor and a couple City Councilors and

our tribal governors and leaders, anywhere from Santo Domingo to Okhay Ohwingeh and San Ildefonso and Tesuque. It was a really nice event. We also had lunch with Senator Udall, which was really a pleasure to see him. I told him we were going to put him to work after he comes back home after he retires. So that was fun to see him.

Also, that same week, the Alliance for National Heritage Associations came to New Mexico. It was the first time that many of these people had ever visited New Mexico and they came from all of the country. They were incredibly impressed. They toured Santa Fe County. They toured Rio Arriba County. They toured Taos County, which is all part of the Northern Rio Grande Heritage Area and we had a wonderful event on Wednesday night with special blessings and dancing and great food. Commissioner Moreno also joined me for that and I was very grateful.

Then last Sunday the living treasures recognized one of my constituents, Lorene Mills, for her *Report from Santa Fe*. She was definitely deserving of a Living Treasure Award. She has served our community. The other person that I respect and knew quite well was New Mexico Environmental Law Center founder, Douglas Meiklejohn, so that was a very nice event on a Sunday afternoon.

We also serve on the MPO and the MPO, the Metropolitan Planning Organization has a survey out for people to please fill out for the TIP and what roads you want to see done. We had a nice meeting at the Presbyterian Health Services in the southern part of the city and it was well attended.

This morning, a good friend of mine and constituent of District 2, Ken Hughes, has retired from Energy and Minerals and we had an energy conservation meeting, and then we had a wonderful retirement party for him and I wish him all the best in his retirement from Energy and Minerals.

And then also the Village of Agua Fria remudded their monument welcoming people to the village and they did that last Saturday and then afterwards I had Coffee and Tea and Trees at the Reunity Resource Community Farm. It was well attended and it was the last one for the season and I look forward to having them start up again in the spring.

And I also had the opportunity to speak at the Roundhouse last Monday on nuclear weapons-count the money and possibly redistribute money that is spent on nuclear weapons for more holistic projects such as our healthcare and SNAP money for many other people. So it was – it's been a very busy couple of weeks and thank you for allowing me the pleasure of serving you. Thank you.

CHAIR HAMILTON: Thank you. Other Commissioners? Commissioner Garcia, did you get out your announcements or do you have other stuff? You're good? So I just have a few updates. One, I had the pleasure of participating with the Fire Department in a tactical incident command training, which volunteer chiefs and assistant chiefs and a few other officers got to do a few weeks ago. It was taught by Assistant Chief Martin Vigil so a whole day event. We actually had the pleasure of running into our HR Director, Sonya Quintana who was very supportive of what we were doing. I just really wanted to bring it up. It was an incredibly good training. So our Fire Department just does a really good job at this kind of advanced training. I think that it's out ahead of what a lot of other groups do.

And I also this morning participated – I know Clerk Salazar is going to get to this when we get to the next and she'll give details. She did an incredible job hosting

international participation. This was Women's Participation in Peace and Reconciliation. We had almost a dozen women here from Afghanistan that were here. I think that they're traveling to some other places. They were in DC and I participated with her on an exchange of information of women in local politics and leadership positions and other kinds of associated NGOs and how women can contribute to their society. It was just so interesting. I was really very honored to participate and that sort of thing to me is something that really contributes to our community and hopefully internationally on a small scale, which is partly why we're all here in government.

And once again, first Saturday of the month. So this coming Saturday which I think is November 2nd we'll have Coffee with the Commish at Hondo Fire Station 2, from 9:00 to 11:00. And there's an awful lot going on in our district so people in District 4, I'm hoping – these have been very well attended. I'm hoping everybody can come.

So I guess that takes us to item 9, which is Santa Fe County Board of Finance.

9. SANTA FE COUNTY BOARD OF FINANCE

Commissioner Moreno moved to recess as the Board of County Commissioners and reconvene as the Board of Finance at 3:36. The motion passed by roll call vote as follows:

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

- A. Call to Order
- B. Roll Call
- C. Approval of Agenda

With four members present, Commissioner Roybal moved to approve the agenda as published and Commissioner Hansen seconded. The motion carried 4-0 with Commissioner Garcia not present.

9. D. County Treasurer's 2nd Half Report and Request for Approval of Six-Month Investment Strategy [*Exhibit 1: Yield Curve Graph*]

PATRICK VARELA (County Treasurer): Thank you, Madam Chair, Commissioners. I stand here before you in a different environment than when I spoke to back in March. Things have changed a lot, as you know, in the economy. So I'll start off with the first item that's a challenge to my office, that's the relative market conditions, domestic and global. And what I mean by global I mean the economy is all global, no matter what. Today Trump said that he wanted to do a method where he was in control of all the manufacturing cars in the United States. Stimulus like that plays havoc on the

market so it becomes very global. And there is – in Vietnam, they caught, I think it was \$26 billion in aluminum that was falsely marked made in the Republic of Vietnam which was really coming from China, so they were using Vietnam to sidestep the tariffs, so when things, discoveries like that happen it affects all markets of course. So this is something that's plays a key and later in the presentation I'll explain why.

Another thing that's happening, I'm pretty sure you've heard of it, the inversion of the yield curve. Yesterday and today are the first two days that is has come from inversion to a flattening almost, and I'll go over that in a few minutes. But it's inverted. A lot of the economists say that's signs of a recession. If you go on social media a lot, social media has played a different aspect than it has during the great recession back in 2008. So there's different things that go on there. A lot of people think that if they see it's a recession that people are going to lose their jobs right off that bat. That's not really how things work.

Another challenge for my office, merchant card service – we didn't have any merchant card services in June. When I made this power point. Now we have it so we'll be getting – but a lot of people couldn't pay their delinquencies, a lot of people couldn't access their bills on line. That was a big challenge for several months. It finally went on line this month. Now it's starting to get used.

And the biggest one that has impacted is House Bill 407, which that was entitled the 50-year election cleanup. As many of you know, I had pneumonia during the session so I wasn't able to catch this. The Treasurer from San Juan County caught it and it impacted not only the Clerks but it impacted the Treasurers because what this language had in it was municipal elections were now to be moved in November. That included school mill levies. So in the past, these elections had been done in March and if it had been approved it was presented way ahead of time for DFA to do the calculations when the Assessor turns that over. Now we have to wait.

So it impacted 11 counties out of the 33, this election cycle. Out of the 11, four of the five Class A counties were impacted. So what happened was, because we have – in Santa Fe County it only impacted the northern half so it's about 15 percent of our tax bill that goes out. So it impacted – what's on the ballot right now is a Pojoaque mill levy, municipal mill levy, and this is a multi-county is the Northern New Mexico College. So what happens is we have to wait until after the referendum to see if which mills that we use. So it plays havoc not only on us, the Clerk, but DFA because they're the ones that do the calculations for the correct mills.

So I don't know – some of you may have heard that some of this bill was overturned the last month, the part where they had extended a lot of the terms to six years and they wanted to reconfigure the districts. So that got turned over. The Commission districts. So each one of you were going to have a new district number if you weren't aware of it. But they overturned that part. They didn't overturn this one so this has been a multi-county thing.

So we've been trying to be pro-active. Both the deputy and myself have been on the radio saying – what we had to do is we're sending out the bills normally, no matter what, now in November. That 15 percent that it's impacting, they're going to get a card saying that their bill will be coming in December because of this new House Bill. Then in December those 15 percent will receive their accurate bill. Basically, Santa Fe County

has been generous in the past. They've always passed the school mill levies. The one that's going to be kind of tricky is going to be the Northern New Mexico College one, because of how it's going to play in the other two counties.

So we've been pro-active and we've been trying to get out the word, so that's where we stand on this one. So because of this bill I had to write the Property Tax Division and I had to move the due dates a whole month. So now the property taxes are due December 10th and become delinquent January 11th. To be clear and concise across the county I had to do it countywide because somebody may own a property on the south side and on the north side so they're going to wonder why do I pay now and I have to wait? So I had to do clear and concise. And that was – we're kind of doing what the other counties are doing so it's clear because there's a lot of property owners, for example, that live in Santa Fe but they have property in Sandoval County. So this impacts Sandoval County as well.

So we've been doing as much as we can pro-actively. We've had little things in our office saying this was going to impact Santa Fe. It's going to be delayed. We're putting it in the bill. We put different things in the bill – to Commissioner Garcia, we actually put a thing in the mail saying we're moving to this location with a map on there. So we've been pro-active as much as this bill as in the move because we'll be getting, no matter what, we're going to have that population of people that are going to pay their bills no matter what. We've been getting phone calls – when is my bill coming? When is it mailed out?

So a lot of people are going to pay it no matter what, without even reading it. What's going to play havoc is the ones that actually look at it and the escrow companies, because escrow companies do a service, but they also make money off of the money that they're holding for you. They invest it. So they're going to hold it as long as they can to get as much as they can before they release it to us. So that also impacts the distributions of the school districts. So how much is it going to impact? I don't know. It's going to be up in the air until – because this is the first time it happens – in history. So it's a roller coaster for us.

On our portfolio, we have \$118,719,754.63 in operations, and this is as of September 30th. This is when our operations manager prepares the data for us. Core account was at \$27,777,665.68. Our general obligations 2011 bond was at \$5,139,151.29. Our general obligation bond 2013 is at \$6,218,617.77. And at Charles Schwab, we have \$35,219,743.46, for a grand total of \$193,146,932.83 in our portfolio.

Our other balances, we have LANB studio account is \$5,342,620.15. What that is is actually the lockbox we have against the studios so every year I go ahead and ask for a draw-down for what they've paid, so this is what is backing their loan. That's the studio account.

Various CDs that we have throughout Santa Fe County that will take our money, because some of them still don't want to take that much onto their balance sheet, is \$1,256,523.21. At First National we have \$59,821,324.50. UBS 2013 we have \$1,303,010.47. UBS government money market we have \$26,108,389.95. UBS 2016 improvement bond we have \$7,533,997.11. At UBS 2016 GRT we have \$1,307,034.77. We have a UBS 2017 CD that's been through 335 bps, that of course by statute we can

only do by FDIC also we can only buy \$250,000. But our interest on that is \$11,679.92. In BNY/Mellon it's \$2,773,546.35, for a grand total of \$105,709,135.42.

For a grand total of all balances: \$298,856,068.25.

Our earnings that we're getting, we're getting 250 bps, or 2.50 percent at LANB on that one studio account. First National Bank we're now getting bps per interest-bearing account. With our contract actually Bill Taylor helped us negotiate this and also Gary Giron helped us negotiate this. We worked with the bank. We told them we've been your customer, we're your biggest customer, what can you do for us? So we're now getting 40 bps on every interest-bearing account. The FICA account, which is our federally insured cash account, we were getting 170 – 1.7 percent, now we're getting 1.85. So that's locked in for the duration of our contract, no matter what goes on with the market.

At UBS we're getting about two percent, 205 bps. Schwab, depending on the account, we're getting between 186 to 243, or 2.43 percent.

Our average earnings in the core, we were getting 397. Because of what's been going on we're getting about 394. Muni accounts, we're getting about 296 and in combined ops we're getting 243; we were getting 379 before this inverted yield curve is going on.

Our yield income that we're getting right now, in Sunflower, to date we have gotten \$2,665,389.93. At Schwab we have received \$692,916 in yield, and UBS in all of the accounts we've got \$663,750.50, for a yield to date as of 9/30, \$4,022,056.43. When I stood here before you in March I asked these brokers and banks to give us an estimate till the end of the year. We can see what we bought last year and the previous year, it's already out-performed as of 9/30 to what was projected except in UBS. The real reason it is lower in UBS is because we've done several draw-downs. As we draw down we don't get as much interest of course. We out-performed what was estimated to the year-end.

Right now, we have had \$65 million in agencies that have been called. And then we had \$27 million that have matured and most of those maturities, this is where some of the treasury floaters that I had bought three years ago, so they've matured. The reason that they're getting called is that these are basically American style and some Bermuda style agencies – the ones that have been on my Investment Committee know that language. Basically, that they have a call date fixed at every duration, but when the yield is inverting, it's just like people – they're going to go and get a better interest rate, so they're calling them back to get a better interest rate. So this is phenomenal that we have \$65 million that has matured.

Today I got a call on \$14 million ones that have bought. So that just shows you what's been going on. The inverted yield curve, that's how it impacts our portfolio because we're not going to be getting what we're getting now because what we bought last year and the year before is what's giving us this deal we've been performing on. So now having to find agencies or some kind of investment that's paying the best for us that we can get better than what the treasuries are doing because the treasuries are still in at a low. But there are still agencies out there that are still performing rather well and actually today, if we were to sell our portfolio today, our market value was really well, so we would have gotten a lot of profit but we don't need to do that.

That happens – it's just on the market conditions but the snapshot today was that we would have received probably around \$8 million in profits if we would have sold the whole entire portfolio. But that's just a market condition. Of course we buy and hold.

Now, this power point right here is actually what the yield curve has done since October of last year and as many of you may remember we had technical – technology types of stocks that kind of went down during that period so it kind of impacted the yield curve. And actually I made this in Excel and it's pretty accurate. I'm kind of actually proud of it. It took me about a month to create it because you need to do some additional formulas. Then a broker told me Excel has it right there. You just have to press a button. But anyways, it's worth it, but if you look at it and if you look above you can actually see how by January, you can actually see where it started to flatten. And if you look at the graph it was still pretty high because it was above the three percent, the 30-year was above three percent.

February, it flattened even more. March – there's where you see the inversion right there. And then March 20th, that was during the Federal Market Open Committee. April, May, it jumped up because we lost the 3.50 but you can still see the deep inversion. June, these are from a lot of our bonds that we have purchased were being called because it was just dropping. You look at the – we can invest in one to five in the operations portfolio, well, it's not doing nothing. And our ten-year which is our core, it's still below the six-month to one-year average. That's in June.

July, it still dipped. August was really weird. It hooked up because the front end started to go up as you can see here. If you could buy stuff for up to six months which I was doing, CDs, I was getting the best I could out of our money, I was getting the front end and not paying attention to right here. So that's called bar-belling, because we were investing here, and you're putting stem out here which I didn't do over here because as you can see, it didn't do any good for us.

This is September, this is just before I made this presentation. This is what it looked like then. It started to go back up, as you can see and what Jennifer gave you now is what it looked like yesterday. If you look on your sheet it's starting to flatten out again. So there are signs that we're going to start going back into a yield curve instead of an inversion curve. The weird thing about this is usually it tracks consumer confidence. It tracks employment. Well, we're in an all-time low unemployment. We have a lot of jobs out there that people have in the employment market.

Consumer confidence has been down for the last two months. This could be because of the trade wars. It could be anything that could cause us – basically, the people are not out spending like they were in the past. The consumer confidence has been up, in an upward trend since 2014. Since 2014 there's been a lot of talk – is it the presidency? Well, historically I haven't seen anything to do with a president being elected to what it does and a lot of them pat themselves on the back saying this is because of me, well, it just happened because when the market started going up Obama was still the president and it still continued to rise and now is when we're getting the yield curve. This could be because we have 11 countries that are in negative rates; what are they going to do with that money. They're putting it into the American market to get the best they can, so it's lowering our rates down.

That could be a factor. I've talked to different economists. I have a plethora of different people doing analysis, that this is what I think. This is what I think. But as you can see from our slide it is starting. So hopefully it will start to invert. But because of that curve, that's why a lot of our agencies are being called.

So right now I stand for questions on this part of the presentation.

CHAIR HAMILTON: Commissioners, are there questions? Commissioner Hansen.

COMMISSIONER HANSEN: So are you saying you don't think we're going into a recession?

TREASURER VARELA: Me personally?

COMMISSIONER HANSEN: Yes.

TREASURER VARELA: I don't think the variables are there. A lot of things have changed in the past. In fact me and Jennifer were in a meeting – we have more billionaires right now than we had before because now they've bought so many companies there are so many billionaires but they're not using it. But they're not spending it. They're more conservative. But unemployment, inflation is almost where it's almost where it's supposed to be, so I don't think the variables are there that we are going to go into a recession. Things could change. It's very, very – like I say, I tell people, the economy is very personal. Something can affect you and it might not affect Commissioner Garcia and so on. But it's just a very emotional type of market that we're in. But I personally don't feel that we're there. There are several of them that I've talked to and they say things are different than it was during the great recession. That was basically the housing where people were using their house as an ATM.

COMMISSIONER HANSEN: Thank you, Mr. Treasurer.

TREASURER VARELA: Sure.

CHAIR HAMILTON: Are there other questions? Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Treasurer and your deputy. You had mentioned earlier in the presentation that there's individuals or banks or investors that won't take our money. What did you mean by that?

TREASURER VARELA: Well, there are some small banks that if we put in \$250,000 in a CD it offsets their balance sheet, so one of their customers that wants to get a loan because it would offset their balance sheet. So it's the bigger banks that still well get our money and then of course, because of FDIC insurance, we can only get \$250,000. So a smaller bank won't and actually a lot of them have – Guadalupe Credit Union, we have US Eagle Credit Union, Del Norte. We have a lot of those. There was a couple of small banks. Permaculture I think was one of them that they would have loved to have had our business but they just couldn't support that kind of cash.

COMMISSIONER GARCIA: And then also, Madam Chair, on one of your presentations or your slide up here you actually mentioned interest to no other. What does that mean? If you can't find that –

TREASURER VARELA: On earnings?

COMMISSIONER GARCIA: Yes. And then also can you explain to mean what bps is? Bips? What is that?

TREASURER VARELA: That's basis points. So basically it's just jargon. So for instance, 394 bps is 3.94 percent.

COMMISSIONER GARCIA: Then also, you mentioned that if we would sold one of our – I forget what you meant or it was called, that we would have gotten \$8 million profit from it.

TREASURER VARELA: There's what they call the market value is. So market value changes day to day. So basically, I get a reading per each individual investment that we bought. So right now, because the ag market is rising because of the interest rate is going down, the ag market is rising – the aggregated – that's a benchmark that they use and that's pretty much – it follows fixed income. Any kind of fixed income. So that will rise. So a lot of times our securities will be worth more than what I bought them for. So if I bought one security, say, at \$5 million, today it might be worth \$5,002,000 or \$5,012,000. But it's in excess.

So that changes day to day. So I can get a snapshot. Even a CD. If I get a snapshot today, that's what the market looks like, that individual security. But in the past, when I first came into office, because of the condition, our portfolio was so upside down we were \$12 million in the hole, if we would have sold it. But like I said, we buy to hold. So meaning as prudent investors, what we're buying now may not be a good investment three years from now because of market conditions but it's the best we do at this moment.

So what we bought two years ago we're getting well above three percent. Now they're getting called so I have to find something the best that I can for the County without risking any of our principles – safety, liquidity, making sure that we're not risking any of those. So we're buying right now what's in the best in this market.

COMMISSIONER GARCIA: So really quick – I'm obviously kind of new to this stuff. So since we have the best bonding rate that any county could ever had, does it not make sense to go sell off for \$8 million, have some bank get us another interest CDs or take of our stuff?

TREASURER VARELA: No, because some of those other securities that we have because you've got to remember it's a mixture of different securities. So some of those securities have bullets. Bullets meaning if I buy something today and buying it for a five-year duration, it won't be called at all for that duration of time. Some of them are steppables. They'll be at a certain interest rate and then they'll step up if they don't get called, and at that point at the next duration when, say, it's December 15th, in the market it's at a condition where it could be sold – if those people could make profit then they'll sell them. If not, we'll get the next step up of interest at that point.

So if we would sell something just to get the interest, we would be kind of shooting ourselves in the foot because I'm not getting those securities that we're getting collectively interest over time.

COMMISSIONER GARCIA: Thank you. So also then really quick, what we're actually doing is because our great county and people are moving in here and our Assessor as well, so every staff here is doing a great job of picking a valuation on. One of these slides here, you have matured agencies year to date of \$17,273,170. So does that actually mean that that's how much money we have based off of year to date for that account?

TREASURER VARELA: I'm sorry, Commissioner, was that the impacts inverted?

COMMISSIONER GARCIA: On slide 10, I believe. It looks like this.

TREASURER VARELA: Impacts. So what that slide is, that's impacts to the inverted yield. So because there are – okay. It inverted. So these companies, Fannie Mae, Freddie Mac, Tennessee Valley, they're going back and they're reinvesting them at the lower rate. So over nine months we've had three different rate decreases. So we've already gone down a whole percent. So it's gone from 3.25. Now we're about 1.75 to 2 percent. So they're refinancing these two at the lower rate for themselves. It would be like the County reinvesting our bonds that we've done. We're getting a lower interest rate so we're paying less in on our bond payments.

So the called agencies have been those ones that we're getting 3, 3.25, percent, and when it came time to be able to reinvest them, they're getting lower rates now so they're calling them. So \$65 million has been called. Now, the mature agencies, those have already been that I bought them for three years, five years and they get matured on the dates that were promised. Or we get the yield, the floaters that we had. We got some floater treasuries that would float with the interest rate. So those I bought for three years, they matured, and then what happens is they get sent into the bank and then I get to reinvest them. Those are the ones that make sense. That's the difference in the economy we've had.

\$17 million, that's about typically how much gets matured every year about the same time. Sometimes more, sometimes a little bit less, but it's in between about \$20 million and maybe \$15 million, depending on the structure of the bond that we buy.

COMMISSIONER GARCIA: Madam Chair, Mr. Treasurer, thank you. Good job. We'll have to have lunch.

CHAIR HAMILTON: Are there other questions? Because I actually have a question and a comment, maybe. So on several slides up from the end, you did put down a few projections for a projected total income. So you were trying to give an estimate. And this estimate, to me, the most useful thing is to compare to what we anticipated. For instance from previous years. So for January through September, our estimated income was just a little bit more than \$4 million. How does that compare to both last year's income – if you project it out to be comparing full year to full year, or nine months to nine months, however you prefer to do it. And how does it compare to what our budget is, the budget items this feeds into? It's a basic question of how you think we're doing in terms of the income that these investments support.

TREASURER VARELA: They've been out-performing, so the environment we were in last year, for instance, in 2017 through 2018, we were rising. So almost every fed market reading that they had it would raise up the fed funds about 25 bps or 25 basis points. So we're in an upward market. So everything that I bought, we're getting close to three percent and we're reaping all that now that it inverted. Now they're going back and they're saying we can get these at a cheaper interest rate so they're restructuring their bonds for that. So we're going to get good interest compared to what we did in 2015 because in 2015 we were getting interest that I invested in 2013 and 2014, which was nothing. I think the most we could get was about 85 basis points at the time. That was for a five-year.

So it started increasing every year. So if this is just an anomaly, this inverted curve and it's only happening now and they hold those fed funds at two percent – right

now that's what it is – if they hold it at two percent this yield that we're getting now, next year we'll be getting what we were getting in 2017.

CHAIR HAMILTON: Okay. So really what I'm asking those if you look at pieces of the County budget, so the money that we depend on to be able to support County activities – right? – from the investment accounts – these support specific things. It's grown slightly year to year on average. Not every year, because obviously it has to do with the market but we're anticipating a certain amount and there's jeopardy from having calls come because we know what our investment distribution is on average and that's what we make projections from. Right?

TREASURER VARELA: Right.

CHAIR HAMILTON: That's what you provide all the time. But at the time we're getting called, we have to reinvest that stuff and at least for the short term those are investments with slightly lesser yields. So I was trying to get your net opinion on how much jeopardy you thought for our net income that put us in.

TREASURER VARELA: I don't think it – all our investments are basically in those principles of safety, liquidity and yield. The only thing – they're all safe. Our investments are safe. The County's safe on them if something would happen. We're going to get all the money back on each security, no matter what. Even if – the only safe security is a treasury that's backed up by the government but fixed income, what's defined as fixed income or an agency is usually backed by an act of Congress saying, well if it fails, we're going to pay it. It's in an act saying we're going to pay x-amount to everybody out there.

So all our investments are safe. The difference is, because of the market conditions, we can't really say – the way that some of the bonds are – some bonds are bullets and some of them, you can't buy a bullet. They only buy them in American which means that they can be called. One can be called every six months. One can be called every quarter, depending on the structure of it. So I try to buy a mix as a I can, of bullets and callables.

So now I'm in the environment to look and say, well, I don't really want to get stoppable because it's only going to last maybe three months and then drop down to – it could be a lower environment. It could be a higher environment. So I'm trying to stay in the high end, which is what they call the front end of the yield curve which is one month to one year, so I'm trying to just by CDs that will mature within that timeframe. I have bought some IBRDs, agencies that are typically about 22 basis points above treasury. So I can still get those for about two percent, maybe 2.25 percent right now, opposed to Fannie Mae, Freddie Mac which may be getting 1.85. So I always have to look at the market conditions and what's available. So I try to get the best I can. As the fiduciary, the Treasurer, I try to get what I can. I'm treating it almost like as if it was my own bank account. I'm trying to get the best return without risking any safety.

So if it's going to change, it could change next year. We may be getting lower. Where we put these two I've never known what these investments to go because some of them are off of the general obligation bonds, so some of the interest – I'm pretty sure it gets funded to different accounts. But I do know it goes to the – I'm pretty sure it goes to the operations account.

CHAIR HAMILTON: I just want to, for the record, this is exactly the kind of thing that policy makers need to take into account, the very short-term planning and then the slightly longer-term planning in terms of budget. And in that regard, I have to say from what I've been listening to, some national economists, part of the reason people think that there's an increased chance for recession – it's not an absolute, yes, we're going there. It's the idea of the risk of getting to a recession, and part of that is based on the volatility of the market, and that kind of prediction that interestingly, economic models and ecological models, they're modeling the exact same thing. That increased volatility increases the chances that in the short term things will change enough to kick into a bigger response.

And I think that we need to follow that closely and be careful that we're planning for what are the potential ramifications of that, how we extend ourselves and what kind of things we plan to do and what not.

TREASURER VARELA: Correct. That's how come in this agenda we'll be updating our investment policy because we try and get what's best and safe. This last legislation season we were able to introduce some other legislation there to add additional vessels that we can invest in that are safe but that give us a little bit more yield. So we try and be at the best prudence that we can without risking what we are putting into the market.

CHAIR HAMILTON: Right. Manager Miller.

MS. MILLER: Madam Chair, the Treasurer provides you estimated income based on the entity, so Sunflower, Schwab, UBS, but we actually report interest income in our financials and in the general ledger based upon fund. So general fund, individual bond funds, etc. So from a budget perspective, one of the things we do is we look at history in general fund, interest earnings and calculate out an average interest earnings for recurring and taking into account what the economy might be doing.

So we, from a recurring revenue stream, we do budget in general fund, interest income. It's not anywhere near \$3.8 million. It's usually somewhere between \$1 million and \$2 million based upon what's happening with the portfolio. And the reason for that is we're looking at what we can count on for recurring revenue to pay salaries, utilities, things like that.

Now, a lot of the other funds, any GO bond fund, for instance, we don't budget that interest earnings until it's earned. So once we receive it we'll come back to the Board and say, okay, we've had interest earnings – and we did it in June. For instance, some of the road projects, we needed some additional funds for road projects that were funded out of general obligation bonds so we looked at, well, we have some accrued interest. You can either budget that accrued interest in a bond fund projects that were of the same type of projects as the bond was issued for, or you can use it to pay down debt service. And we've done both. But we do that after we have earned it and booked it. We come back to the Board and make a recommendation whether that be budgeted to pay down debt service or principal or whether it be budgeted to go to a project.

And it usually depends whether the bond is just about totally expended. If those funds are totally expended, and we've completed all the projects that we issued the bonds for and there's \$10,000, \$20,000 left, we would likely just request that that be budgeted to debt service and we'd close out that bond fund. If it's a bond issue that we have lots of

project and they're still outstanding, we would come and ask you to budget those interest earnings towards a project that's underfunded that we need to finish.

So when you're looking at the numbers that the Treasurer is estimating, you won't see a corresponding figure like that when we come in the spring for the budget. You'll see interest income, like I said, much less and that's because the only part that we budget when we're putting the budget together is what we believe is an amount that we can get off of general fund or pooled cash and can be used for operations. If there are interest earnings that have to go to the individual fund you're not going to see that. Only what we think we know will come in on an annual basis recurring year after year based upon the portfolio where the interest earnings can be used for general purposes.

So I don't know if that answers your question but it seems to be trying to get out how are we going to look at the future recurring interest earnings for budget purposes and that's how we do it on the budget size in estimating revenues. We do look at the overall portfolio and how it has performed but we only budget what we can count on on a recurring basis for general fund operations. Everything else – it gets credited to the appropriate fund, goes to cash balance and we come back and ask you authorization to budget it to a particular project. Or it goes to general fund reserves, if we have excess earnings.

CHAIR HAMILTON: Thank you.

TREASURER VARELA: To that, and maybe the Manager knows or maybe Gary knows, there is a GASB law that you have to report – it's a reporting one; I don't remember the number, but when you report it, like when the County wants to report it, it's the market value and what I stated earlier, it's a market value when it's projected. So when it's generated, the market value could be way up high and the interests could look like they're high. It could be next week when it could be the opposite. So a lot of the treasurer's don't like that reporting because it doesn't really give an accurate thing of what we're actually doing but these give me at least a direction to benchmark myself in saying, well, these are doing better than last year and it's something I have to be concerned about if it's not what I'm expecting.

CHAIR HAMILTON: Are there other questions or can we move on to your item E?

9. E. Resolution No. 2019-132, Resolution Approving the Santa Fe County Investment Policy and Repealing All Former County Investment Policies

TREASURER VARELA: As I stated earlier, I do need an action item because we have worked – the Investment Committee has worked on revising the investment policy. A lot of the investment policy, this one is off of GFOA best practices. "The investment policy enhances the quality of decision making and demonstrates a commitment to the fiduciary care of public funds making it the most important element in public fund programs."

So I put this in because that's what we should be doing. In fact I tell different entities I've seen some investment policies with an inch of dust on them because they have not visited them. It could be a board – I've worked with some boards. So we need to

look at these because there's things out there that you can now do that you can do in this and if you get audited for investing outside the parameters of your policy you're going to get cited for it. So I put that in there because that's what we're doing.

The investment policy or IP, gives the flexibility to change elements in the policy to reflect the economic conditions. It shows our fiduciary care to public funds and it shows our investment methodology and overall mission statement. So as market conditions change – I haven't done that; I've never done that, but I could actually come almost every month and say, hey, we need to update this because this has changed, but as we're basically buy and hold, I really don't have to do that and the reason that I'm doing this now is because we've brought legislation in.

So I've told other treasurers in municipalities, if things change we may want to look at what we can buy. So that's also something that's really pertinent to our investment policy. In there I have securities that we can buy. They're all the bonds, the security bonds, securities that are issued and backed by the full faith and credit of the United States or issued by its agencies. So the only thing that's backed by the full faith and credit are treasuries. Many municipalities don't want to engage with treasuries because they're progressive and when you buy a treasury it doesn't really buy paper for the offices or food for a zoo, but it also contributes to a war effort so they want to shy away from that, so they're looking at different vessels.

So that's something that's backed by full faith in the government. Now there's agencies and instrumentalities. Those are some of the other ones that I have bought in the past. For instance, TVA, Tennessee Valley Authority. That's an agency and it's backed by an act of Congress. Treasury bills, they mature – the bills, notes and bonds, they mature within a year or less and they do not make an interest payment usually or are sold at a discount. Notes have maturities from two to ten year and bonds have maturities from ten years to greater.

There are other treasuries such as TIP treasuries. Those are inflation protected treasuries, and floaters, that I've bought in the past, they match the fed funds. Usually they're between five to 30 basis points above the Treasury. So as they move, the Treasury follows the curve. The ones that I have bought have already matured.

Securities for Class A counties, we can engage in again the bonds. Securities – what I'm proposing to add now is Section 3. Those are now called supranationals. There's three designated ones that are considered DC style investments. They're in the United States. They have a maturity date that does not exceed five years and actually a lot of them are three years. And the interesting thing about this is they're bullets, so if you buy them today they will not be called in the future. They'll be called at the interest rate that is promised to you at the day you buy them. They are rated at AA rated.

The other thing that was added to the legislation this year which I didn't add in policy because I'm still exploring it is commercial paper or payment. I still want to review some of this and then I'm going to get the Investment Committee's opinion on some of these ones. Some of them act like preferred stocks. You get an allowance on your investment. No matter what, if they perform bad you're still getting what is promised you. So these are something that I may look at along with the Investment Committee. I did not bring it but it was approved this year by this statute. So that's number 4 but I don't have it now presented in this policy.

These agencies and sponsored enterprises, which we call Fannies and Freddie's, those of you who have been to my committee. Federal Home Loan Corporations, Federal Agriculture Mortgage or Farmer Mac, Federal Home Loan Banks, Federal Farm Credit Banks, Tennessee Valley Authorities. Before in the past these IBRDs were considered an agency. Now they've grouped them as supranational. So the supranationals are the multinational development banks, IBRDs, and IDBs and IFCs. These are known as Washington style supras. And what these do, they work as well as a Fannie Mae or a Federal Fund Credit. The only difference is that these go to help develop underdeveloped countries' educations. If you look in the slide, all the yellow ones that I have here – and by the way, these slides are actually for the – I'm getting my CPM so I prepared this for the CPM but I thought this is perfect to show you as an example of what supranationals are and where they come in.

Well, these ones here were actually done by an act of Congress back in the fifties. They've been working in the United States. They've been active. They trade in dollars. They look exactly the same. People might say, well, why are you doing an IABD? Well, we can but some people may question it, that well, this might be questionable but it's actually an act of Congress that make these – just like a Tennessee Valley Authority.

The other ones are European Bank. That actually trades in US dollars and is an acceptable one but I'm not proposing those ones. African Development Bank is another one. It pays grade 2. These ones go usually out for 10 to 15 years. That's how come I did not put them on. And Asian Development Bank also is traded in US dollars and is actually an act of Congress as well. So all the ones in yellow that you see here are act of Congress; the ones in silver are not. But there's that 22 or 24 that are actually classified as a supra, but if you – I have what a Washington supra is and I have all the acts that they were established – 1944, 1956, 1959.

I also went as far as putting on the acts of Congress that each one is associated with and where it says if you fail we will back up or pay the investors on them. So it's a section that's in there – the section, the act. So I covered all my bases on these ones and I actually did the legwork initially to get this passed by the legislature. So I spoke to several different committees on behalf of this two years ago and it got passed this year.

As you can see, this is an actual Bloomberg screen. This is what they call an OPIC one. This is a different Bloomberg screen and it's actually a government agency and you can see its characteristics and it's from the United States of America. This screen could be government agency. You might see another CUSIP, CUSIP number meaning the security. That's a new one and it will be reclassified as a supra depending on when it's issued. This one was probably issue several years ago and the maturity is 2024 so that tells me it's probably about ten years old. So the new ones that say overseas private industry could say supras but they're all agencies of the United States.

You can see that they're AAA-rated. Moody's gives them AAA. This is InterAmerican Bank. This one is considered now a supranational. So this is what we look at before we even buy them we make sure that they are listed as – that they follow not only statute but our policy.

So these are the ones that before were considered agencies now are considered supras. That's why I'm coming to you to add this into our policy as viable investments that we can buy in.

So what we updated in the policy is Part N, the Prudent Investment Rule. We added, means that the standard investment set forth in Section III of this policy. Compliance with this standard does not guarantee the investment. So we just put the Prudent Investor Rule as a definition.

Standards of investments, we added investments shall be made in – actually Greg Shaffer helped write this language for us – “Investments shall be made with the judgment and care under circumstances then prevailing that persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation but for investment considering the probable safety of their capital as well as the probable income to be derived.”

We also added in K. This language is actually the supranationals. We put the parameters, the eligibility, the purchase of course being the United States, the denomination of the United. What I mean by viable purchase is by state statute we can only buy US in no matter what. Even the State Treasurer, they can only buy US dollar investments. So we added this section K into the policy.

What we did also add was, in the diversification table we put – the Investment Committee, they decided 25 percent of the portfolio could be DC style supranational. Also we added on there, I had talked to – I had a meeting with the Manager at one point – the government money market funds. We had to raise it. Before it was at 45. We increased it to 50. The reason why is that now that we have today a \$14 million security that was called. On top of our other money markets we have it could have peaked over the 35 percent that we have. So we came to the decision that we would do 50 percent, from 35 to 50 percent to give a leeway that we don't go over in an environment like we're doing now.

And we also fixed this because before we were actually out of compliance. I don't know what happened but we had how much we could invest at only \$200,000 and the FDIC is at \$250,000 so we cleaned this up and we made it \$250,000 as opposed to \$200,000.

And with that, that's pretty much all we did in the update to the Investment Policy. Right now I stand for questions and at that point any motion for approval.

CHAIR HAMILTON: Thank you. So are there questions from the bench.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Commissioner Roybal.

COMMISSIONER ROYBAL: I don't have any questions. I just want to thank Treasurer Varela for his very informative presentation. We appreciate that. There's a lot of points where I even got lost myself and I try and pay attention to different investments, so I think you're doing a great job. So I appreciate your presentation today. And I would move approval.

CHAIR HAMILTON: Other questions? Motions?

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: So what kind of risk is this adding to our portfolio.

TREASURER VARELA: Adding supras?

COMMISSIONER HANSEN: Yes.

TREASURER VARELA: We've already been buying them. It's just that the reason that they're adding them is because, a) some auditors have been looking them and saying this isn't an agency. So there's been some back and forth until an auditor will call somebody that they do investments and say, yes, this is actually an agency, but now it's considered a supra. And because Bloomberg is now putting them as supras where we are having –

CHAIR HAMILTON: Point of order. I need to have a second before we can have continued discussion. Or not.

COMMISSIONER MORENO: I'll second.

TREASURER VARELA: So we're adding this. There is really no risk. We're basically cleaning up the language and we're trying to follow state statute because now state statute says they're now defined as supranationals.

COMMISSIONER HANSEN: Okay. Thank you.

CHAIR HAMILTON: Everybody's good? No further discussion? So there's a motion and a second.

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

9. D. County Treasurer's 2nd Half Report and Request for Approval of Six-Month Investment Strategy

TREASURER VARELA: One more section. This is my strategy that has to be approved again. This is what I'm proposing for the next six months, and it's changed. I'm investing a small percentage in five-year time factor. So I'm just going into that a little bit and I'm doing what they call – as you can see barbell methodology, which basically is investing a lot in the front where we're getting the interest instead of, of course you've seen the inverted yield curve. I'm not investing in that middle part. So I'm continuously investing in the short end. And investing in bullets, the bullets I can find – I'm investing in those. Those again won't be called. If you buy then today and they mature in five years they're going to last that duration and get the yield that is promised on that coupon.

Investing in government money markets, those are usually about 20 to 25 bps above the Treasury. They're not getting moved too much. They're still paying pretty well, so I'm investing in the government money markets. Investing in cash accounts when it's viable. They act like a CDAR. A CDAR is like I could take \$4 million to a bank and they'll buy \$4 million worth of different CDs but this way it's in a cash account so it's basically kind of like an overnight repo. It's done overnight. So we'll get the interest on those.

And then invest of course, always invest in line with 6-10-10. And maintaining that liquidity cushion that we need to pay our own bonds or whatever needs to be done. So that's my strategy for the next six months. So with that I'll need, if there's any questions, a motion for approval.

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

CHAIR HAMILTON: What are we approving?

TREASURER VARELA: My strategy. The six-month strategy.

CHAIR HAMILTON: Okay.

MS. MILLER: Madam Chair, it's item D under the Board of Finance items. We just took them in opposite order for approval but it's item D under Board of Finance. It's item 9. D.

CHAIR HAMILTON: So I suspect that was – okay. I took that out of order. I apologize. Okay, there's a motion. Is there a second?

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. Is there any further discussion or questions? So motion and a second.

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

CHAIR HAMILTON: Thank you.

TREASURER VARELA: I believe that's it.

CHAIR HAMILTON: Excellent. Thanks for your efforts on that.

COMMISSIONER HANSEN: Thank you, Treasurer and Deputy Treasurer.

TREASURER VARELA: Thank you. Again, my office is all open if you want to talk sidebar economy, feel free.

CHAIR HAMILTON: Excellent. Thanks so much.

COMMISSIONER HANSEN: Madam Chair, we look forward to coming and seeing you in the new building.

TREASURER VARELA: Actually, we've been waiting three years since the first design but I've been trying to get out the word.

CHAIR HAMILTON: I was about to mention that I saw Treasurer Varela in work clothes moving boxes, moving files, a week or so ago. So that's pretty impressive.

The County Attorney will correct me if I'm wrong, but I would entertain a motion to come out of the Finance Committee meeting and rejoin the recessed BCC meeting. From anybody?

COMMISSIONER HANSEN: So moved.

COMMISSIONER MORENO: Second.

CHAIR HAMILTON: Thank you. So I have a motion and a second.

The motion passed by unanimous [3-0] voice vote. [Commissioner Garcia and Commissioner Roybal were not present for this action.]

10. MATTERS FROM OTHER ELECTED OFFICIALS

CHAIR HAMILTON: Mr. Treasurer, I assume you've done all your matters for us today. Is that true? Thank you so much. Madam Clerk, do you have matters for us.

CLERK SALAZAR: Yes, thank you, Chair Hamilton. I wanted to touch on what you mentioned earlier about today's International Leadership Program today. The County Clerk's Office has hosted for a few years and for the last couple of years they've given us target topics. And the only one I felt that could relate to us in some way was violent extremism. And so we went over the push factors that drive individuals to violent extremism and talking about marginalization, religious discrimination and equality persecution. On and on. We went over what terrorism and violent extremism is, what type of behaviors, and then also how they're manifested. We discussed strategies to address the underlying conditions which can encourage it. And I wanted to weave in some way to bring it close to us and that was religion and government. I put that and we talked about that, about fundamentalism, and then I also mentioned about the separation of church and state. We went into that. And then strategies to engage women in society to increase their participation in civic and political affairs, looking at equality education and embracing women's rights.

And then we had questions and answers. It was a very good group. We found out in this group that a young woman lost her mother five days ago because of the violence in Afghanistan, her community. Her family has been challenged for a long time by the Taliban because they were educated women. It was very sad but she conducted herself so professionally. Totally brave.

So that's a touch about we can do as elected officials and sharing values and attitudes and cultures and what happens in our country. And it was very effective today, especially from these intelligent women from Afghanistan. Their exchange to us was brilliant.

In addition to that I'd like to mention that currently we are in early voting status right now. Santa Fe County 2019 regular local election is included on the ballots, depending on residency. The City of Santa Fe, which will include ranked choice voting for Councilor position District 4. School districts would be Santa Fe Public Schools, Española Public Schools, Moriarty/Edgewood Schools, and Pojoaque Valley Public Schools.

Community College districts would be the Santa Fe Community College voting for board members only and Northern New Mexico College Branch Community College voting for ballot question only, and then Soil & Water Conservation Districts, which are Santa Fe, Pojoaque Water District, Ciudad, Edgewood and Eldorado. We have 11 entities that we're running elections for and as I mentioned a little earlier, it all depends on the residency of voters and how they will vote, and they have to be qualified voters.

Early voting at the Clerk's Office will end November 2nd. We'll be open from 10:00 am till 6:00 pm on Saturday, but it continues during regular business hours, and what's been added because of what the Treasurer mentioned, that massive bill of House Bill 407, we are now doing same day voter registration. We only had one day to do that in our previous elections but now during the whole portion of early voting at the Clerk's Office we can register people to vote and they can vote immediately. Or they can just register and then vote later.

Today we have the governor this morning, while you and I were starting up in here. She came to register to vote for Bernalillo County to Santa Fe County. And they

had contacted us yesterday, what she needed to bring, so anyone interested in doing what the governor did today, they have to have a photo ID and they have to have something that shows that they live in Santa Fe County.

In addition to that, there's early voting alternate site locations at Abedon Lopez Community Center, Christian Life Church, Edgewood Elementary School, Max Coll Corridor Community Center, Pojoaque Satellite Office, Santa Fe County Fair Building. Those are the alternate sites and they're there during the week starting on Tuesday to Saturday. They're open from 12:00 to 8:00. Those are ideal hours for people after work. They can even go home and eat and then go vote.

On October 8th voter registration by mail and online has stopped. In person, as I mentioned earlier, will be until November 2nd at the Clerk's Office, and the last day for anyone to apply for absentee voting by mail is November 1st. And then we need to also remember the very last day is election day, November 5th from 7:00 to 7:00.

Ballots cast as of the end of Saturday – we can't give you numbers because we didn't have the polls open. The voting convenience centers opened yesterday except in the Clerk's Office, but we did have them in all the sites and so as of the end of Saturday, October 26th, we had 2,340 voters who cast their ballots. And so we'll find out later tonight after everything closes at 8:00 pm what were the numbers next after today.

Thank you so much and I encourage everyone to vote and take this seriously because local governments do affect your daily lives and I think it's important to participate. Thank you.

CHAIR HAMILTON: Excellent. Thank you so much.

13. INFORMATION ITEMS/MONTHLY REPORTS

- A. Community Services Department Monthly Report**
- B. Growth Management Department Monthly Report**
- C. Human Resources Monthly Report**
- D. Public Safety Monthly Report**
- E. Amended Quarterly Report on Restricted Housing at County Adult Detention Facility Pursuant to Laws 2019, Chapter 194 (HB 364)**
- F. Finance Division Monthly Report**
- G. Public Works Monthly Report**

MS. BROWN: Madam Chair, Manager Miller asked that you pose any questions regarding the reports.

CHAIR HAMILTON: Yes. I was about to do that and then I forgot listening to the Clerk. Thank you so much. Does the Board have any questions for any of the department heads on the monthly reports? No matter what I really want to thank you guys for sitting in the audience listening us to go on and on. Thank you for doing the reports and for making yourselves available. We really appreciate that you're here for us. Seeing no questions, I want to thank you for being here.

11. MATTERS FROM THE COUNTY ATTORNEY

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

MS. BROWN: Madam Chair, I would ask that we go into executive session pursuant to NMSA 1978 Section 10-15-1(H)(7 and 8) of the Open Meetings Act to discuss the items on the agenda which include acquisition of real property for affordable housing development, potential Sustainable Land Development Code enforcement actions, potential condemnation actions, the lawsuit in re national prescription opiate litigation, and executive management personnel issues.

CHAIR HAMILTON: Thank you. Do you have an estimate of how long we'll be in executive session, approximately?

MS. BROWN: Madam Chair, I would estimate 45 minutes.

CHAIR HAMILTON: That sounds good. And I asked because – first I would entertain a motion if somebody's willing to go into executive session.

COMMISSIONER GARCIA: So moved.

CHAIR HAMILTON: So I see a motion from Commissioner Garcia. Do I have a second?

COMMISSIONER MORENO: Second.

CHAIR HAMILTON: Can I have a roll call?

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (2, 3, 5, 6, 7, and 8) to discuss the matters delineated above passed by unanimous roll call vote as follows:

Commissioner Garcia	Aye
Commissioner Hamilton	Aye
Commissioner Hansen	Aye

Commissioner Moreno
Commissioner Roybal

Aye
Aye

CHAIR HAMILTON: Thank you very much. So we're in executive session. We'll do our best to get back by 5:30. We have two public hearings afterward so we'll be coming back to do further business. Thank you very much.

[The Commission met in closed session from 4:50 to 6:05.]

CHAIR HAMILTON: Thank you. We're back from executive session. I'd entertain a motion.

COMMISSIONER ROYBAL: Madam Chair, I'd like to move that we come out of executive session where the only things that we discussed were the things that were listed on our agenda and described by our County Attorney. There was no action and the people that were in the meeting were the five Commissioners, Joseph Montoya, our County Attorney and Manager Miller.

COMMISSIONER GARCIA: Second.

CHAIR HAMILTON: Thank you. I have a motion and a second.

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

12. PUBLIC HEARINGS

- A. **CASE # 19-5220 Flask, Inc. Wholesaler Liquor License. Flask Inc., Applicant, Requests Approval of a Spirits, Beer, and Wine Wholesaler Liquor License. The Property is Located at 20 Bisbee Court, Suite C, and is Zoned as Employment Center (EC) Within the PD-1 Community College District (CCD-EC), within Section 24, Township 16 North, Range 8 East (Commission District 5)**

JOSE LARRAÑAGA (Case Manager): Thank you, Madam Chair. The applicant is requesting a spirits, beer and wine reseller liquor license. The current facility is owned and operated by Fiasco Fine Wine and has been in business for 16 years at this location. Flask, Incorporated, is purchasing the business. Flask, Incorporated will employ up to 19 employees and business hours will be 6:00 am to 7:00 pm. Flask will operate as a wholesale distributor of wine, spirits and coffee. No alcohol will be served on the premise.

The zoning for this property is regulated by Ordinance No. 2016-9, the Sustainable Land Development Code, Chapter 8, Section 8.10.3, Planned Districts, Santa Fe Community College District. The site is zoned as an employment center within the PD-1 Community College District. Table 8.4.4, CCD Use Table, illustrates the uses allowed within the above-mentioned zoning district subject to all other applicable standards of the SLDC.

The CCD Use Table allows for warehouse or storage facilities, wholesale trade, durable and non-durable goods, refrigerated warehouse or cold storage, beer, wine and liquor store as a permitted use.

SFC CLERK RECORDED 12/03/2019

The State Alcohol and Gaming Division granted preliminary approval of this request in accordance with Section 16-6.B-4, NMSA of the Liquor Control Act. The Liquor Control Act requires the Board of County Commissioners to conduct a public hearing on the request to grant a spirits, beer and wine wholesale liquor license at this location. In accordance with the Liquor Control Act, the BCC may disapprove the issuance of the license if a location is within 300 feet of any church or school, the issuance would be in violation of zoning or an ordinance, or the issuance would be detrimental to public health, safety or morals of the residence of the local option district.

Legal notice of this request has been published in accordance with the Liquor Control Act by publishing notice before the hearing twice in the *Santa Fe New Mexican* on September 29, 2019 and October 14, 2019.

Growth Management staff has reviewed this request for compliance with pertinent code requirements and find the following facts to support this submittal: CCD Use Table 8.44 allows the requested use; the applicant has met the State of New Mexico requirements for noticing; the site is 3.3 miles from the nearest church and 3.1 miles from the nearest school. Staff recommendation is approval of a spirits, beer and wine wholesaler liquor license to be located at 20 Bisbee Court, Unit C. Madam Chair, I stand for any questions.

CHAIR HAMILTON: Thank you very much. Are there any questions at this point until I open it up for statements from the applicant and then for public hearing? So seeing none, is the applicant here and do you wish to say anything or –

[The applicant declined to speak.]

CHAIR HAMILTON: Thank you. So at this point I'll open up the public hearing. Is there anybody here from the public who wishes to speak to this issue? Again, is there anybody here who is here to speak about this particular application? Seeing none, I'm going to close the public hearing.

COMMISSIONER GARCIA: Madam Chair, I'd like to make a motion. Just really quick, appreciate your business that you've been in Santa Fe in the area, actually the northern part of New Mexico for the last 16 years. That's actually – that's very good to hear, because ten years ago there was no so many crafts and spirit places. I just see them popping up everywhere which is great economic development. Bringing 19 jobs to the community – very good. And with that, also, Madam Chair, a motion for approval.

COMMISSIONER HANSEN: Second.

COMMISSIONER ROYBAL: Second.

CHAIR HAMILTON: So I have a motion and a couple of seconds. Is there any further discussion?

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

12. B. Resolution No. 2019-133, a Resolution Repealing and Replacing Resolution Nos. 2006-148, 2010-06, and 2015-110, the 2015 San Marcos Community Plan Update, and Amending Resolution No. 2015-155, the Sustainable Growth Management Plan, to Adopt the 2019 San Marcos Community District Plan

CHAIR HAMILTON: Welcome, Lucy.

LUCY FOMA (Planning): Thank you, Madam Chair, Commissioners. We're going to pull up a presentation in a moment. And I apologize. I think you may need to turn around to see this. I'm not sure if it's on your screens or not.

COMMISSIONER GARCIA: It's on the screen.

MS. FOMA: It is on your screen. Excellent. Wonderful. Well, thank you for having me here this evening. I am here to present the 2019 San Marcos Community District Plan to repeal and replace the other resolutions and plans that you mentioned in the memo.

The San Marcos Community District is just south of the City of Santa Fe along Highway 14. It's a 44 square mile district spanning from the Turquoise Trail Charter School down to the Village of Cerrillos, the community of Cerrillos. It goes east and west from the highway but the main feature you could say is Highway 14 that connects the community. The population in 2018 was 1,700 people. There were 876 houses in 2018, 64 registered businesses, and historically there have been a lot of agriculture and arts uses in this area dating back to the San Marcos Pueblo that was one of the main hubs of the Turquoise Trail trading route.

There's also some notable businesses that you might recognize in the area. There's the San Marcos Café and Feed Store. There's the Lone Butte gas station and convenience store. There are movie ranches out there, lodging and retreats, and there are these unique uses that have defined the area especially for residents out there.

This is an aerial that one of our committee members took to give you a sense of the terrain. The project need for this 2019 plan is because the area has two preceding plans. There was the 2006 San Marcos District Community Plan that was the produce of four years of committee work and a very devoted committee that actually did compile what is the history portion of this 2019 plan, if you had read that. Then there was the 2015 San Marcos Update that was done when the County did the SLDC and needed to have something to parallel the other documents that would be integrated into the SLDC.

As you're aware, our community plans that we do with 13, 14 communities in the county become the basis for our policy and then our regulation that we enact through the SLDC. So this plan will take that place as the policy foundation for the San Marcos overlay, as I mentioned also. When we do our community plans they become part of the Sustainable Growth Management Plan, which is the County's overall policy. So this graphic shows how the policy in the Sustainable Growth Management Plan leads to what we actually state in our SLDC.

The problem that we had with San Marcos was that the 2006 plan that they did was before we had the format and framework that we now use for the overall county and so there were a few areas that were not in alignment with our current regulatory and

policy framework. And this came to our attention and we realized that we needed to do an update.

Among the key issues that residents were concerned about at the start of this project were things like sprawl and night light pollution, things that are affecting them because they are right outside the city and they're seeing the natural growth outwards, but also we were realizing that the way that we had enacted the plan in the current SLDC was making a few overly restrictive conditions, especially for folks who are in the rural residential area, which is in the northern part of the district, right along 14 from around the Turquoise Trail Charter School. That area was zoned with rural residential which is usually one dwelling unit per ten acres, but in reality a lot of these parcels are a lot smaller, and the way that we had established setbacks in this area was to have 100-foot setbacks from front, rear and sides and so this map shows in gray – it shows the setback that you're not able to build in in gray, and then the highway setback, which is a 200-foot setback from the highway. And you can see how especially in these areas there's really – it was becoming impossible for people to use their own property. So this also was one of the reasons why we started this planning process.

So through a 2017 resolution we started the outreach and there was significant outreach and committee involvement in this process. We had a kickoff meeting in February 2018 but we said if we have 15 people at the Turquoise Trail Charter School we can go around and introduce everybody but if there are 20 people maybe we won't have time for that. And there were 125 people who showed up to that meeting. And so from there it was a really strong start and a lot of passion, a lot of involvement and we've had really great turnout amongst this committee. They've really taken ownership of this process.

We have two committee members here to help support the plan adoption – Karen and Mary. Thank you for coming.

So we held our meetings at the Turquoise Trail Charter School library and there were lots of fruitful discussions and a wide range of viewpoints starting in this process about how the area should develop or shouldn't develop. What should be cherished, what should be gotten rid of. And we've really build a culture in the group of respecting diverse opinions and I feel like this process have evolved so that it's really their plan and we have recorded it as they have told us to. So I think they feel pride in this document.

We also as staff went out a number of times at the initiation of the plan process but also throughout to try and just familiarize ourselves with the area, with the little nooks and crannies of the district. There's a wonderful area that has a bunch of galleries. There are lots of horse properties. The café has a wonderful following and hosts a lot of visitors especially people who are coming from out of the country and out of state to go along the Turquoise Trail. So staff really made a strong outreach for it also.

And we asked them, beyond what their issues were with the district and what they wanted to see not happen, we wanted to get to the point of what is the vision that you have for this area so that it was a broader umbrella of let's think about how this can – what is the best San Marcos District that this can be? And so I think that we were able to reach that point of not just saying I don't want my neighbor to have this in their yard, but to the point of where can we go with this plan and how can this help really shape San Marcos in the way we want it shaped.

And we have before you the 2019 San Marcos Community District Plan that we ask you to vote on for adoption this evening.

This is a video – I’m not sure if Matt was able to load it. We run through the whole plan draft development and then as per the code we were required to do two public meetings, and so we held two widely advertised meetings in June at the Turquoise Trail Charter School. One of the folks mentioned that he had a background in I think corporate communication and so he said, why don’t we make a little video, because for me, the hardest part about this whole process was understanding why is the planning important and how does the plan fit in with the County’s policy and regulatory framework. And so he suggested and the group also suggested that we have a little intro video that when folks come to the public meeting they can watch it, get that framework established, and then go into an open house format where we had our committee members at stations answering questions about the plan. So it was really our committee explaining the plan to their neighbors, but I wanted to show this. I think it is five minutes of video that he made, taking the initiative on that. Go ahead, Matt.

[A video was shown.]

MS. FOMA: Thank you. He took the initiative at a Wednesday night meeting. He said, you know, I could put together a video that would help explain that process and the next morning he had the whole thing drafted and initial shots. We had this in a week. It was amazing.

So we are right now at the phase of proposing the plan adoption with the Board. The next steps as we have explained to the committee and the community are to draft – staff would draft an overlay based on the plan that would go in the Chapter 9 of the Sustainable Land Development Code, and then that would have an adoption process and public outreach as well. So thank you for listening and I stand for questions.

CHAIR HAMILTON: Excellent. Thank you very much, Lucy. Are there questions at this point before I open it up for statements from the community and public comment?

COMMISSIONER HANSEN: I just want to say thank you, Lucy. That was very nice.

CHAIR HAMILTON: Thank you. Yes, Commissioner Moreno.

COMMISSIONER MORENO: I was lucky enough to attend I think three meetings of the community and as a retired facilitator myself I really give it to your whole team. They really worked well together and you were with a light touch but with content and kudos to you and the people of the San Marcos Community will really thank you in the future.

CHAIR HAMILTON: Excellent. Commissioner Roybal.

COMMISSIONER ROYBAL: I just want to ditto the comments. It was a great presentation. You guys put a lot of time and effort. I think you’ve gotten to a really great place with the community and those are the types of work that we want to go out and do with our community, establishing those bonds. I really appreciate your work out there. Thank you.

MS. FOMA: Thank you.

CHAIR HAMILTON: Fabulous.

COMMISSIONER GARCIA: Madam Chair, I don't even know where to start. This is actually – Commissioner Moreno and myself share this district and this area and great video. Just basic to the point what the whole SLDC is about and how it gets incorporated and how it all works. Too bad we didn't have those videos a year earlier because that explains it all in a nutshell. To the community and everybody else that helped out there – great job.

Like I mentioned earlier, where do I begin? I can remember back in 1992, Ms. Helen Boyce – does Ms. Helen Boyce still live in the area? I believe she lived down the road from the Lone Butte. She used to be on the citizens review committee, back in 1992. That's when I first started working and dealing with the Turquoise Trail, State Road 14, right? I can remember when the ranchettes, when Bill Chapman actually got that zoned and bought that piece of property from the gentleman that owns the – Warren Thompson. I can remember when all that got zoned. I can remember when the school got placed out there.

There's just – Commissioner Hansen, you'll get a little bit upset with me, but there's just so many beautiful views off of State Road 14 there. You can see anywhere from Gold Mine Road to the gold mine out there. I've hiked the property with one of the planners, Maria. The Allan Houser foundry that's out there. I've been to that. I can remember when that got zoned out in that area. I can remember when I was probably about four or five years old and my hair was black. I went to – one of my first field trips at Sunset Elementary was to the arc site that's there. I was just amazed at the arc site. Nobody realizes that there's a huge arc site out there. It's kept very quiet. It's a beautiful place.

I can remember as a kid going to the Madrid area and there used to be right there at the corner – across the intersection where there was a huge siren right there. I think the siren is still there. It's probably not utilized. And that siren was actually there, if anybody ever escaped from the penitentiary of New Mexico, that siren was actually supposed to go off and warn the residents to lock down your houses.

So the great things that we're doing in that area that we're going to work on, that Manager Miller is going to work on is I think General Goodwin Road. We're going to hopefully start getting some improvements to that road there, and the intersection of State Road 14. Speaking with Speaker Egolf as well as State Senator Stefanics and working and hopefully maybe some upgrades for Gold Mine Road, the road that goes up there, because it's very narrow. But like you said, the Turquoise Trail – beautiful place. That accounts anywhere from, like I said, the views to Cerrillos, Madrid, my district, all that whole area goes all the way down to I-40. What a beautiful place.

And thank you, Robert, and your Planning staff. You guys actually do an excellent job in getting this place together as well as the community, because the community was totally behind it. And the video there – great. Awesome video. But thank you all for being involved. Great plan.

COMMISSIONER HANSEN: Madam Chair, I just want to state for the record that District 2 has one of the most beautiful places in the state, which is Diablo Canyon. And the Rio Grande. And the Village Community Farm. Just for the record.

CHAIR HAMILTON: I would like to encourage my colleague Commissioners to recognize and appreciate the incredible beauty of the entire county,

found everywhere. That's one of the wonderful things about representing each of your districts, that you each have some incredible treasures to shepherd.

So at this point I would like to first maybe invite the community members, if they would like to make any statements before I open it up to public comment, or as part of public comment. No pressure. If you could come up. That way we can hear and it's recorded.

MARY BERCHEM: I appreciate the fact that you said what you said about the entire county of Santa Fe. Was that you that said that?

CHAIR HAMILTON: I said that.

MS. BERCHEM: Oh, you said that. Okay. We all live in Santa Fe County and we appreciate every aspect that this beautiful county has to offer. The one thing is that we need to really manage what's going to happen here because we see it coming and it's coming fast. And the direction that it's going is in our direction. And you only have to drive out there to see it. And it's not that we're non-growthers; we're not that at all. We just feel that it needs to be managed properly and appropriately, and everybody has a say. We're all in it, because we have an agenda.

We participated in this because we are vested in San Marcos. I didn't miss a meeting. I get the gold star. But that's how important it is that we all buy into what we're doing because we know that growth is coming. Let's manage it properly. Let's be fair with the property owners that need to be able to utilize their land. There are people out there that can't build anything because their plots are so narrow and with the setbacks they can't do anything. And that's really a shame.

Because when you invest in that land out there, and it doesn't matter how much you've paid for it or you've been there one year or you've been there 100 years, you're vested. So we're all a part of it. And thank you for giving all of us a chance to have a voice in this project. Because it is beautiful out there. And the assets that we have really need to be taken care of and used because we see more and more traffic coming. Once it was on CBS Sunday Morning, guess what? People started coming to Madrid. And you go out on 14 on a Sunday and there are hundreds of motorcyclists that are going up and down 14. They see the beauty there. They see what we have to offer and it's a benefit to everybody that lives in Santa Fe County and the entire state of New Mexico.

So I thank you for allowing us to do this and have a voice in it. I hope we can continue to have a voice in this because we really do love and appreciate what we have. Let's take care of it. Thank you.

CHAIR HAMILTON: Thank you very much. So at this point – are you coming up too? Please. By all means.

KAREN KEENEY: I'm Karen Keeney from Cerrillos and I just want to echo what Mary said and really commend the County staff on herding all these cats for all these months. That is such a precious, fragile area out there that we are so committed to caring for it and having it develop in a responsible, sustainable way. I'll admit to being from California originally, and we all know what's happened to California with unmanaged growth. I escaped to Oregon and Portland has become overrun. So we really, really, really don't want that to happen here and with this kind of thoughtful people involved we're really trusting that it won't. And we'll preserve and protect this very

special place on the planet. So thank you for your attention and for looking at our plan, which is a lot of words. I know. Thank you.

CHAIR HAMILTON: Thank you very much. So at this point I will open it up to public comment. Is there anybody here from the public who wishes to speak to this plan and to this action? I always say it twice. It's totally traditional. Is there anybody who wishes to speak to this plan? Seeing none, I'm going to close public comment. I see there's further – I have to go to Commissioner Garcia and then Commissioner Hansen.

COMMISSIONER GARCIA: I just have a quick couple questions as I was reading through the plan. How come there's not a census tract for the San Marcos area? In the part there it's mentioned that there's not a census track for this area.

MS. FOMA: We explained our methodology in establishing the numbers for that area. There are just some areas that the census tracts don't match up with our boundaries. The San Marcos boundary in particular was not arbitrary but it was done outside of what other boundaries – how other boundaries might have been made. So that's why there's not a census tract for this district.

COMMISSIONER GARCIA: Thank you. And then also in regards to one of the things that I've always – it's a beautiful place in this district as well and that I used to deal with many, many years ago and that was Mr. and Mrs. Hughes, which is the Bonanza Creek Ranch. How come we didn't include that in the overall plan or how did that work out?

ROBERT GRIEGO (Planning Manager): Madam Chair, Commissioner Garcia, the Bonanza Creek Ranch was originally part of the boundary that was proposed when the 2006 plan was done. However, as that plan was going through the process, the property owner specifically requested to be left out of the district. It is a pretty large district overall. As Lucy mentioned it's the largest district that we do have. There are some adjacent pieces, the Community College District is just to the north. Bonanza Creek itself is a pretty large property as well. So I think this was a contemporary community in the previous general plan that the County had. It was identified as a contemporary community and that was largely based on the existing community development that had happened there over the years.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I just want to give a shout-out to Synergia Ranch, which is part of my tribe. So I just want to recognize them for their unique offering that they bring to this part of San Marcos and the gift that they give to the community and their agricultural value.

MS. FOMA: Thank you. Yes, and Bill Dempster, Deborah Snyder and Marie Harding. All participated throughout the process.

COMMISSIONER HANSEN: I saw that. I saw that both – I know them by other names.

MS. FOMA: I know, but officially they are –

COMMISSIONER HANSEN: I know Maria and Deborah and I was really happy to see that they were participating in this.

CHAIR HAMILTON: Thank you. Are there other questions or other discussion? So what's the pleasure of the Board?

COMMISSIONER GARCIA: Madam Chair, I'd like to make a motion for approval for the plan.

CHAIR HAMILTON: It is Commissioner Moreno's district.

COMMISSIONER MORENO: I move approval.

COMMISSIONER GARCIA: And I'll second the resolution also.

CHAIR HAMILTON: Thank you so much. So I have a motion and a second.

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

CHAIR HAMILTON: Congratulations. I just want to take a moment to congratulate the whole community. Obviously, the staff did a wonderful support job but this really is taking the opportunity of the way the regulations are set to invite and incorporate community participation. You guys did an outstanding job and it's a great way to make your voices heard and your desires known. So I really comment you for that. Thank you.

MS. FOMA: Thank you, Madam Chair, Commissioners.

14. CONCLUDING BUSINESS

A. Announcements

COMMISSIONER GARCIA: Madam Chair, just really quick. I'd just like to – I guess I'll just remind the Commission and anybody else that's out there listening to us that this is our last meeting here at these chambers until we actually get this building remodeled. So we will be having our meetings located at 100 Catron Street, which is a few blocks downtown. So we'll miss it.

CHAIR HAMILTON: Thank you very much for mentioning that.

B. Adjournment

Chair Hamilton declared this meeting adjourned at 6:45 p.m.

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COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

I Hereby Certify That This Instrument Was Filed for Record On The 3RD Day Of December, 2019 at 04:21:08 PM And Was Duly Recorded as Instrument # 1903448 Of The Records Of Santa Fe County

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

ATTEST TO:

Geraldine Salazar
GERALDINE SALAZAR
SANTA FE COUNTY CLERK

Approved by:

Anna Hamilton
Board of County Commissioners
Anna Hamilton, Chair

Respectfully, submitted

Karen Farrell
Karen Farrell, Wordswork
453 Cerrillos Rd, Santa Fe, NM



REC CLERK RECORDED 12/03/2019

Daily Yield Curve 10/28/2019

