

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

November 14, 2017

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

SFC CLERK RECORDED 12/13/2017

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November 14, 2017

I. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:20 p.m. by Chair Henry Roybal in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

B. Roll Call

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

Members Present:

Commissioner Henry Roybal, Chair
Commissioner Anna Hansen, Vice Chair
Commissioner Robert A. Anaya [2:28 arrival]
Commissioner Anna Hamilton
Commissioner Ed Moreno

Members Excused:

None

- C. Pledge of Allegiance**
- D. State Pledge**
- E. Moment of Reflection**

The Pledge of Allegiance was led by Phillip Salazar, the State Pledge by Joseph Sanchez, and the Moment of Reflection by David Ingrassia of the Clerk's Office.

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 Tabled or Withdrawn Items**

KATHERINE MILLER (County Manager): Mr. Chair, the agenda was published on 11/7/17 at 1:13 pm. We do not have any amendments or withdrawn items or tabled items. However, I would like to request that we move the presentation on page 4 – it's number VII. B. 1, and that's a presentation by the County Assessor's office, if we could move that after the Consent Agenda. So after 11. B. 3.

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CHAIR ROYBAL: Okay. Are those all the amendments?

COMMISSIONER HAMILTON: Move to approve as amended.

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

COMMISSIONER HANSEN: Second.

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

The motion passed by unanimous [5-0] voice vote. [Commissioner Anaya voted upon his arrival.]

I. G. Approval of Minutes

1. Approval of October 10, 2017, Board of County Commission Meeting Minutes

CHAIR ROYBAL: What's the pleasure of the Board, or are there any changes? Commissioner Hansen.

COMMISSIONER HANSEN: Yes, Commissioner Hansen has changes. On page 4, the top line, I would also appreciate a few questions about that under the Consent Agenda. I'm adding "that". Then on page 25, bottom of the page, three lines from the bottom, it says "even" and I think it should be "event", in the middle of the line. It says we had the good fortune to read on the plaza during the dignitary event. Then on page 44, top of the page, it has Commissioner Moreno says yes. Commissioner Hansen says I'll second that and then it says Commissioner Moreno again, and I believe it should be Commissioner Roybal. So you're seconding also under discussion, so I think that should be Commissioner Roybal. And that's it.

CHAIR ROYBAL: Okay, thank you, Commissioner Hansen. Any other changes? What's the pleasure of the Board?

COMMISSIONER HAMILTON: Move to accept as amended or as corrected.

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

COMMISSIONER MORENO: Second.

CHAIR ROYBAL: Motion and a second.

The motion passed by unanimous [5-0] voice vote. [Commissioner Anaya voted upon his arrival.]

II. CONSENT AGENDA

A. Resolutions

- 1. Resolution No. 2017-120, a Resolution Authorizing the Disposition of Fixed Assets in Accordance with State Statute (Finance Division/Tony Flores)**
- 2. Resolution No. 2017-121, a Resolution Delegating Authority to the County Manager to Negotiate and Execute all Documents Necessary for the Acquisition of Real Property Interests Necessary for Construction of a Drainage and Road**

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- Improvement Project on Camino Torcido Loop and County Road 56 (Public Works Department/Terry Lease)**
3. **Resolution No. 2017-122, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget Grant Funds From the New Mexico Department of Transportation (NMDOT)/\$27,388 (Finance Division/Tony Flores)**
 4. **Resolution No. 2017-123, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) Hazmat Grant to Carry Forward the FY-2017 Available Cash for the County Fire Department / \$797 (Finance Division/Tony Flores)**
 5. **Resolution No. 2017-124, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) Wildland Program to Budget State Forestry Revenue to the County Fire Department/\$23,195 (Finance Division/Tony Flores)**
 6. **Resolution No. 2017-125, a Resolution Delegating the County Manager Authority to Negotiate and Execute All Documents, Agreements, and Amendments Necessary for the Continued Administration of the County's Self-Funded Employee Benefits Program (County Manager's Office/Tony Flores)**
 7. **Resolution No. 2017-126, a Resolution Authorizing the County Manager to Sign and Submit a Renewal Application to the New Mexico Association of Counties for Multi-Line and Law Enforcement Insurance Coverage for Calendar Year 2018 and to Execute Purchase Orders and Other Documents Necessary to Effectuate Such Coverage (County Manager's Office/Tony Flores)**
- B. Miscellaneous**
1. **Request Approval of Grant of Electric Utility Easement to the Public Service Company of New Mexico for the Construction/Expansion of the La Familia Medical Center, Inc. (Public Works Department/Terry Lease)**
 2. **Request Approval of Amendment No. 3 to Lease Agreement No. 2010-0175-CSD/MS Between Santa Fe County and Life Link, Inc. for the Lease of a Property Located at 1318 Luana Street in Santa Fe, NM and Authorizing the Submittal of Amendment No. 3 to the State Board of Finance (Public Works Department/Terry Lease)**
 3. **Request Approval of Amendment No. 1 to Collective Bargaining Agreement Between Santa Fe County and the Santa Fe County Firefighters Association, Local 4366, International Association of Firefighters (Human Resources Division/Bernadette Salazar)**

CHAIR ROYBAL: Are there any items on this Consent Agenda that need

more clarification from the Commission?

COMMISSIONER HANSEN: I move to approve the Consent Agenda.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion and a second.

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

[Clerk Salazar provided the numbers for the approved resolutions throughout the meeting.]

VII. B. Presentations

1. The Office of the Santa Fe County Assessor Recognized Nationally for the Public Sector Champion Award, "2017 Jurisdiction of the Year"

GUS MARTINEZ (County Assessor): Thank you, guys. I'd like to just recognize my staff if they could stand up, and recognize them for all the hard work they've done in the past few years. They work really hard and this past year, in mid-September we were the recipient of the Public Sector Award Jurisdiction of the Year through Thompson and Reuters and so Gary Perez, my deputy assessor, Daniel Fresquez and Amanda went to Dallas-Ft. Worth to pick up the award. The award was just how we connect with the public and how we get information out via our website, outreaches, that sort of thing, and so like I said, my staff these past few years have worked really hard and we're blessed to be able to receive an award like this and we're ecstatic just to bring attention to Santa Fe County as a whole, because I know we are all working hard and working close together to do the best that we can for our constituents. So I would definitely want to thank the Commission for your guys' support and the other elected offices and the County Manager for your guys' support.

So with that we'll go ahead and play the video. The video is basically when Daniel and Deputy Perez received the award and Amanda, so thank you guys.

[A video was played.]

ASSESSOR MARTINEZ: One last thing I'd like to say is the 33rd President of the United States, Harry Truman once said, "It's amazing what you can accomplish if you don't care who gets the credit. It's amazing that we've had the ability to do what we've done but it's amazing what the County is doing as a whole by just trying to be the best that we can be, whether it's the Commission, whether it's elected offices. So I'm proud to be part of Santa Fe County.

CHAIR ROYBAL: Thank you, Assessor Martinez, and I'd like to just say congratulations. I think about this time last year you guys received another award as well. It's really great to be recognized nationally, especially for the Public Sector Champion Award. It's something, with public service that should always be first and foremost and I know that is what you promote in the Assessor's Office and your leadership shows through your staff and their leadership. A good leader builds other

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leaders and I really feel like you've done that in your department, Assessor Martinez and I think that we continue to see you growing more and more in developing your office and I think your staff shows that and you've done a great job and I appreciate all the outreach that you've done in my district. So as the Commissioner district and the Chair of the Santa Fe County Commission I thank you and I appreciate all your hard work and your staff. Do we have any other comments from Commissioners? Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I'm just going to ditto and say well said as our chair. Mr. Martinez, Assessor Martinez, I've always appreciated your work and when they said 20 years, that's a long time. That's a long time of commitment and service to Santa Fe County and the residents and I appreciate the fact that you're team oriented and it's all about those people that you surround yourself with and you have on your team. People like Marcy and Gary and Phil Pacheco and Daniel King, all of them. Those that I mentioned, Mr. Fresquez, you did a great job on that presentation. I don't know. He might be in it for some movies. He's pretty good. But it's an awesome honor that you received and it's a testament to your work and leadership as the County Assessor and your team, so congratulations.

ASSESSOR MARTINEZ: Thank you. Appreciate it.

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

COMMISSIONER HAMILTON: I don't want to be repetitive but what the Chair and Commissioner Anaya said are so true and I really want to just add my voice to that and say thank you to you and your whole staff and congratulations on something that really is a very impressive award.

ASSESSOR MARTINEZ: Thank you.

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

COMMISSIONER HANSEN: Thank you very, very much. It's very rewarding to see how great your office is run and what a great team you have and how hard you all work together and it shows in your awards. It's wonderful. Every year you come in and you get another national award. So you're clearly doing something right and I'm proud to be part of that team with you. So thank you so much.

ASSESSOR MARTINEZ: Thank you, Commissioner.

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

COMMISSIONER MORENO: Just to echo all the compliments. I like what you've done with your technology that gives us an edge when things sometimes are not as they seem with the eye in the sky. Congratulations for this award, well deserved.

ASSESSOR MARTINEZ: Thank you, guys.

CHAIR ROYBAL: Thank you, Commissioner Moreno. Can we get one more round of applause for the Assessor's Office.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, if you would indulge me, I just want to make one comment relative to our of the Consent items that were approved, that we approved.

CHAIR ROYBAL: Sure.

COMMISSIONER ANAYA: So Mr. Chair and members of Public Works and Ms. Miller, I appreciate the work associated with Torcido Loop and the drainage work. And we just gave authority to the Manager to execute documents necessary for drainage associated with that particular project. So I just wanted to acknowledge that I appreciate very much that that's happening. That's been one of those projects. It was a prior priority list so I appreciate Mr. Kelley and your team, the work they've done to get that done, Mr. Martinez and others because we've gone round and round.

We had some community meetings. Mr. Kelley – I guess it was you and Mr. Martinez joined me in a meeting close to two years ago, I want to say, with some of those residents. So it sounds like we're getting closer and so I appreciate the work and I appreciate the efforts of the Manager in assisting that particular project. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Anaya.

III. ACTION ITEMS

B. Appointments/Reappointments/Resignations

1. **Appointment of One Member to the Santa Fe County Water Policy Advisory Committee**

TONY FLORES (Deputy County Clerk): Thank you, Mr. Chair. Good afternoon, Commissioners. The item before you, we're requesting appointment of a member to fill the District 2 seat for the Water Policy Advisory Committee. As the Board knows, and is included in the packet, back in 2013 the Board established the WPAC which consists of 12 volunteer members that assist the Board in recommendations related to water policies, water and wastewater utility growth, etc.

We currently have five vacancies on the board and as customary, the staff undertook a call for interested applicants to fill seats and as a result of that we received two individuals for the District 2 seat. Mr. Raymond Leonard and Mr. Kenneth Paul Kirk. After reviewing the applicants' qualifications as related to the requirements under the WPAC resolution staff from the Public Works Department and County Manager's Office are recommending the appointment of Mr. Kirk to the District 2 seat and I stand for questions.

CHAIR ROYBAL: Okay, do we have any questions from the Board? What's the pleasure of the Board? Commissioner Hansen.

COMMISSIONER HANSEN: I move to approve or appoint Mr. Kirk to the board of the WPAC.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion and a second.

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

III. B. 2. Appointment of Amanda Grundler to the DWI Planning Council

PETER OLSON (DWI Staff): Good afternoon, Commissioners. I am happy to recommend Amanda Grundler to your DWI Planning Council. As you know, they are an advising group in fighting the problem we have of DWI in this county and she would be representing the Santa Fe Police Department in the Vehicle Forfeiture program.

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

Commissioner Anaya.

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

CHAIR ROYBAL: We have a motion.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: And a second.

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

III. C. Miscellaneous

1. Request Ratification of Business Lease No. BL-2473 between Santa Fe County and the New Mexico State Land Office for Five Acres of Real Property Located within the Town of Edgewood

MR. FLORES: Thank you, Mr. Chair. This is another piece of that puzzle that we're putting together with the East Mountain Regional Health Facility. This part allows us to actually have the five acres of land that were underway in the design-build process. The purpose of the ratification is due to the timing of the submission of the business leased to the New Mexico State Land Office. The County Manager's Office, specifically myself, signed that lease so we could have it in the queue by November 1st.

The ratification is approval by the Board. It doesn't have to sign the lease agreement; we've already executed that, but the ratification is currently approval of the submission of that lease post fact. So I'm asking for approval of the ratification of the business lease #BL-2473 between the Santa Fe County and the State Land Office for the five acres of real property located within the Town of Edgewood.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: Move for approval.

CHAIR ROYBAL: We have a motion.

COMMISSIONER MORENO: Second.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion and multiple seconds.

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

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**III. C. 2. Approval of an Amendment to Memorandum of Agreement
2016-0179-PW/BT Between Santa Fe County and the Greater
Chimayo Mutual Domestic Water Consumers Association to
Allow Additional Uses of Funding Balance**

ERIK AABOE (Public Works): Good afternoon, Mr. Chair, Commissioners. The County entered into an MOA with the mutual domestic in Chimayo, the Greater Chimayo Mutual Domestic Water Consumers Association in July of 2015, and we provided financial support to a capital project that they were doing. They built a waterline down County Road 94B to allow them to expand to provide water service to additional customers within Santa Fe County. That project was completed and there are funds remaining of \$136,000.

So this action is to request an amendment to the MOA to allow them to purchase water rights and to design and make improvements to one of their wells. And so I stand for any questions. Thank you very much.

CHAIR ROYBAL: I don't have any questions but I would make a motion. This is in my district and I think they're doing a great job. So I'll make a motion to approve.

COMMISSIONER ANAYA: Second.

CHAIR ROYBAL: And we have a second from Commissioner Anaya.

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

**III. C. 3. Approval of a Cooperative Project Agreement with the New
Mexico Department of Transportation to Provide Federal
Highway Administration (FHWA) Funds in the Amount
\$389,062 to the County for Construction of a Portion of the
Santa Fe Rail Trail**

COLLEEN BAKER (Public Works): Good afternoon, Chairman, Commissioners. Yes, this is the Transportation Alternatives program funding that we applied for last year to construct the next portion of the Santa Fe Rail Trail from Avenida Eldorado to Spur Ranch Road. So I stand for questions.

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

COMMISSIONER MORENO: I'd like to commend the process and I have been impressed with the speed that things get done.

CHAIR ROYBAL: Thank you, Commissioner Moreno. Is that a motion.

COMMISSIONER MORENO: I'll move that motion.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: We have a motion and a second.

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

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III. C. 4. Approval of a Cooperative Project Agreement with the New Mexico Department of Transportation to Provide Federal Highway Administration (FHWA) Funds in the Amount of \$1,238,880 to the County for Construction of a Portion of the Arroyo Hondo Trail

MS. BAKER: Mr. Chair, Commissioners, this is also one of the Transportation Alternative program projects, and this is the portion of the Arroyo Hondo Trail. It's the first segment that we're going to construct, and it's from the Rancho Viejo firehouse with connections to the I-25-Cerrillos Road interchange that NMDOT recently completed construction on, and the La Pradera Subdivision Trails. So I stand for questions.

CHAIR ROYBAL: Okay, do we have any questions from the Board? No? Okay, seeing none, what's the pleasure of the Board?

COMMISSIONER MORENO: I'd move approval.

COMMISSIONER HANSEN: Second.

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

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

III. D. Resolutions

1. Resolution No. 2017-127, a Resolution to Discuss with the Santa Fe City Council Modifications to the Annexation Settlement Agreement and Phasing Agreements
[Exhibit 1: Richard Hertz Letter of Support]

COMMISSIONER HANSEN: Yes, I brought this resolution forward because my constituents in the area north of West Alameda would like to remain in the county. So this was one of the main reasons why I brought this resolution forward. In May we had a joint meeting with the City Council and we discussed this resolution and we discussed this issue and no one spoke against it, but since that time we have not had an opportunity to meet again, and so I am hoping that this will help spur the discussion.

There is also concern that nothing is going to happen until after the City elections, but I think the discussions about this area could start before then and so I'm hoping with sending the City a resolution asking them to discuss issues about annexation we can begin to move forward. I know there are a number of people in the audience who are here in support of this resolution and I would love it if you would raise your hand or stand and let me know that you are here in support of this resolution because I think that it is important to see that the community and the northern part, north of West Alameda, is very concerned about remaining in the county. [Approximately 15 people stood or raised their hands.] And that is why I have brought this resolution forward.

CHAIR ROYBAL: Okay.

COMMISSIONER HANSEN: So therefore I move to approve this resolution.

CHAIR ROYBAL: Okay. Under discussion, Commissioner Anaya.

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

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

COMMISSIONER ANAYA: Mr. Chair and Ms. Miller and Bruce, where's Greg? Just kidding. Welcome, Bruce, and congratulations.

BRUCE FREDRICK (County Attorney): I would like to say I don't know what I'm getting into but I do. I'm honored.

COMMISSIONER ANAYA: right away, we'll just start you off and start the fire right away. So I guess what I wanted to get some feedback on was, we spent a lot of time on the agreement. I'm not averse to having conversations to having conversations about the agreement but I would like to know where we are within the time – it took us a lot of time and many discussions to get to that point, so where are we in the scheme of the agreement? Is this particular area within the city limits? Where are we at on timeline as we broach the resolution in this discussion?

MS. MILLER: So Mr. Chair, I can't remember when it exactly started but it was some time prior to 2010 because I came back as Manager in September 2010. And the City and County had been in litigation relative to some developments that were in the county and then being annexed by the City. And so what came out of that, and I believe a lot of this had to do with Los Solaris on the south side what's now the city but was the county, was that there was an agreement made about a phased annexation. And the areas to be annexed were based upon a recommendation that came out of the Regional Planning Authority that was a City-County entity and funded by both City and County.

And the agreements were that the City would annex in Phase 1 a bunch of infill as well as along highway corridors of I-25, and some infill donut holes that were left within the city limits, as well as I think the Los Solaris area. Then Phase 2 was supposed to be in, I believe, 2011 and Phase 2 was supposed to include all of the area around 599, along the highway, and also either side of Airport Road on the southwest side of the city and then all the way up to Agua Fria Village.

Then Phase 3 was supposed to happen I think either in 2011, 2012 and that was to be what we refer to as Area 1 and Area 18. Area 1 being this area between Agua Fria Village, West Alameda, 599 and the city limits to the east, which I think was Bob Street, or something – Camino Alire area. And that's the area that Commissioner Hansen has requested that we revisit. And then the other area, Area 18, was Hyde Park Road.

When the City did not move forward with Phase 2 and Phase 3, we ended up in negotiations once again with the City and that took us probably a year or two to come up with an agreement of what would be done. The County Commission, City Council approved that in 2013, I believe, and what was left was a modified Phase 2 and modified Phase 3. Phase 2 then was, I believe by 2015, everything but Area 1, a portion of Area 1, and Area 18 would be annexed. And they did do that and we've turned over the roads. We had Public Safety agreements for phasing in our police and fire service – phasing ours out and phasing theirs in, and also agreements to upgrade the roads to a certain level and turn those over to the City.

And then Area 18, the Hyde Park area, was completely taken out of the annexation plan. And then what was left is that in November of 2018 this Area 1 north of West Alameda – so they did do a part of it. They did the part south of West Alameda to

the river, but they did not annex West Alameda to 599. That's the section that's left to be annexed in 2018, in about a year, I believe, per the agreement. The City has continued to do the land use. We have not had land use authority. We did not zone that area because it is under City planning and zoning. Yet it has not been annexed yet so the residents don't have any representation on City Council because they're not actually part of the city yet.

So that's kind of the status. We have maybe four or five things that we need to still negotiate with the City and that is improvements to West Alameda, what to do with South Meadows Park, because that's in the city limits but it's county park, our County property, and it's an open space property. Also having in Area 1 and Area 18, depending on whether it's annexed or not annexed, who would be the public safety provider and I think that's about it. There might be one or two other small things, but those were things that were still left that in 2018 the phase-out of who's providing the public safety services in Area 1 and in Area 18 goes away, and we would need to address that as well as what to do with the roads.

We did – we had a whole bunchy of mediated negotiations on what to do with water and wastewater, and we approved those agreements last year. The Board some time – I want to say it might have even been earlier this year, but the end of last year, earlier this year we finally did get all the water, wastewater things that were left on the table, whose customers were whose, who would serve what area – all of that did get negotiated and settled. So that's the status of everything that's left pending with annexation. Unless Bruce has something.

MR. FREDRICK: Mr. Chair, I just wanted to add that that was an excellent presentation of history and all her memory. I don't have that good of a memory. It's also set out in a white paper from Rachel and it's right behind the resolution in your packet. As I read this the exact date is June 10, 2018.

COMMISSIONER ANAYA: So I appreciate that, Mr. Chair, and like I said, Commissioner, I'm willing to have some discussion but I will say candidly and publicly that when we had a lot of the discussions and deliberations about what makes most sense to be in the city, what makes most sense to be in the county, much of it revolved around public safety and those particular services that are provided to those particular residents.

The other thing that we were cautious of when we were doing that discussions with my colleagues at the time on the Commission was that we wouldn't have a gerrymandering of Santa Fe County in and out of sectors within the city. So as a baseline, 599, as was suggested, was kind of the encompassing circle around the city, if you will, that was discussed as a logical boundary. Right? And then the services oriented around public safety – fire, police, and water utility service as well.

So I don't want to – and I see several of my friends in the audience as well, but I don't want to in any way mislead them or not be candid with my perspective, but as we analyze this particular I'm going to be very cognizant of those primary functions – who services utilities? Who services public safety? And not only who services public safety, but what makes most logical, practical sense in the service of public safety? Does it make sense for the County Sheriff to now be moving into that particular segment and not the City Police Department? I don't know.

But as we engage in that discussion I will want to make sure that our volunteer

fire department in La Tierra is in that fold. I will want to make sure that our County Sheriff, Robert Garcia, and his team are in that fold. And I absolutely will want to be cognizant of whatever concerns the City Councilors may have but more specifically, concerns related to utility use in that area, as well as the Chief of Police for the City PD and the Fire Chief for the City of Santa Fe.

So very complex discussions. I'm willing to have those, but those are some things I would preface candidly and openly as we broach any additional discussions.

COMMISSIONER HANSEN: At the moment in this particular area I'm speaking of, the West Alameda north from Agua Fria Village to Calle Nopal, that is at the moment serviced by the County. It is serviced by the Agua Fria fire station. The Sheriff also provides all the police protection. So we are already servicing all of that area in regards to public safety and police. And so that is one of the other reasons why I have brought this forward. Area 18 was added into this because the City is serving an area that we are inheriting and both of those agreements are coming to a head – one in June and one in November of next year.

And so I think it is really important that we start having discussions and it's a resolution; it is not an order; it is not an ordinance. It is a resolution to discuss. And that is what I think is important for the residents. The residents also would rather be under our land use codes, the SLDC and so I think that for that reason it's important to me that we start discussing it and just having this discussion among ourselves and I know that it was very contentious with the City and I would like it to be a win-win. And I would like it to start in a more gentle and harmonious manner as opposed to litigation or any of those kinds of efforts. But a discussion, of how can we better serve our constituents? Because that's who I am representing is my constituents and what their concerns are and what they need.

COMMISSIONER ANAYA: So Mr. Chair, if I could follow up. As a Commissioner, when we – and I was part of the votes that were associated with that so I'm not shying away from it. I still have constituents that were concerned and even frustrated to leave the county and move into the city. To this day. And so I fully acknowledge that and these are not constituents that are ready for a phase-in in 2018. These are constituents that are already phased in. Okay. And I just want to say, respectfully on the record, we're going to have the discussion. I'm willing to have the discussion, but I made a difficult decision as one Commissioner at that time with those constituencies because of specifically the logistics around public safety, access, fire and police, and what made more public common sense associated with who is most adequate to respond in the event of an emergency.

The thing I would add, associated with what hasn't happened with the annexation is that the additional items that haven't happened, the overall objective from the County perspective was that those entities that could service more quickly emergency needs in and around the urban area, and at no time am I mentioning Agua Fria. We acknowledged Agua Fria early on as a traditional community. My comments don't have anything to do with Agua Fria. That's a traditional community and will stay a traditional community. But those other areas that were outside of that traditional community, we took a careful analysis and said what is the highest and best response time – number one – and then what are the needs not only in the urban area but what are the needs outside of the urban

area?

So who can serve the urban area best, number one, and then number two, as we serve those urban areas with higher and faster response times, how might we expand service to other more rural areas in the county to expand service – fire, public safety, outside of the urban area. So those are key pieces that I just want to make sure that I'm candid and open about as we move into any discussions that I will very much want to have as part of the discussion. And that's – I've said enough. Thank you, Mr. Chair and thank you, Commissioner Hansen.

CHAIR ROYBAL: Thank you, Commissioner Anaya. I'm going to go to Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you. So I also want to say a few things for the record. One thing is that I really appreciate what Commissioner Anaya said because he said it very articulately in that those components are part of what happened long before I got here but was, from what I understand was years of really contentious negotiations, but also backed by a lot of study. There was a huge amount of money spent by planners in both the City and the County. And one of the things that concerns me – and you've mentioned several of them – things having to do with, for instance, where City infill should be and in light of whatever study and recommendations were made by these whatever – urban planners, whatever you call them that was done and whatever swayed and defined these decisions isn't brought forward with this resolution.

Now, I understand first of all and I want to make sure I say it on the record as other Commissioners would say, that this is a resolution to talk with the City, and having close interactions with the City is always a good idea, and I recognize how often you champion that, Commissioner Hansen and I think that's really wonderful. So I don't have a problem with that aspect at all, with that aspect of this resolution. But there are beyond the key things that Commissioner Anaya pointed out, these other planning aspects that really do have to be taken into consideration.

Furthermore, I feel like it's bad timing on the County's part realistically, with the City election coming up. We're not likely to be talking with them. We have been encouraging them, all of us, beyond and outside of this resolution, that this would acknowledge it formally, but we have been making attempts consistently since the meeting in June or July.

COMMISSIONER HANSEN: May.

COMMISSIONER HAMILTON: Oh, my gosh. Time flies when you're having fun. Since the May meeting, working on having meetings with them on this topic as well as the other topics that we discussed. And for a variety of reasons, not all of which I can speak to since I am not part of the City, that has not come about. So I honestly feel like we've been making those reasonable attempts and that this may not contribute significantly to that.

I also feel like as good as it is to talk with them, there are negotiations that are already part of the existing agreement and I would be very hesitant – all of that due diligence information that I mentioned and that Commissioner Anaya mentioned would have to be brought forward and discussed before I would be willing to reopen what was such a contentious negotiation but one that was resolved based largely on matters of practical principle.

So I just, for the record, those are my concerns about this issue on both sides.

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

COMMISSIONER HANSEN: There was a UNM study done during annexation that said that the City really couldn't afford to do annexation, and it's a well known study. William Mee, I know, could speak to it. But that they couldn't really afford it and the City is not in the best financial shape that they would like to be in and part of it is because annexation has been a large burden on them. But back to the point that this particular area is already being serviced by the County and what happens with Area 18 is a whole nother issue. I am not really interested in completely opening up the annexation issue. What I am interested in is allowing this phasing to fall by the wayside. And if it falls by the wayside it leaves out this particular area. And that is what I am most concerned about because that's my district and that's my constituents. And that is who I am working for. They are the people who hired me.

And so I feel very strongly that they have felt that they have not had representation for a very long time and I am representing them in this issue because of their – to have as many people here who did stand up who are opposed to being moved into the city because they are in a completely rural area, serviced by the County at the present time is why I'm bringing this forward and because I feel like it's not that I want to put pressure but I do want to put pressure to the City to start thinking about it. Whoever becomes the Mayor and whoever is the new City Councilors need to know that this is something that they're going to have to face and talk about, because both of these issues are arriving in June of 2018 and November of 2018 and that is less than a year away from now. And so it's not like we need to have – to just ignore it because there's a city election. There's still going to be four or five City Councilors that are going to be on the City Council and even the two City Councilors that are in this district are still going to be on the City Council, most likely.

And so they are there to have discussions with. And so I fell like – and they are also both new and were not part of the annexation agreement like many of us on this Commission, and so it is an opportunity to educate ourselves and to talk about it. And so that is why I brought this resolution forward and I hope that it will pass for my constituents.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Commissioner Moreno, and then I'll come back to you, Commissioner Anaya.

COMMISSIONER MORENO: I want to echo what my colleague here has said about putting this issue on the City's plate, so to speak. It's likely that we're going to be here but maybe some of them are not going to be there, come their election. But as a general principle, talking is better than not talking and I think this is a good way to kind of set the table and give the City an opportunity to respond and then we can take it from there.

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

COMMISSIONER ANAYA: Mr. Chair, I'm going to vote for the resolution but the comments that I made I hope that we take to heart because I'm going to bring them up again.

SFC CLERK RECORDED 12/13/2017

COMMISSIONER HANSEN: Thank you.

COMMISSIONER ANAYA: And the one thing that I would add is that there's been a lot of – let me just back up 20+ years. The City of Santa Fe – any municipality initiates annexation. The counties don't have the legal capacity to initiate annexation. Period. A municipality makes a determination through a legal process to initiate annexation. That's what occurred 20+ years ago and it took over 20 years to get to a settlement. So it was a long process.

But what I wanted to say and I want to say it publicly was Mayor Coss was the Mayor at the time and there was actually a coming together in many regards associated with the settlement agreement to arrive at the agreement that we had. So I want to just clarify and quantify that all though it's tough at times to have discussions with the City and maybe we don't get the responsiveness we would like, this particular aspect, we actually worked through a two-year dual meeting process where we actually did pretty well to try and bring some closure to the annexation. But I do not want to leave on the table – I want to leave on the table that the Sheriff, his team, the fire departments were very intimately involved in the discussions and Commissioner Hansen, the transition of what would be handled by the City and covered with public safety would ultimately augment and help the County outside of the city limits.

And so as you point out, we're currently providing those services but the idea was where are the response times most effective in the urban area, and then how might we defer and move those services to other areas, including your other constituents, right on the other side of 599 that would benefit from additional public safety presence with the Sheriff's Department, the Fire Department and others.

So it's not as simple as, well, we're providing it now; let's just continue to provide it. There was other expectations once they would take on those responsibilities that would then take those services and allow the Sheriff to have more expanded service or the Fire Department to have more expanded service. So it's a little more complicated than just leave it alone and let it ride. And so that's why I think it's important we engage, as part of that discussion, those teams of people to figure out what's practical and what makes the most sense. So Mr. Chair, I appreciated that additional clarification. Just leave it on that note that Mayor Coss and his team, although at times maybe we didn't always see eye to eye, we collectively as a Commission did in fact work with that Council and I appreciated their willingness to work through many challenges. Maybe we didn't get it 100 percent spot on but I think we were able to get closure and movement and in fact I would say this. In fact many areas of annexation led to better roads and absolutely improved public safety and other services.

And so I'd just leave it at that, Mr. Chair.

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

COMMISSIONER HAMILTON: So the thing about communications is forcing the issue isn't always timely. So I want to clarify something I said earlier. I completely respect the wishes of people who come out in support of this and your drive to serve them well. That's an admirable thing. The points I was making about the timing of communications with the City I think got a little bit lost. I don't think it's going to serve the district's interest nor the associated County interest that would be attendant on

reopening annexation by misjudging how to pick the timing of discussions with the City. And I don't know what anybody else has experienced but my perception is that the City has pushed off this issue and I think it becomes the more we try to force a discussion on our terms the more difficult it's going to be to have the exchange that will be necessary to really achieve our overall objectives.

I in general support the idea, the concept of this resolution in broad terms that we want to talk to the City. I agree with that. But somehow I feel like supporting this now is actually going to work against us. That's really what I was trying to get at. I don't know how else to try to show respect for what you're doing but to feel this is a bad time to try to actually force an issue with them rather than to negotiate the points with them when they're appropriate.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. Any other comments under discussion?

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: I guess just going to Commissioner Hamilton's comments and Commissioner Moreno, respecting your comments as well. What's your expectation, I guess, associated with the resolution. We have Regional Dispatch, major issue that we have. Our Chairman and I went to the City Council some time back and we didn't have any movement on. We have other pretty large issues that we've worked on associated with utilities, for example. I get that you want to show support for your constituency which is a good thing but what's your real expectation as far as the next months or weeks or days associated with movement on this, as opposed to putting it – are you suggesting we put this in front of some of those we haven't gotten feedback on? Or what's your expectation, I guess?

COMMISSIONER HANSEN: Commissioner Anaya, thank you for that question. My expectation is just a continued discussion that we move forward and that we're serious. I've heard two different things but during our meeting the Mayor asked me to bring forward a resolution about this and so I'm bringing forward a resolution because I have heard from the City, well, bring forward a resolution. I've heard from different constituents that people in long-range planning have said, well, have the County bring forward a resolution so that we know that they want to talk about that. And I thought, well, we had a meeting and we were clear that we wanted to talk about it. So that is what I am doing. I am bringing forward a resolution for us to continue to talk and we have many issues that we need to talk about that don't seem to ever come to get up to the surface. So I am, as a new County Commissioner trying to figure out ways for us to let them know that we are serious and that we really want to be a partner and talk to them and discuss these issues and especially – I'd be happy to bring up a resolution about the Regional Emergency Dispatch also. Because I think that is another really important issue that we need to be talking about with them. And they said at our joint meeting that they were interested in talking to us but here it is six months later and nothing has happened so I'm trying to find mechanisms that might create dialogue to happen, is really my intention.

CHAIR ROYBAL: Okay. Thank you Commissioner Anaya and Commissioner Hansen. Any other comments or questions under discussion? Okay, we

have a motion and a second.

The motion passed by unanimous [4-0] voice vote with Commissioner Hamilton abstaining.

III. D. 2. Resolution No. 2017-128, a Resolution to Undertake Legal Action Regarding the Opiate Epidemic [Exhibit 2: Updated Resolution Text]

COMMISSIONER HANSEN: Yes. As we have discussed a number of times I have been quite concerned about the opiate problem in the county and both Commissioner Anaya and I have been approached by different law firms interested in representing us on this issue and so therefore, for the County to be able to do its due diligence I wanted to bring forward a resolution that we could start to pursue a viable way to join a lawsuit or bring a lawsuit against the manufacturers and distributed who are providing the opiates in our county.

Last week this was handed out. I spoke at the legislative Health and Human Services Committee and it was highly informative about the conditions in our state and in our county and how serious of an issue this is for all of us and so I wanted to bring forward this resolution. We have an updated version that the Community Services Department has just handed us with some information that has just recently been available. Alex just mentioned to me that West Virginia had brought forth a lawsuit in 2012. Would you like to explain that to us, Alex, please?

ALEX DOMINGUEZ (Behavioral Health Coordinator): Yes, Mr. Chair, Commissioner Hansen, in 2012 the State of West Virginia Attorney General did bring forth a lawsuit against the pharmaceutical companies and named a couple of large companies along with a number of smaller companies. As of 2017, January of this year that actually was settled. It was settled with the large pharmaceutical companies admitting no harm doing but they did settle out of court and to my knowledge that settlement was approximately \$36 million against Amerisource Bergen and Cardinal Health. There was also some other smaller companies that did settle out of court as well, but that is something that happened with West Virginia.

CHAIR ROYBAL: Okay. Thank you. Any questions from the Board?
Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I appreciate the resolution. I think that we have to continually keep it in the forefront, this particular issue. I also, in addition to looking at concerns with pharmaceuticals, I still think we have people prescribing drugs that shouldn't be prescribing drugs, and I think that there has been some stuff by the state of New Mexico, the legislature had looked into associated with that and I think there's been a strengthening of some of the laws associating with the prescribing of drugs. But I don't think it's all about the pharmaceutical side. I still think there's problems associated with practitioners, doctors, and those that are able to over-prescribing or inappropriately prescribing drugs.

And I don't know how we get at that or stay part of that discussion but Rachel, I hope we continue that dialogue with our Health Policy and Planning Commission and get

whatever recommendations from our experts that we have on the Health Policy and Planning Commission to continue to evaluate that piece as well. But I appreciate the resolution and the interest to keep this front and center and to try and figure out what our role is as the County to help mitigate the problem. Thank you, Mr. Chair.

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

COMMISSIONER HANSEN: I'll make a motion.

CHAIR ROYBAL: Okay. We can do a motion and then we'll go to discussion again.

COMMISSIONER HANSEN: I would like to move a resolution to undertake legal action regarding the opiate epidemic.

CHAIR ROYBAL: So we have a motion.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion and a second. Any other comments under discussion from the Board? Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I would just add that Commissioner Hansen mentioned that we have been approached by some folks. We're going to work through our Manager and our procurement process to come up with an appropriate mechanism to solicit potential firms, if you will, that may assist with that. Ms. Miller, if you wanted to expand on that or Bruce, either one of you.

MS. MILLER: Mr. Chair, Commissioner Anaya, that's correct. We will need to go out on request for proposals for an appropriate firm to represent us and any other entities that the County thinks would be good partners in any kind of litigation.

COMMISSIONER HANSEN: I would also – one of the comments or one of the whereases in our resolution is that we would like to work with other partners and if that means the City and they come along we are more than open and willing to work with other counties, cities, on this issue because it is not just a small area of our state; it is the entire northern part of our state. On Friday I attended a panel in Rio Arriba County where they were talking about this issue also and someone from the Attorney General's Office was there explaining their lawsuit. And so it is a really important issue that we step up to and start talking about and being aware that it is a problem in our community. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. I'd like to just say that I think this is a great resolution and I appreciate you bringing this forward. There is a lot of problems with the opiate epidemic and I think it's something that we really need to figure out a way to address. I know that we do have the GRT tax that we just passed that is going to help with providing services in this realm but I think for us to pass these resolutions to make people aware is a good thing so I appreciate it. So we do have a motion and a second.

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

III. D. 3. Resolution No. 2017-129, a Resolution Requesting that the New Mexico Environment Department Strengthen the Revised Los Alamos National Laboratory Cleanup Consent Order to Call for Additional Characterization of Legacy Nuclear Wastes; Requesting Department of Energy to Request Increase Cleanup Funding from Congress, and Significantly Increase Safety Training; and Suspend any Planned Expanded Plutonium Pit Production Until Safety Issues are Resolved; and Directing the County Manager to Transmit Copies of This Resolution to Associated Parties [Exhibit 3: Amended Resolution Text]

COMMISSIONER HANSEN: So this is another opportunity that I have had to work with City Councilor Renee Villarreal and the City Council passed this resolution unanimously. So since they are half of the county I felt that it was incumbent upon us to bring forward a resolution that would support the City and support our county residents also. This is something that I have been concerned about for a very long time and I'm grateful to be able to bring this forward because I think cleanup at our labs is one of the most important things that we can do for our entire environment.

I know there are a number of people in the audience that have come to support this so I want to recognize Jay Coghlan of Nuke Watch, Joni Arends of Concerned Citizens for Nuclear Safety, who have both worked on this issue for a long time. Cathie Sullivan of Nuke Watch and also Scott Kovac of Nuke watch who are here. I believe there are other people in the audience who are in support and if you'd like to stand up I am grateful for you all being here to support this issue because I feel that it is an important part of our community, and for the protection of the health and safety of our constituents.

So with that, I move to pass this resolution that was stated. Unless you want me to read the whole thing again.

CHAIR ROYBAL: Okay. So we have a motion.

COMMISSIONER HANSEN: Yes, I'm making the motion. I so move.

COMMISSIONER MORENO: Second.

CHAIR ROYBAL: We have a motion and a second. Under discussion, I'm going to go to – actually I have some stuff that I wanted to ask about. I have some questions on the resolution and the impacts of the plutonium pit production. I know that there's 1,800 to 2,000 lab employees that are Santa Fe County residents, and I'd like to know if we have any information as far as the type of impacts we're going to have in the community with any lost wages or anything like that with the pit production stopping. And also, what kind of – if we have any of that information and also just the fact that they do have procurement as well from the laboratory. So do we have any of that information?

COMMISSIONER HANSEN: Commissioner Roybal, this is not – would not affect anything that is presently happening at the lab, but at the same time, if we could have comprehensive cleanup we would be creating up to maybe 200 more jobs of high paying jobs that would be cleaning up the lab and cleaning up. So there is no loss in jobs or procurement or any of that that would affect what is happening at the lab at the

present moment. What it would do is provide more jobs in cleanup, which is something that is necessary to have happen.

CHAIR ROYBAL: Do we have real numbers as to –

COMMISSIONER HANSEN: Do you have any numbers? Does anybody in the audience have any numbers on what Commissioner Roybal was asking?

CHAIR ROYBAL: I'm a little bit – I'm going to go ahead and go to Commissioners. I'm just wondering if you had any since this was your resolution.

COMMISSIONER HANSEN: I don't have specific numbers.

CHAIR ROYBAL: Okay. And then the resolution actually puts two unrelated issues together as far as pit production and legacy waste cleanup, and combining the two seems like it makes the resolution a little bit confusing and cumbersome, but I want to go and see what my other Commissioners have to say. Commissioner Hamilton.

COMMISSIONER HAMILTON: So this is incredibly important. You did a fabulous job bringing this forward. I am sympathetic to the question that Commissioner Roybal has brought forward and interestingly, had a suggestion from another environmental person but outside of this group who is completely supportive of this who suggested the potential of splitting the issue of pit production from the remainder of the cleanup, partly because of the difficult position it puts the federal delegation in. And I have mixed feelings on that suggestion because I think it behooves us to have more economic information, although Commissioner Hansen's point about jobs having to do with cleanup is totally valid.

My further concern – it's no concern – let me start that again. There's a clear relationship – it would be hard to argue against the logic of not wanting additional pit production when you have such a poor safety rating. And frankly – I don't know whether you took this resolution straight from the City or made some additions. I'm sure you worked on it with them. There are a lot of really important things that are said in this.

COMMISSIONER HANSEN: I did add some things to this resolution and I footnoted a number more of the citations.

COMMISSIONER HAMILTON: That's really excellent. And there's a history of this that goes – I'm sure people in the audience, some of the people know more about it than I do but I've been working in the environmental field for four decades and way back in the eighties this issue of lack of resolution on final disposition of nuclear waste was considered an issue – this is in the 80s. Anybody who can add and subtract which I can't always do quickly – that was decades ago – was an issue that had been allowed to languish for too long.

The nuclear safety problems the lab has and disposal of waste material and nuclear contamination are really serious issues. I just wonder if there might be a value in splitting out, because literally, and giving us more time to work closely with our federal delegation to put in a strong resolution on all of the cleanup issues and just taking the few words about pit production out until we talk to them. And then potentially putting that – bringing that piece of the resolution forward.

COMMISSIONER HANSEN: I just want to address that. We did something very interesting and we confirmed it in the fact that we linked the roads to the water in the Aamodt settlement. And so here we are linking cleanup to production. And I

think that it is a very valid point to link them because the only way we're going to get any traction on cleanup is if we link it to something else that they want. They want more pit production. We as residents want more cleanup. And so therefore I feel like it is really important that we are conscious about what we are doing here. And I feel very strongly that I am conscious about linking them because cleanup is such an important issue and it keeps getting pushed down to the bottom.

The consent decree became weaker and weaker. It's continually getting weaker and weaker and that is for cleanup. And the most important issue to me is that our water supply is right below Los Alamos and that cleanup is essential for a healthy environment. And so I feel linking them is not a stretch. It is – what's causing the reason that we have to have all the cleanup is production at the labs and so therefore linking them together, like we linked the roads and the water, creates us to have a little more power to encourage them to give us more money for cleanup so that if they really are serious about putting the pit production at Los Alamos that they know that cleanup is a priority for the citizens that live around it.

CHAIR ROYBAL: Okay, so I know with what Commissioner Hansen is regarding is the roads and the water system. The reason why those two were put together was because the County could not afford both. It wasn't linked to use as leverage. So I want to make sure that that's clear.

COMMISSIONER HANSEN: Okay. I accept that.

CHAIR ROYBAL: That is the reason why those two were put together was because the County could not afford both, not because we wanted to use that for leverage.

COMMISSIONER HANSEN: Right.

CHAIR ROYBAL: And going back to what Commissioner Hamilton said, I hundred percent know that we need to get the legacy nuclear waste cleanup and we need to push to get more funding to get that cleaned up to protect our aquifers. But I would also, on the note that she said about taking out the pit production for the time being, because those are, in my opinion two separate issues that we should address separately, I would actually support that. Commissioner Hamilton, I think Commissioner Anaya you had something as well?

COMMISSIONER HAMILTON: First of all, frankly I would rather see – I'm not willing to say I'm all for additional pit production because of its economic development. Quite the contrary. In the past decade, something that is not happening now, what was pushed was reimagining the labs as place where we could get substantial federal funding for addressing other big societal, existential issues, many of which I know you consider completely important, like renewable energy and how to do certain kinds of cleanup and a variety of other things.

I would much rather see the labs continue and continue as an economically viable component of our county and our state without having to be just bargaining with pit. Really, what I was looking for in the separation isn't to delink them. It's more to give some time to work strategically with the federal delegation to consider alternatives for ways of funding the labs.

I appreciate what you're saying about needing leverage. You always need leverage to try to push through issues like this. But from the point of view of our

resolution, our pushing to express strong support for the need to get more federal money and to work with them and to do that and to be serious about – to tighten up the consent order and to be serious about doing this cleanup, it's a resolution showing our intent. And that's going to be strong.

We're not generating the leverage by putting the pit production in. I would really like time to negotiate with delegations to pull them off the idea that our only economic alternative isn't to support pit production at the labs. It's to push the labs to be reimagined to do other things. And just for the record, for what it's worth department, I don't think the administration we have has any respect for that kind of leverage. The pit production will go like that to someplace else. And I think that's probably the reason some of our federal delegation feels like they're between a rock and a hard place. So I would just – I just want to make sure that we have the scope to be able to work with them. But there is this consideration that I mentioned earlier that the idea of appearing to support additional pit production at the lab when its safety record and level of training and what not is already abysmal would be a questionable move.

COMMISSIONER HANSEN: Well, to be honest I do not support more pit production at the lab ever and I have fought against that for most of my life living in New Mexico. So I don't have any problem linking them because I would not like to see any more pit production and I am concerned about the safety issues at the lab and that is part of the reason I brought this resolution forward. We have nine incidents that we mentioned here and I would hope that this would help our federal delegation to understand that we need to work together on this issue.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

CHAIR ANAYA: Mr. Chair, I'm going to do something a little out of the ordinary. I'm going to go stand at that mike over there and address the Commission if I could.

CHAIR ROYBAL: Sure.

COMMISSIONER ANAYA: Mr. Chair and members of the Commission, I'm going to be making a transition in the next 13 months from up there to back down here as a citizen of Santa Fe County. But I'm going to make a few points associated with this resolution. And I'm going to make some points that literally thousands upon thousands of employees that have retired from the Los Alamos National Labs and even the Sandia National Labs, and the thousands of employees at the labs that still exist up on the hill in Los Alamos. And I'm going to say this respectfully. The legacy cleanup work, there has not been disagreement by this Commission, by the City Council, or any of the partners of the regional LANL communities. We sit with that particular organization in support of the current and expanded legacy cleanup dollars to be provided to Los Alamos.

In recent months when I was in Washington, DC with partners from regional communities we went congressional office by congressional office to seek continued support of the legacy cleanup work in Los Alamos as well as expanded resources. In every office, every congressional office, including Congressman Pierce's office, the responsiveness for continued and expanded cleanup was the same and supported. On this particular dais that I came off of, in recent years I passed a resolution, and it's one of the

reasons I got off that chair to come stand over here, not as just a Commissioner but as a citizen to say as I said in that resolution several years ago that the state of New Mexico and northern New Mexico in particular can ill afford the loss of continued work at Los Alamos National Laboratory.

Los Alamos National Lab and Sandia National Lab have been a linchpin of work at a national scale for national security but additionally, have put families through employment, through school and being able to live and thrive in northern New Mexico. I would caution my fellow colleagues on this Commission and anybody in the state of New Mexico to be adverse to what we can achieve continuously at the national labs. We can't afford it. We can't afford to lose the national labs and we can't afford to lose our bases that we have in the state of New Mexico. That's why collectively, across Republican, Democrat, Independent, everybody's fought so darn hard to make sure we keep those bases and to make sure we keep those labs.

Absolutely there has to be elevated security and safety and caution when dealing with our public resources and our livelihood and our watershed. Without a doubt. But we can't get to a point in our community where we're just tourism in Santa Fe and film or an art community. We have to sustain some of these key job sectors like our national laboratories. And I will stand up firm as long as I can stand we can ill afford to lose our labs.

So I think we can separate the resolution. If we leave the resolution as is I'll vote against it straight up for the purpose of not wanting to send the mix message of expand the cleanup but then don't do any more work in Los Alamos. Heck no. Heck no, I'll say that Mr. Chair, respectfully. I support all of the employees at the lab and the continued use and expansion of the lab to sustain it as an economic development resource in New Mexico, and I'll go a step further and say it's our labs – Sandia and Los Alamos – and our bases throughout the state of New Mexico.

So I say that respectfully as a Commissioner, and as a citizen of the county.

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

COMMISSIONER HAMILTON: I'd like to offer an amendment to the resolution. I'd like – the amendment would be to leave the resolution intact for except for part C under "Now, therefore be it resolved" and simply to eliminate the statement under C that says that the DOE suspend planned expansion until nuclear capacity safety issues... Because all of the rest is – documents their poor record, documents all the background, and then it stands to support all the cleanup at the lab and it just leaves that other issue unspoken to for the motion, which gives us the options of working with the congressional delegation basically on options for continued life at the labs without – for continued life at the labs, which is a big economic issue.

CHAIR ROYBAL: Okay, so for the record –

COMMISSIONER HAMILTON: Is that legal?

CHAIR ROYBAL: There's also – would that be eliminating the segment in the title as well?

COMMISSIONER HAMILTON: Well, I think the segment in the title would have to be altered as well. But if I'm not mistaken, the whereases are all quite

acceptable. It would just take the pit production out of the title and the part C under the therefore be it resolved. Bruce, is it legal? Is it appropriate for me to offer an amendment?

MR. FREDERICK: It is appropriate for you to offer to make a motion to amend to substitute and amended resolution for the one that's before you.

COMMISSIONER HAMILTON: Thank you.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya, and then I'm going to go to Commissioner Moreno.

COMMISSIONER ANAYA: Mr. Chair, I'm going to ask the Commissioner, my colleague, if – I did a resolution probably 2010, 2011 that was talking about the economic engine that the national lab is. I'd like to see if we could dig that up, look at the two together and look at a recrafted resolution or more than one resolution would be my thought, as opposed to trying to make modifications on the fly. Commissioner, I respect your resolution but the last thing I want to send a message to the labs as far as the employees go and the work and function of the lab is that I don't support what they do at the national labs and those jobs that they sustain in northern New Mexico. That's the last message that I would want to send. So I'd rather not shift on the fly. If you want to go to a vote, I'm going to have to vote no today, but I'm just asking for respectful consideration based on that premise.

And I guess to change it up, if your feeling is that the labs are not essential, then I respect that. If you feel that we should phase out the labs, then I fully respect that perspective. That's not my perspective. I think they're too much a need from a research perspective, also from a higher education perspective in the linkages they provide to our higher education institutions. But if your perspective is I think we should phase the labs out, then let's figure out what the dialogue is and the questions are so that we can be clear and explicit to the public. Because I'm reading that we want to down-scale what the labs do and that concerns me given their impact in New Mexico. Northern New Mexico and statewide.

COMMISSIONER HANSEN: So from my understanding, and I could be wrong about this, but the pit production produces maybe 100 jobs, maybe less. Four jobs? I'm not talking – 400 jobs.

COMMISSIONER ANAYA: For the record, 100 jobs is a lot of jobs.

COMMISSIONER HANSEN: I understand that. But at the moment I'm not asking it to be eliminated. I'm asking it to not grow because of the contamination that exists there. And if we need to table this resolution and recraft it, is that what I'm hearing from the Commission? I'm trying to get – I also want to allow Commissioner Moreno to speak.

CHAIR ROYBAL: We'll go to Commissioner Moreno, but I know that we did have an amendment. We had a request from Commissioner Anaya to sort of redo this resolution and it sounds like Commissioner Hamilton, I don't know if you would be okay with going back and relooking at this resolution.

COMMISSIONER HAMILTON: I'd like to say something. I'll respond after Commissioner Moreno.

CHAIR ROYBAL: Right now, that's what it was – an amendment or coming back with a resolution that we all can agree on. Commissioner Moreno, I'm going to go to you.

COMMISSIONER MORENO: My perspective on this is how many nuclear weapons do we need? I think if it were my druthers I would increase the jobs for the cleanup. I think that would serve two goals – lessening the worldwide danger of nuclear proliferation, or the quality of the water in northern New Mexico. So I'm going to support this to the extent that it de-emphasizes the war machine and with the possibility of focusing or repairing if it's possible the environmental problems that already exist.

I think that if a serious cleanup effort were launched, and that's why I'm supporting this, is that the jobs of cleanup is going to be in the longer run more of a benefit for northern New Mexico rather than creating more weapons of mass destruction. And don't forget, I want to remind everybody that there are a lot of things that come from Los Alamos and I'll tell you what this is going to cause the accelerating the pit production is that the transuranic material that is already stockpiled up on the mountain, is going to be eventually packed up in the TRUPACT packs and go down 285, one of the busiest highways in New Mexico, 599, Interstate 25, again 285, counties of Los Alamos, Santa Fe, Torrance, Guadalupe, Lincoln, Chaves and Eddy counties, all are going to be looking at this trucks going to the WIPP site.

And it will increase anxiety for the people of Eldorado in particular, but that whole corridor. Because if there were to be an accident at the intersection of 285 and I-25 Eldorado doesn't have a backdoor. The people would be kind of stuck and far-fetched as that may be, it's a real concern if you don't have an option to get away. So I think that's it for me.

CHAIR ROYBAL: Okay. Thank you, Commissioner Moreno.
Commissioner Hansen.

COMMISSIONER HANSEN: I wonder, I just have to ask, I wonder why it is that “and suspend any planned pit production until the safety issues are resolved.” To me, that just seems like a logical extension of our concern for northern New Mexico, that safety concerns are resolved and that no expanded pit production happen unless safety issues are resolved because safety for the workers at LANL to me seems to be a really important issue. And my fellow Commissioner here works at LANL. I care about your safety and I want to make sure that the safety issues of LANL are resolved. And this seems like cleanup and making sure that DOE suspends any planned expanded pit production at LANL until all nuclear critical safety issues are resolved is only common sense.

What is wrong with that phrase? There is nowhere in that phrase that I am saying that I want work to stop at LANL. That I want things to stop – that I am opposed to expansion of work at LANL. I am more concerned about the safety issues at LANL and making sure that the people who work there are protected. So I have to say that the City Council voted unanimously to support this resolution. I don't find that it would make it difficult to work with our federal delegation. I would think that our federal delegation would want safety issues resolved at LANL. I think that that would be their main concern about workers in northern New Mexico, at least that is my concern.

CHAIR ROYBAL: Okay, I think – I know that Commissioner Moreno and yourself also talked about the safety of the laboratory workers and that's not something that any of us have disagreed with. We all feel that the legacy cleanup needs to be addressed and needs to be improved. So that wasn't even an issue. I'm going to go to Commissioner Hamilton.

COMMISSIONER HAMILTON: So you're misunderstanding and sort of misrepresenting the argument. My concern is not that – and in fact, as much as I totally appreciate what Commissioner Moreno said, this amendment isn't dealing with all of the incredibly complex aspects of nuclear safety, the nuclear threat of annihilation because of escalation. Whether we should have nuclear weapons at all – all of those issues have nothing to do with what – and would be ridiculous for us to be addressing all of those issues in one simple resolution like this. This resolution is focused on – from my read of it – on the need to do the cleanup that's already been mandated, that's already been agreed to, to get additional funding for that and I want to support that. I don't want to put that off.

The point of my amendment and the reason I would really like to push my colleagues to consider that simple amendment. It's not speaking to whether I support or don't support additional pit production at the facility in the future. It's that the question of how to work from the County level all the way up to the federal level for what the labs are going to do and still retain our ability to have that economic engine but on a safer basis is a broader issue that we need more work on and I don't want to limit that discussion but I don't want to table the idea of pushing for this cleanup, which I think we could all agree to.

So having said that, I would just like to reiterate that I have an amendment out there and that's what I feel like I can support for the reasons I stated earlier.

CHAIR ROYBAL: Any other comments from the Board?

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: If you're willing to take the amendment, I'll take the amendment. But if not I'm not going to vote for the resolution.

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

COMMISSIONER HANSEN: Which motion?

CHAIR ROYBAL: Do you want to make an amendment?

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair and Bruce, having done a few meetings in my day, I think parliamentary procedure, we can move an amendment, vote on the amendment first, the amendment could pass or fail and then vote on the whole context of the resolution; couldn't we?

MR. FREDERICK: Mr. Chair, Commissioner Anaya, you've been at this longer than I have. I'm looking at our resolution that sets forth our procedures. I'm looking at – maybe you have it in front of you; I don't know, on parliamentary motions. And there's two kinds. You can do a friendly amendment and it seems, as I read it, you would ask the movant and the second if they would accept a friendly amendment, and

then we would vote on that. I don't see, if they don't accept the friendly amendment, then I think you would have a vote on the resolution as it's proposed.

COMMISSIONER ANAYA: I think we should be able to move an amendment, but either way. Yes, I believe we should be able to. So Commissioner Hamilton, if you'd move the amendment, I'll second it and let's see what happens with the amendment.

COMMISSIONER HAMILTON: I move for that amendment.

COMMISSIONER ANAYA: I'll second it.

CHAIR ROYBAL: Okay, so what happens with the original motion?

MR. FREDERICK: So go ahead and move to amend the motion, or amend the resolution. So you can get a second on that.

COMMISSIONER HAMILTON: We did that.

MR. FREDERICK: And vote on the amendment, on the amended resolution. Do we know how it's going to be amended?

COMMISSIONER HAMILTON: Yes.

MR. FREDERICK: Okay.

COMMISSIONER HANSEN: I have a request. I would like to request that Mr. Coghlan come up and speak to us for a moment.

CHAIR ROYBAL: Okay. How much time?

COMMISSIONER HANSEN: If we could give him five minutes.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, we're on an amendment.

MR. FREDERICK: So we're on the amendment, Mr. Chair.

COMMISSIONER HANSEN: Mr. Coghlan would like to speak to the amendment.

COMMISSIONER HAMILTON: It was never published as a public meeting.

MS. MILLER: Mr. Chair, I think I can help. So you have an amendment and a second. You can vote on the amendment. If the amendment passes, then the resolution is amended, and then you vote on the resolution as amended. If the amendment doesn't pass then you vote on the resolution not amendment.

COMMISSIONER ANAYA: As is.

CHAIR ROYBAL: Okay. Commissioner Moreno.

COMMISSIONER MORENO: Could I have the amendment restated?

COMMISSIONER HAMILTON: Yes. The amendment was to, on the last page, under Now, therefore be it resolved, to remove item C "that the DOE suspend any planned expanded plutonium pit production at LANL until all nuclear criticality safety issues are resolved, as defined by the DNSFB." And the comment was made that – and that would go with if needed and the similar, the corresponding correction to the title.

CHAIR ROYBAL: Did you get that, Commissioner Moreno?

COMMISSIONER MORENO: Yes. Thank you.

COMMISSIONER ANAYA: Mr. Chair, just respectfully, and I fully respect your placement as the Chair, but on the amendment, you could seek additional discussion on the amendment itself prior to going to the vote on the amendment, if that is what –

CHAIR ROYBAL: So we do have a motion with an amendment and a second. Do we have any discussion?

COMMISSIONER HANSEN: I would like to request that Mr. Coghlan give us a few minutes.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: A procedure. Bruce, since this was not published – I would love – I respect the people who have attended and would love to hear what they have to say but this was not published as a public hearing, so nobody's really had the opportunity to – does that allow us to take public comment or not?

MR. FREDERICK: As I read the rules, this is not a public hearing, but if the Chair wants to hear from the public, and you can limit the amount of time or do whatever procedural limitations you want you to impose. It's at the discretion of the Chair as I read the rules.

COMMISSIONER HAMILTON: Fabulous. Thank you. I just wanted to make sure.

CHAIR ROYBAL: Okay. And the way that I feel is that if we're going to open it up for anybody to speak, I will go ahead and open it up for other people to speak besides the one. But depending on the amount of people that would like to speak, I would have to limit the amount accordingly, possibly down to two minutes. But if there's only one person then I can allow five minutes. So by a show of hands, is there anybody else besides the gentleman here that has said he'd like to speak? Anybody else? So we have two that would like to speak? Three? Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I fully respect and appreciate you providing that opportunity. What I would say along with that is that when I got up there to speak and when I speak on this dais I don't speak for myself. I speak from my perspective as a representative of a constituency, but I also speak for those individuals that aren't here but they're at work and so if we progress into making decisions and determinations on resolutions and we want to provide open and fair input then I think we need to, as time progresses, make sure that those are adequately published, adequately noticed, and make sure everyone has that same opportunity. These folks are here so they get the benefit of the microphone and that's fine; I respect that, but there's many people that aren't here that may work on that hill that if they had the opportunity would get up and speak as well. And so I would just say that respectfully. I think you're making the right decision but I say that on the record that there are going to be many others that would love to speak but can't because they're working.

CHAIR ROYBAL: Thank you, Commissioner. I'm sorry, but you're not supposed to speak from the crowd. Since we do have three we'll go ahead and allow three minutes, each person. Can we have the timer?

CHAIR ROYBAL: Sir, can you state your name for the record and your address.

JAY COGHLAN: I'm Jay Coghlan. I'm Executive Director of Nuclear Watch New Mexico. Thank you, Chair. Thank you, Commissioners for the opportunity to speak. I especially thank you for making some modification and allowing comments before voting on the friendly amendment. I'm going to argue for keeping the two issues linked. And the first thing I'll point out, this is not a question of all or nothing. This is not

a resolution against the laboratory. To me it's very simple and even non-controversial, I would say, to argue that there not be any expanded plutonium pit production until all nuclear criticality safety issues are resolved.

And as some of you Commissioners have remarked, there is a long legacy, a long history of quite serious infractions and problems that could potentially be lethal. Now playing into the mix are recent reports that the current chair of the Defense Nuclear Facilities Safety Board, which was created by Congress because of all the safety problems that became evident in the late 1980s, but the very chair has sought to abolish or diminish this safety board. And you'll notice that part of this resolution – again, it's not a categorical prohibition against expanded pit production, it is a prohibition against pit production until the safety issues are resolved. And we've got a long history, again, of serious problems at the lab and throughout the nation's nuclear weapons complex of very serious issues.

So I merely point out that I think this is a quite reasonable position for the County to take, just insisting the future pit production be safe. I will not – I go way down into the weeds in these issues. I've been doing it for close to 30 years. There was a terrible history at the Rocky Flats plant and there was a fire there on Mother's Day, 1969 that came close to irradiating the city of Denver. Now, I invoke this because I specifically recall during the 1990s senior DOE officials repeatedly assuring the public here in northern New Mexico that pit production would always be safe at Los Alamos, and basically this has been proven to be false statements. And again, we need independent verification by the safety board to prove, to asset, to certify that future pit production will be safe.

And I will finally close by offering, by reiterating what some of you Commissioners have pointed out, the real future job creation at the lab is in cleanup, not in future expanded plutonium pit production. I quickly estimated there's around 400 jobs in pit production. Expansion will not bring that many more jobs. I'll close there because my time's up, but happy to take any questions.

CHAIR ROYBAL: Do we have any questions from the board. And I should have explained that the mike will turn off just letting you know that your time has elapsed and just for closing comments. Commissioner Hamilton.

COMMISSIONER HAMILTON: I actually have just a really quick question because you said something very interesting about the safety board that was created and now is being – is that because who the chair is? Was that chair reappointed under the current administration?

MR. COGHLAN: Yes, ma'am. Appointed under President Trump. Yes. To be chair.

COMMISSIONER HAMILTON: Does that – never mind. I'm sorry. It probably isn't relevant.

MR. COGHLAN: I should also add that there's a new report that the head of the National Nuclear Security Administration is also seeking to dissolve the safety board, which in my view would be a dangerous thing to do.

COMMISSIONER HAMILTON: Thank you.

CHAIR ROYBAL: Commissioner Hansen. Commissioner Anaya.

COMMISSIONER ANAYA: So are you suggesting that this board member or the president could unilaterally abolish a congressionally created board?

MR. COGHLAN: No, I'm not. I actually think that Congress can take steps to keep it together and in fact, my understanding is that our senators, Udall and Heinrich have already offered an amendment to the Defense Authorization Act to do that. But I'm suggesting that this resolution by Santa Fe County would be helpful towards that end. It's a clear sign to Congress to help keep the safety board.

COMMISSIONER ANAYA: Thank you, Mr. Chair. Thank you, sir.

MR. COGHLAN: Okay. Thank you, Commissioners.

CHAIR ROYBAL: Appreciate it. Can we have our next speaker, and if you could state your name and address for the record.

KEN LAGATUDA: Good afternoon. Thank you for this opportunity. My name is Ken Lagatuda. I am a resident of Española lived there for 25 years. I also worked 20 years at the Los Alamos National Laboratory as a physicist in X Division. So I'm one of the thousands of people that you say you speak for. However, my point of view is not very close to what your point of view is. I also worked for two years on the Citizens Advisory Board, which is a DOE shop aiming to help smooth relationships between the local communities and the laboratory.

So I noticed several things which you had to say which I thought I could take issue with and one is that this resolution really is a threat to jobs at the laboratory. I don't see it that way. There are roughly 20 national laboratories in this country; only three of them are nuclear weapons laboratories – here, Sandia, and Livermore. And for sure, they work with nuclear weapons technology, although the other roughly 17 laboratories do not, and they all prosper.

So it's not by any means sure that if the lab somehow would reduce the amount of nuclear weapons or if they did that jobs would flee from the lab. It's not sure by any means. Now, would it be very likely that all other things being equal if there were no changes being made in the immediate future on the political scene that pit production at the lab would increase? I think so. Probably. Would it increase whether or not this resolution passed? Probably. And would that make for more jobs at the lab if pit production increased? Some. A very small number. Very small number. Would it increase the hazards that all the little communities face because of all the work at the laboratory? Probably. Probably.

How would the lab respond to resolutions like this? The Town of Santa Fe has already passed a resolution like this and would it make a big difference if the County passed a similar resolution? I don't know that it would make a big difference but it would make I think a significant difference. I think it would put the lab and the DOE on notice that local communities are not too happy about the way business as usual has gone on at the lab. So myself, I'm in favor of this resolution. I don't see it as a threat to jobs at the lab. Not at all. But I understand how important jobs at the lab are to people who live in northern New Mexico. I really understand that and I sympathize with that. Where I live in Española, all of my neighbors have worked at the lab and they all drive nice cars and live in nice homes because they all make \$100,000 a year. And that's very important, right? They could continue to do that even if pit production didn't go up at the lab. I feel sure of that. So I just wanted to point that out to you.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: I guess I have a question. A couple questions.

CHAIR ROYBAL: Commissioner Anaya has a question for you.

COMMISSIONER ANAYA: I guess just a few logistical questions. Ken, you worked there 20+ years at the – my question for you, Ken was you worked there 20+ years at the lab.

MR. LAGATUDA: Twenty years. I retired.

COMMISSIONER ANAYA: You retired.

MR. LAGATUDA: I retired when the contractor changed. A not-for profit contractor to the for-profit contractor.

COMMISSIONER ANAYA: Okay. Twenty-plus years, retired, probably with a pretty decent retirement, I would presume.

MR. LAGATUDA: Absolutely. Absolutely.

CHAIR ROYBAL: Awesome.

MR. LAGATUDA: And that was one of the reasons I came to Los Alamos. So I understand the importance of having not just a job but a good job, a job that has good pay, good retirement, good healthcare.

COMMISSIONER ANAYA: So let me ask a little different question, because what we recognize and know across the country is that as governmental installations close, they're not typically opening up brand new ones. They're closing current, existing facilities, albeit national labs, albeit air force bases. They're not creating new ones; they're expanding – would you agree that they're closing these types of facilities and expanding –

MR. LAGATUDA: They're not closing national labs. National labs have never been closed. National labs persist because they employ people who do things that nobody else can do. They have expertise that nobody else has. They're very important centers for the national prosperity that we all enjoy.

COMMISSIONER ANAYA: Right. So you would suggest that the three – and I think it's an operative point and a point we all need to have a lot more dialogue on. You make a good point relative to Livermore, Sandia and Los Alamos being the core labs for nuclear energy and weapons creation. So you're suggesting we abandon those things in New Mexico and then hope for another alternative?

MR. LAGATUDA: I think whether or not we want to be a nation that promotes the expansion of the number and types of nuclear weapons is a completely different conversation. That really is not what we're talking about here. We're talking about something much more limited. Is it a good idea to expand pit production at the lab from the few pits they now produce each year to up to 80 pits per year that they plan on producing, say, ten years from now. Is that a good idea or not. And in view of the history that they've had up there of not being able to clean up their messes, make many messes and not clean them up very well. So they're still struggling with that.

COMMISSIONER ANAYA: Thank you, sir. I appreciate your feedback and I'm happy that you were able to retire from the labs as well.

CHAIR ROYBAL: Okay. Any other comments? So we have our next speaker

JONI ARENDS: Hi. Good afternoon, members of the County Commission. My name is Joni Arends and I am co-founder and executive director of Concerned Citizens for Nuclear Safety. Next spring we will celebrate our 30th year. I want to thank you for this opportunity, Mr. Chair. These issues need to be connected, and there's a couple of reasons why they need to be connected. Number one, the Department of Energy has polluted every single aquifer and surface water source at its sites around the country, whether it's Oakridge and the Clint River, the Columbia River with Hanford in Washington State, the Snake River. They've contaminated it all and we think that here in New Mexico we're immune for that. We're not immune. There chromium, there's hexavalent chromium that's moving towards the Buckman, that's moving towards our wells in the northeast corner of the county.

We have the Aamodt suit. So what Commissioner Hansen has put forward, and I commend her for her work is a resolution to protect us, to say that our water needs to be cleaned up. These wastes that are buried in unlined pits, trenches and shafts that have been demonstrated to be leaking into the regional aquifer need to be cleaned up now.

There's always money for new weapons. There's always money for new weapons the Cold War has been over for almost 30 years now. There's always money for weapons but there's not enough money to figure out how to get the chromium out of the regional aquifer. There's not money to know how to remove the waste from the ground, because we know at other DOE sites around the ground that once the waste is removed from the ground the contamination levels in the aquifer are reduced. It's proven at the Fernald site in Ohio.

So what's being put forward is a resolution that says clean up. And at the same time that we're asking for more money for cleanup, the requirements under the consent order are less and less and actually, they're disappearing. Like for example, they used to have high explosives contamination in the old consent order and they're no longer in the new consent order.

So there's lots and lots of examples. And I do want to emphasize I'm very, very concerned about the lack of basic science understanding at the lab. That they shipped waste to WIPP that blew up. There's 600 drums in the underground right now that could blow up and that this whole thing with the [inaudible] We're talking about science. Let's talk about the whole thing. Let's talk about [inaudible] So I would ask you to consider to link these things [inaudible] Thank you so much.

CHAIR ROYBAL: Thank you. Any questions? Commissioner Hamilton, you have a follow-up statement?

COMMISSIONER HAMILTON: It's not really a question and I really thank you for your comments, and I want to point out that the amendment is not – is to – does not in my mind in any way diminish all the statements that remain in the resolution that are critical that talk about the failures of the labs and the need to do the cleanup and the need to strengthen the consent order. It simply postpones an issue that gives us time to work up with the delegation. Frankly, it could be that given the comments about the committee, the oversight committee, that might be something that we want to think about and address and do some additional work on.

So I really feel like passing this cleanup resolution now, as amended, and to vote on the amendment and vote on that would be our best strategy. But it's no way to

diminish the importance of all these and I think the resolution recognizes everything that you just commented on.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: There's been also some additional comments, and I guess – I'm going to obviously support the amendment with a second but the other reason I was asking for some re-evaluation of the whole resolution was that I think it's important for us to state the positive impacts of the jobs and what is positive about what work goes on at the labs and not just accentuate the negative aspects. So that's the other piece that doesn't have anything to do with the core components of cleanup which I've already said we've supported in resolution multiple times in which Commissioner Roybal and I, the Chairman, sit on the Regional Coalition of LANL Communities, went to Washington and re-emphasized emphatically the need for that expanded cleanup.

So I think the piece that's not in here is those core components that are essential that I want to go to employees that work at the labs and get their feedback as well as to how we would clarify, not only our commitment to cleanup but also our commitment to those employees and the continued existence of the lab in whatever capacity, respecting what this gentleman said earlier. And so that would be my additional comment, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Anaya. And I do also want to emphasize that as Commissioner Anaya stated, we do sit on the Coalition of LANL Communities Board and we have gone to Washington to lobby for additional funding for this legacy waste cleanup. So we are supporting that and I think that they have brought forward an amendment that they want to address in a different way, so with that being said I know that we do have a motion for an amendment and a second so we'll bring that to a vote. I don't think we have any questions for you ma'am, so you can sit down. Or did you have an additional comment?

MS. ARENDS: I appreciate that both of you serve on the board and I appreciate that you do go to Washington to lobby, but as you witness, when you're sitting in the lobby of the DOE headquarters, you know there's lots of money for weapons but not money for cleanup, or the amount of money that we need every year, about \$350 million a year to be able to get the cleanup done. It's a long history and so what we're trying to do is change that history at this point so that our water's protected, that people will be able to live here for a long time as they have for centuries. So thank you.

CHAIR ROYBAL: We have, with that being said, I know that we have been successful in getting quite a bit more funding. And we'll continue to do that. So thank you. So we do have a motion with an amendment and a second.

The motion to approve the amendment passed by majority [3-2] voice vote with Commissioners Anaya, Hamilton and Roybal voting in favor and Commissioners Hansen and Moreno voting against.

CHAIR ROYBAL: Motion carries.

MS. MILLER: The Deputy County Attorney will be bringing you a version as amended for the record. We know what it's going to say but you can either wait or you can go ahead and vote on it but we will be passing it out to you.

CHAIR ROYBAL: Okay, so we'll wait for that.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: Regardless of what happens with this resolution I want to work with yourself and staff and work collectively with staff to work on a resolution that encompasses all aspects of the work at the lab, emphasizing the economic impact and benefits that it has to the state of New Mexico. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Anaya.

COMMISSIONER HANSEN: I think that it's incredibly important that in this next resolution that we talk about weapons of mass destruction and how destructive they are to our community and how important the Defense Nuclear Safety Board is to our community and how much they have protected us in the past and without the Defense Nuclear Safety Board the safety things that have happened at LANL would be much worse. They are the only ones that are there to protect us. DOE is not there to protect us and the Defense Nuclear Safety Board is the only one that is out there protecting us, in the past, under the Obama administration. It's clear that it's not being protected under the present.

CHAIR ROYBAL: Commissioner Hamilton. I would agree. I would actually suggest that we focus initially on a resolution and discussion of the Defense Nuclear Facilities Safety Board and talk about the important of having it not only retained by having the chair of that as well as obviously other science be by somebody with the actual science background to hold that position and how that is critical for their functioning and I agree completely that a strong resolution that talks about the importance of that board to the safety of this community is warranted. I would work on issues separately. I would do one effort that focuses on the importance of that board.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. Manager Miller.

MS. MILLER: Mr. Chair, so the resolution as revised, the title would read: A Resolution Requesting that the New Mexico Environment Department Strengthen the Revised Los Alamos National Laboratory Cleanup Consent Order to Call for Additional Characterization of Legacy Nuclear Wastes; Requesting the Department of Energy to Request Increased Cleanup Funding from Congress, and Significantly Increase Safety Training; and Directing the County Manager to Transmit Copies of this Resolution to Associated Parties.

And then on page 4, under the Now, therefore be it resolved, the first section would read: Now, therefore be it resolved that the Santa Fe County Board of County Commissioners – Board – hereby requests a) that the NMED strengthen the revised 2016 Cleanup Consent Order to require additional characterization of legacy nuclear wastes; and b) that DOE request increased cleanup funding from Congress; and c) that DOE significantly increase safety training for all employees at LANL.

CHAIR ROYBAL: Thank you, Manager Miller.

COMMISSIONER HAMILTON: I move that the amended resolution be passed.

CHAIR ROYBAL: So that's a motion. Do I hear a second?

COMMISSIONER ANAYA: Second.

CHAIR ROYBAL: We have a motion and a second.

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

IV. MATTERS OF PUBLIC CONCERN

CHAIR ROYBAL: Is there anybody in the public here that would like to address the Board? If there is, please come forward. So we have Mr. and Mrs. Rosacker. Can we actually have you state your name for the record and your address?

CHARLES ROSACKER: Yes, my name is Charles Rosacker and this is my girlfriend and my wife and my mom for 55 years. So this one is really going to be easy for you guys. I would add some things to say but I'm not, about the other issue, the resolution. But I'm really here, or we're here to express our appreciation to Gus Martinez and his staff. I worked for the lab too but I left when I was 50 because of my mentality about the lab.

But anyway, some of us are living on Social Security and we have just over the hill another area that has irrigation, which is La Puebla and we're going to face probably the same issues that the Aamodt has. So the settlement of Aamodt is going to kind of set the bar for what happens in the future. But anyway, I dealt with a lot of Gus Martinez' staff, mostly with Lenin Armendariz and Isaiah Romero and other ones that I don't have their cards.

But anyway, for us in La Puebla or any of these areas, you can almost drive down the road and find out who's had a death in their family because everything becomes fallow. Nobody farms anymore or there's not a legacy of somebody that wants to pick it up because they work at the lab. Just kidding.

But anyway, they gave us a lot of guidance and a lot of respect and a lot of compassion. There was no freebies. Lenin says you either do this or you're not going to be reinstated for agricultural taxation. So that's the primary thing. I think we're here to say and for you guys, you have a great staff in Gus Martinez and those people.

The other thing I would like to make some statements. There again, as you well know, in the Pueblo of Pojoaque within two days of school starting the pueblo decided to say we're not going to take any other kids except pueblo kids. I have pueblo family myself and I still embrace that pueblo regardless. But two days – can you imagine? You have a four- or five-year-old kid and they make a decision in two days. So how are you going to make that adjustment?

The reason for that could be kind of interesting, but I'm hoping that you as the Board of Commissioners expeditiously reinstate a Boys and Girls Club within that vicinity to accommodate those little kids. The Boys and Girls Club is a tremendous organization. Obviously the pueblo has the right to be exclusive, I guess, but I would like to see you guys go in that direction.

The other thing that I want to talk to you about is this last weekend a statue of my

grandson, Valentino Tzigiwhaeno Rivera was installed on Museum Hill. And then the plaque – it doesn't say only that he was a pueblo boy. He says he was a Spanish boy, an Italian boy, a Danish boy. So they recognized all his blood lines and a man by the name of Dan Perry paid for the process of making that statue. There's a lot of wonderful things going on with pueblo children. One of the things is my daughter has established a foundation called the Lightning Boy Foundation, and it's made up of children from many tribes that are of mixed blood. We have a lot of Hispano blood in the pueblos of New Mexico and we need to learn to embrace who we really are. We have Hispanos and Indios. It's probably Indios in particular that probably have more blood quantum than the Native Americans who consider themselves indigenous. So what is indigenous? It's an interesting question, isn't it?

So we're going to have an event Saturday, November 25th, so these children, the Lightning Boy Foundation children can – the hoop dancers – can go to Florida to dance for the holidays and I have to say that my bloodlines have been here for years. My abuelo farmed right on Closson Street, that area. So I love and embrace my heritage here and also, I don't know. There's not too many people who know – maybe you do, I think, Robert – the Closson/Alto Street area. Anyway, we're putting on a play, a Christmas play that talks about Santa Fe in 1944 and it's kind of centered around the Alto Street area, the Guadalupe Church area. And there'll be some familiar names that you'll here for people who ever went to Santa Fe High. One of those names is Bouncer Sena.

But we live in a pretty wonderful place but we need to embrace each other and remember that we are of one tribe and that's the human tribe. So thanks a lot for letting me speak and Feliz Navidad. Take care.

CHAIR ROYBAL: Thank you, Mr. Rosacker. I also want to let you know that in La Puebla we did have the Marcos Trujillo Community Center, also known as Hands Across Cultures that we are going to start a Boys and Girls Club there. We've already met with the Boys and Girls Club so we are moving in that direction and trying to get that program going. But thank you, sir. Appreciate you guys being here today.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: Before you go, I just wanted to tell you I always appreciate your candor and your honesty and you hit on a lot of strings there as you went through your discussions. Galisteo, the village I grew up in as you know, Galisteo Pueblo roots to Native American culture and peoples in our own family and so I can relate with those comments. And then you talk about Closson. Our family roots are still there and our property that my mother has there still and the family has there on Closson Street and the roots run very deep. But I think that the closing comment associated with we're all here now, we're all here together and we all have evolved together over time is probably the most prevalent one that sticks out in my mind and that it never hurts for anybody to constantly remind us all that we're all on this planet together in the same tribe as humans if you will. So I very much appreciate those comments. When you were talking about Closson, I thought of my late father walking from Carlos Gilbert as a young boy to Closson, to Pena Place where his family was, so I'll try and make that event and I think it's awesome that you guys are doing things that make people reflect on not only what's happening here but reflect on what this community was like

and just to have that understanding of history.

MR. ROSACKER: This play is Tio Manuel, Chick Montoya was the Chief of Police around 1944 and it talks a lot about that barrio. But it could have been anybody anywhere. But go. It's entertaining. It's a little funny, but it's a lot deeper than you might think. Blessings.

CHAIR ROYBAL: Thanks again, Mr. Rosacker, and I'd like to ditto those comments from Commissioner Anaya. So is there anybody else here from the public that would like to address the Board? Okay, seeing none, I'm going to go ahead and close Matters of Public Concern and I did want to make the announcement that we will be moving executive session to after the public hearing.

V. MATTERS FROM THE COUNTY MANAGER

A. Miscellaneous Updates *[Exhibit 4: Supporting Information]*

MS. MILLER: You're lucky. You don't have to hear from me. You can hear from Tony and Mark and Scott. Everything that's on the agenda there are things that were requested – well, the first two are items that Commissioner Anaya requested as updates for 1. and 2. Then we also have the County Administrative Office project, we wanted to give you an update on that, and then what we've done with signing onto a letter supporting PILT and an opportunity for a CDBG economic development set-aside. So these guys are going to do all the presenting.

CHAIR ROYBAL: Okay. I was just wondering. You looked at them like you weren't sure what they were doing up there at first.

MR. FLORES: That's the look I received also.

MS. MILLER: It was actually the Clerk was asking if we could move up the items before executive session, the discussion items from the Commissioners and elected officials, and then you were saying it, so I was – so that was what my look was about. A confusion of the agenda.

1. Edgewood Senior Center

MR. FLORES: Thank you, Mr. Chair. I'm going to summarize each of the items and staff's available for questions. The hope is that the discussion points, at least on the first three items, if there's any need for additional information or clarification they'll prepare or present that for the Commission. The first item up is the update on the Edgewood Senior Center. At the last BCC meeting Commissioner Anaya had requested from myself to have an update on the renovations to include stucco work at Edgewood Senior Center. With the Projects Division Mr. Hogan we set down and we looked at a laundry list with Community Services of what items needed to be completed in addition to the stuccoing or restuccoing of the building. They have provided some renderings of a floor plan and some detail of the elevations. They met with the community out there and with CSD and there were some additional changes that we would like to see that we've incorporated into this plan.

At the end of the day, we are still, based upon this estimated project budget which is the sheet that's in your packet that has yellow at the top, we are still roughly \$55,000 or

so short, in that ballpark, of getting everything completed including the entry portal, the front door and side light, the infill of the existing door, finishes in the restroom, a redoing of the front entry way, replacing the landing outside, new paint, HVAC in the sunroom, which is what we're calling that first area, and then stuccoing the exterior and doing some minor roofing repairs.

So they put together a plan, Commissioner, as requested, with the items that they've looked at with both the senior center program and users out there in CSD and we were running about a \$55,000 shortfall in being able to accomplish everything on the list. So two things can happen. One, we can reprioritize based upon any direction that we received from the Commission, or I can attempt to go and find some additional funds to be able to accomplish all of the items that are listed on the statement of probable cost.

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

COMMISSIONER ANAYA: Yes, Mr. Chair, if I could. I guess the easy answer is let's see what additional changes we can find. But when you say reprioritize, tell me what you mean by that.

MR. FLORES: Commissioner Anaya, there are certain things like, if you look at the floor plan, as you're familiar with it, where it says new sunroom, that's actually the existing entry into the building. So that's one of the things that we've talked about with staff and the users out there is actually changing the entry to the building to a different location, and enclosing that area that's currently the entry way and creating a sunroom out there. So that's a desire of the users that use the facility. So when I talk about reprioritization, maybe the sunroom wouldn't be included in that initial list to maintain the existing budget.

COMMISSIONER ANAYA: So Mr. Chair and Mr. Flores, I would hope in consultation with the Manager and working as a team, you guys come up with some options that we can look at to keep the project going forward. I'm going to say candidly on the record that our seniors across every senior center talk a lot and they communicate and Theresa has them going from one senior center to the other and they do different activities. So they go to the Ken and Patty Adam Senior Center and they go, wow. This is awesome. And then they come back and say, here's my wish list and we want to be more like them. And that's not being facetious. I was part of the votes associated with the modifications to the Ken and Patty Adam Senior Center and let's keep on keeping on.

But I request the items that I have as well as my colleagues, Commissioner Roybal who has continually fought for continued work and efforts at the senior centers to make sure we do everything we can. And so these are things we've been discussing and they've been on the list for a long time. So I'll just look back to you guys and Ms. Miller to see what options we have to hopefully get them all done but if we can't, then give me some options relative to priority and I'll work with Theresa and the seniors and figure out what we can live without if we have to cross that bridge.

MR. FLORES: Thank you, Commissioner Anaya. I will do that.

COMMISSIONER ANAYA: I appreciate the update and the work that's gone on. That's all I have on that, Mr. Chair.

V. A. 2. Santa Fe River Trail to La Cieneguilla

MR. FLORES: Mr. Chair, the next item that was requested when we were looking at the Santa Fe River Greenway and the authorization to provide the County Manager the authority to execute those construction contracts a question came up or a suggestion came up I should say from Commissioner Anaya about an update of the continuation of all the work that we did. Some of it you and I did almost 14 years ago, all the way down to La Cieneguilla, La Cienega, and then possibly Thornton Ranch.

So we did under Exhibit 2 in your packet is Mr. Hogan and his open space project team actually started looking at potential alignments and options that we could actually take from the river greenway/599 area all the way down through La Cieneguilla and La Cienega, all the way to Thornton Ranch.

So the point of the update is that we had actually started the discussions but we wanted to codify those discussions in a visualization per se of what we would like to see in the future. The goal of course is to program these into our capital improvement plan so that we can start looking for funding to ensure that there is some continuity of that trail. So this is merely an update.

COMMISSIONER ANAYA: So Mr. Chair and Mr. Flores, I appreciate the update and I'm going to quantify my remarks and ask staff to extend communications with maybe different groups that we've traditionally communicated with. There's different perspectives in every community and I respect that ultimately the community should decide what should or should not happen within their community. That being said, I've had people in La Cienega, La Cieneguilla area say, we don't want to the trail. We don't want a trail. We don't want to be bothered. Leave it over there by the city limits. But I've also had constituents and residents that say, why haven't we had the opportunity to have trails that come through our corridor similar to what happens in the city limits?

So the constituents of Torcido Loop and Camino Largo are an example of community members that have said, well we'd like consideration of some of those trails and opportunities. So when we're ready, and I hope we're able to have some meetings in the first part of next year after the holidays, I'd like to be part of the planning process for those community meetings so that we can go and have some outreach with those communities and maybe better understand the full scope of feedback that may exist. And some people participate heavily within the Valley Association and some do not. And so it's my interest to make sure we've put all those comments together and get feedback and input from as many as possible.

And just for clarity, you mentioned Thornton Ranch –

MR. FLORES: I'm sorry. La Bajada Ranch.

COMMISSIONER ANAYA: The property – so the idea was we have this treasure that we're talking about potentially having trails and Mr. Hogan in some of the discussions that we've had with the community and the committee that how might we link what's happening in the Santa Fe River Trail with our beautiful gem that we have over there and connecting the two. And even connections to the FLAP project and having all of those trailheads be able to link together. So that's where that came from. But I appreciate the update.

MR. FLORES: Thank you, Commissioner Anaya, for my faux pas. I've

had Thornton Ranch on the brain since the last meeting. So I apologize.

COMMISSIONER ANAYA: It's not out of the question to have that linkage, right?

V. A. 3. County Administration Offices Project

MR. FLORES: So the last item, at least on the project perspective, under Exhibit 3, Mr. Hogan and Mr. Isaacson have provided an update, a monthly report. They were doing this as part of the project as we progress for the County Administrative offices in general. And we wanted to make sure that as we move forward with the new project delivery method, which is the design-build portion of that that the Board authorized us is to provide monthly updates within the Board packet just so you can see them and see where we are progressing with them.

So there's some project status, comments, milestones, scope management, so this item is purely an informational item to let you know how we're progressing with the new delivery method. So that's only for informational purposes.

V. A. 4. PILT/SRS Coalition Letter to Congressional Leadership

MR. FLORES: The next to the last item is the PILT. This is the time of year and I have to chuckle at times because people seem to always panic a little bit when we get these requests to start sending letters of support or non support of certain things that are going on at the federal level. I can assure the three new Commissioners that every year at this time we have the same request to put in letters of support to maintain the payment in lieu of taxes, or PILT, and also to maintain the funding levels for our Safe Rural Schools, which is the SRS.

We have submitted that letter on behalf of Santa Fe County to our delegation and to the leaders that are listed on the letter that we want to maintain those funding sources. So I know that we see a lot of this come through at this time of the year and I can assure you that staff is on top of it and this was purely an informational item that we will maintain the commitment that you have directed us in the past to ensure that we have those support letters sent off to the delegation at the federal level, for those two items specifically.

COMMISSIONER HANSEN: Commissioner Hamilton, did you have a question.

COMMISSIONER ANAYA: Madam Chair. Awesome.

V. A. 5. Community Development Block Grant – Economic Development Set-aside

MR. FLORES: Madam Chair, the next item Manager Miller indicated that we've been presented a new opportunity under the Community Development Block Grant funding program. We were informed that there is an economic development set-aside that is available to the County to apply for projects and as you recall, when we did

the whole CDBG process earlier this year and we had to narrow it down, there were three projects that were identified that came forward. One was the roof project for Housing, one was the First Choice facility in Edgewood, and then the third project was United Way development center here in town. Mr. Olafson put together a memo, basically, outlining what we could do as a County in opening up the CDBG for economic development.

So the purpose of this item is purely to let the Board know that staff is going to be recommending an opening, if you will, and the one public hearing to look at that project under an economic development set-aside. There are many things that still have to be worked through with the Department of Finance and Administration/Local Government Division, but they have notified that we will be eligible to apply for a separate pot of money, specifically for economic development projects.

So this item in here, Mr. Olafson has titled this for the United Way early learning center which this Board has already considered as part of the larger CDBG program application. So I just wanted to provide that information to the Board. That we'll be coming forward with something on that.

Two more quick things. On the November 28th meeting we will have our kickoff for the legislative agenda to the Board to start garnering information on what items the Board would like to see for the Santa Fe County legislative priorities. So we'll do a kickoff at the Board meeting on the 28th, and then to follow up on that, the December 5th, we'll have the legislative delegation meeting. I have sent out the save the date and invitations. That will be on December 5th at 6:00 pm in the evening. So with that, Mr. Chair. I think I'm done. Thank you.

CHAIR ROYBAL: Thank you.

MS. MILLER: Mr. Chair, I did want to – we kind of alluded to it earlier, but I did want to formally acknowledge that Bruce Frederick has been appointed as the new County Attorney to replace Greg Shaffer. So now we're looking furiously to replace Bruce. So that was effective yesterday, so he truly is stepping into – someone said, I think it was Commissioner Roybal. So we need to put a pair of Greg's shoes and see if they fit. But he's taking on a much broader range of issues and has jumped right in and as you can see he's going to have to bring some of our resolutions and things with him to get up to speed how we do the meetings. He hasn't had to do that and hopefully I don't step on his toes. I do want to assist in it because I've been doing it for seven years. But we're really, really fortunate that Bruce put in his application and interest to take on this challenge. It's a tough job and I'm really excited that he decided to do that. He went through a fairly rigorous interview process. We have several panels, individuals who do the interviews and he was definitely our top candidate. So I just want to congratulate him and welcome him to the position.

CHAIR ROYBAL: Can we get a big round of applause. Also, I'd like to say, and Bruce is – I'm glad to have you aboard and to work with you. It's going to be great. I'm glad to see that you also have the – you've been right alongside with all the controversial issues that we've been facing, so it's not going to be something new. So I'm glad to see that you have that experience and you'll be able to hopefully jump right in and run right along with us. I appreciate it and I'm glad that you put it in and I think you made a great selection, Katherine, so thank you. Any other comments from the

Commission? Commissioner Hansen. We'll go through all the Commissioners.

COMMISSIONER HANSEN: Welcome, Mr. Frederick. We're really forward to working with you. I am. I am thrilled and congratulations. I have been a fan of yours for many, many, many years and it is so exciting to have you as the County Attorney. So thank you.

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

COMMISSIONER MORENO: Welcome aboard.

MR. FREDERICK: Thank you very much.

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

COMMISSIONER HAMILTON: Yes. I have to be the one that's not so serious. We promise to give you every bit as much trouble as we ever gave Mr. Shaffer, just so you'll know how much you're appreciated. Thank you for taking it on.

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

COMMISSIONER ANAYA: Yes, Bruce. Welcome aboard. You're already on board, you're just on a different plank, right. But we're not talking about walking any planks. So welcome aboard.

COMMISSIONER HAMILTON: That comes later.

MR. FREDERICK: Thank you very much, Chair, Commissioner Anaya. I appreciate it. I'm going to study up on Robert's rules after this meeting.

CHAIR ROYBAL: Parliamentary procedure. Okay.

MS. MILLER: And then one other item, Mr. Chair. I did want to note that we have a new Finance Director. Unfortunately, she did step out but she was in the room for most of the meeting so far and she just stepped out and I didn't get a chance to grab her and introduce her to you. It's Stephanie Schardin Clarke. She did go back across the street to the Finance Department but she started yesterday and we also sent out an announcement to the media to welcome Stephanie. She was the – she comes to us from the State Department of Finance and Administration. She was the Deputy Secretary of DFA and over Local Government Division as well, and really understands local government and state government and I had the good fortune of working with you at the state when I was at DFA. She was my director of the Board of Finance. So she brings a lot of experience with her and a really great attitude and we're real happy to have her as well.

And I know a couple of you got a chance to meet her but I'll make sure that she's introduced if you don't meet her before the 28th, that she's introduced to you on November 28th.

CHAIR ROYBAL: Okay. Great. Thank you, Manager Miller. And I just want to say welcome aboard. Look forward to working with her and meeting her here in the near future. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, and it may be what the Finance Director did because right when they got up to talk about the need for \$55,000 for the Edgewood Senior Center, the Finance Director went out that door and the Manager went out that door. So I was thinking they went out to see if they could find some extra

money. That's what I was hoping for, anyway.

MS. MILLER: No, that was just so you couldn't ask us. She's already wise.

CHAIR ROYBAL: Any other comments from the Board? Was that it, Manager Miller?

MS. MILLER: Yes, Mr. Chair. That's all.

VII. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

A. Matters from County Commissioners and Other Elected Officials

1. Elected Officials Issues and Comments

CHAIR ROYBAL: I think we only have one elected official here today and that's our County Clerk, Geraldine Salazar.

GERALDINE SALAZAR (County Clerk): Chair Roybal, Commissioners, I also want to congratulate Bruce for stepping up to the plate. As the County Clerk, the Clerk's Office works very closely with the Legal Department. We have lots of legal issues on a daily basis. And I want to thank you for always working with me and my staff, and congratulations.

Chair Roybal, Commissioners, last month you passed a proclamation recognizing Indigenous Peoples Day. I did receive a letter from the Navajo Nation that I would like to read to you today. *[Exhibit 5]* They sent it to us October 18, 2017.

Dear Ms. Salazar and the Santa Fe County Board of Commissioners: Yá àt ééh from the Navajo Nation. Thank you for your letter and proclamation recognizing Indigenous Peoples Day. We applaud the County of Santa Fe and its Board of Commissioners for its efforts and continued support of the Navajo People and all indigenous people.

Indigenous people have lived and existed throughout the Americas long before the arrival of the Europeans or Spaniards. From the arrival of Christopher Columbus forward, indigenous people have persevered through colonization, systematic genocide and forced removal.

The story of our Navajo People is a story of resilience. Since time immemorial the Navajo People have known our home to exist within the Four Sacred Mountains. Tragically, our people were forcibly removed their homes and marched to Hwéeldi, Fort Sumner, New Mexico, in August of 1864. Through the prayers and the strength of our people we returned to Diné Bikéyah in 1868.

On Monday, October 2, 2017 Vice President Nez and I signed a proclamation reclaiming the second Monday in October as Indigenous Peoples Day to celebrate our existence and the perseverance of all indigenous people. Our proclamation also encourages Navajo Nation schools, other education institutions, enterprises, business and organizations to recognize Indigenous Peoples Day.

Ahé hee, Ms. Salazar and the Santa Fe County Board of Commissioners. On behalf of the Navajo Nation we'd like to say thank you to the County of Santa Fe for its continued support of the Navajo Nation and to applaud you for joining the long list of cities and counties across the world in celebrating Indigenous Peoples Day. Sincerely, the Navajo Nation. Russell Begaye, President, Jonathan M. Nez, Vice President.

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So I thought you would like to hear this letter. Thank you.

CHAIR ROYBAL: Thank you for sharing that with us, Madam Clerk.

VII. A. 2. Commissioner Issues and Comments

CHAIR ROYBAL: Is there anybody on the Commission that has any updates? Commissioner Hamilton.

COMMISSIONER HAMILTON: I just wanted to mention that District 4 will be having – I will be having a townhall on Thursday evening, November 30th at Hondo fire station 2 and everybody is warmly welcome.

CHAIR ROYBAL: Thank you for that update, Commissioner Hamilton. Commissioner Hansen.

COMMISSIONER HANSEN: Yes, I would also like to invite everyone to a groundbreaking for the Santa Fe River Trail, the extension that will go from Frenchy's Field to Siler Road that will be happening on Friday at 2:00 at the corner or at the end of Camino Carlos Real and Frenchy's Field. It will be at the bridge and we will have a groundbreaking. And so I want to invite everyone to join us.

And the also mentioning Indigenous Peoples Day, Sunday, I went to the Deer Dance at Tesuque Pueblo and it was really quite moving to see the Deer Dance. I had not been to that for a long, long time and it was just a really moving, beautiful expression and to know that ten minutes from our plaza is such a sacred and beautiful sight and that was really moving to me and I wanted to share that with everyone. I was honored to be there.

I also want to mention a woman who was injured on West Alameda, Irene Ossola who was hurt on her bicycle and I would just like everyone to keep her in our prayers. She was hit by a car in an area in West Alameda that we are working on with the City and its part of this resolution that we passed earlier. Just to remember her and she was airlifted to UNM Hospital and she's in critical condition. So I just wanted to send out prayers for her. And with that, I also had the honor to welcome the Legislative Committee on Health and Human Services when they were speaking and had a committee meeting at the Santa Fe Convention Center and I welcomed them and it was an incredibly informative committee meeting on the opioid crisis in our community, and I believe that everyone got a copy of many of the handouts that I was given and I hope you will all have the time to read that and get more familiar with the issues that we are facing in our community and in our state. So with that, thank you very much.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Is there any other comments from Commissioners? Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I wanted to ask if we could have a moment of silence for Joe McLaughlin who was an employee with Santa Fe County with the Sheriff's Department who passed on. If we could just have a moment of silence for him. Thank you, Mr. Chair. Appreciate that.

The other thing I wanted to do was I wanted to acknowledge our County Clerk. I raised some concerns as well as yourself relative to the precincts that were brought forth at the last meeting, and I couldn't vote for that particular resolution that day because I still had some concerns but I just wanted to say publicly that our County Clerk reached

out to yourself and myself and the whole Commission and in the interest of providing as much access as possible, made some modifications and we were going through an audit at my work and I was unable to be at the meeting but I wanted to say publicly that I know that those modifications were approved by the Commission and I just wanted to publicly acknowledge and thank our Clerk for doing that. I think the convenience centers are going to be great but those additional sites, I think they're going to help through the transition process for some that are used to being able to vote in a lot of different places but they'll have access to all the places now, or most all the places and so I appreciate very much the modifications that were made and respect that the Commission made those changes. And so I'd defer to any feedback from the Clerk. And then I had one other item after that, Mr. Chair.

CLERK SALAZAR: Thank you, and you're welcome. It was a pleasure.

COMMISSIONER ANAYA: Thank you. And so my last item, Mr. Chair, is that I've always been a staunch advocate for our employees on this seat, whether it was here or over there or wherever I was, but as I move into, like I said, my transition back to being a citizen, I want to do a few things, but in particular, I want to highlight over the next 13 months, the excellent people and work that are County employees have done and so I'm going to be going on my white horse tour and acknowledging those employees that are doing great work throughout the County and make some brief presentations in the coming months at meetings, and I will likely seek my colleagues from time to time to go with me when they want or if they want as I go on this little methodical thank you, if you will, to the County employees.

But I'm going to start with the Public Works Department in December and going to be spending some time with those employees and acknowledging them on a monthly basis while I go into this last year. So I just wanted to say that, Mr. Chair. Thank you.

CHAIR ROYBAL: Thank you for saying that, Commissioner Anaya. I do want to recognize that our hard work our staff does out in the field in Public Works and in all of our departments. I want to recognize them and acknowledge the job well done that they do. They're the ones who interface with the public on a day to day basis as well as the Commissioners as elected officials and they do represent the County while they're out there and they represent us well. So I do want to say thank you to all our staff and also I did receive a letter from the ditch commissioner for Acequia de la Cañada Ancha and I wanted to read it and just say thank you for the staff that was involved in working on this. It's just a letter that basically comes in and says, the letter's overdue but well intended. I want you to know how grateful I am as a parciante of the La Cañada Ancha ditch. Your response and contribution to the needed repairs of the ditch in Rio Chiquito, major problems. Thank you. Thanks to your response to northern Santa Fe County's emergency needs. We had a very lucrative season with no major problems. Thanks again.

So I just want to let the employees know and the staff that they're doing a great job out there and we really appreciate it. Do we have any other comments?
Commissioner Moreno.

COMMISSIONER MORENO: I also want to commend the staff of Santa Fe County. Every interaction that I have in this building and outside of it. I know that I'm being served as a Commissioner and not so much for me but the attentiveness that

they pay to the people that I work with as my constituents – Robert and Mike, I’ve seen a lot of them over these few months. But it’s across the board. The professionalism and I just can’t be more proud of all of you. Thanks.

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

VIII. PUBLIC HEARINGS

A. Land Use Cases

1. **CASE # S 17-5260 Las Campanas Holdings, Inc. (Estancias Unit III) Preliminary and Final Plat and Development Plan Time Extension.** Las Campanas Holdings, LLC, Applicant, Santa Fe Planning Group, Inc. (Scott Hoeft), Agent, Request a 36-Month Time Extension of the Previously Approved Final Plat and Development Plan for the Two Phases of the Estancias III Subdivision as Per Chapter 5, Section 5.8.7 (Expiration of Final Plat) of the SLDC. The Property is Located Within the Las Campanas Subdivision, North of Las Campanas Drive, and West of Old Buckman Road, within the Las Campanas Planned Development District, within Section 2, Township 17 North, Range 8 East (Commission District 2)

VICENTE ARCHULETA (Case Manager): Thank you, Mr. Chair. On August 14, 2001, the BCC granted preliminary and final plat and development plan approval for the Estancias at Las Campanas, formerly Tesoro Enclaves, which consisted of a 128-lot residential subdivision on 432 acres in three phases, Units I, II and III.

On August 12, 2003, the BCC approved a final plat and development plan amendment that was redesigned for 128 residential lots in three phases of development. Estancias Unit I consists of 24 lots, which was recorded in 2003, and Estancias Unit II consisting of 67 lots, was recorded in 2004. Homes have been completed on Unit I and Unit II. Unit III was not recorded.

On May 14, 2013 the BCC granted a 24-month time extension for Unit III of the Estancias at Las Campanas consisting of the remaining 37 lots, due to economic conditions as allowed under Resolution No. 2011-193 and Ordinance No. 2011-11.

On June 9, 2015, the Board of County Commissioners approved a preliminary and final plat and development plan amendment to sub-phase the previously approved Estancias Unit III residential subdivision into two phases by a unanimous vote of 5-0.

The applicants now request a 36-month time extension of previously approved preliminary and final plat and development of the previously approved Estancias Unit III subdivision. The applicant states: The intent of creating a final subdivision plat for two separate phases in 2015 was to make it more feasible for the developer to commence with a smaller portion of the project in the short term, in terms of infrastructure costs and lot sales.

The BCC’s approval of the preliminary and final plat and development plan amendment to phase the development rendered the project valid for 24 months from the time the final order was recorded. The final order was recorded on August 26, 2015.

SFC CLERK RECORDED 12/13/2017

Therefore, the applicant had until August 26, 2017 to record.

On August 24, 2017, the applicant submitted a request for a 36-month time extension of the preliminary and final plat and development plan amendment subject to Chapter 5, Section 5.8.7 of the Sustainable Land Development Code. :

Staff recommends approval of a 36-month Time Extension of the previously approved preliminary and final plat and development plan amendment for the two phases of the Estancias III Subdivision, which must be approved by the Board of County Commissioners as per Chapter 5, Section 5.8.7.

It is at the discretion of the BCC to consider the request to approve the 36-month time extension. The BCC may consider the information presented by staff and the applicant to approve the request. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you. Do we have any questions from the Board? Is the applicant here?

[Duly sworn, Scott Hoeft testified as follows:]

SCOTT HOEFT: Scott Hoeft, Santa Fe Planning Group, 109 St. Francis, Santa Fe, 87505. Thank you very much, Vicente. I thought your staff report was excellent and well written, and I appreciate the history and the documentation of the case.

You know, normally for a time extension I come up and I stand for questions. It's a time extension. However, I know, because of the history of Las Campanas, because we have new Commissioners, I would just like to take, if you would indulge me, maybe 15 minutes and just go through a little bit on this project in just a little bit more detail, because I think it would be helpful for the case.

So Estancias III is the subject of the case tonight. This subdivision is 117 acres total, and it's a large-lot subdivision. The lots range in size from one to three acres in size. It's going to be developed in two phases of development, from south to north, and the key thing to highlight on this development is we have a lot of green on this plan intentionally. And what this is is a traditional Las Campanas subdivision in that the roads are put in place on the development and then each lot has a buildable area of roughly 8,000 square feet or so, and then when the lot is sold, that area with the buildable area is developed by the lot owner.

That total area on this plan is about 15 acres. So between the road and those dots that you see throughout each of those 37 lots is about 15 acres. The whole project, the whole site is 117 acres. And so the balance of the land, or roughly 100 acres of the site, will remain in its natural state. And I think that's just important to highlight here because of the fact that this subdivision is going to have a lot of open space remaining on this site.

Now what I wanted to go into is just the purpose of a time extension is to provide us some flexibility. We went ahead and we came in front of this Board two years ago to break it into two phases because what we noticed in the market is that if you have smaller phases it's easier to get the financing for 24 lots or for 15 lots than it is for 37 lots. So that's what we did two years ago is to have the phasing completed. However, the time extension is needed because we need the flexibility to move forward in the future. What that allows us to do is to go ahead and record the project and post a letter or credit rather quickly. If it's not entitled and we're starting over again that we have a project essentially in process.

And in terms of how a subdivision works, once you get it approved and once you

keep it active, okay, you have two things. You have to record the mylar, record the subdivision plat, and you have to have a financial guarantee for the improvements on it. And so the big element on this is the financial guarantee, because improvements for a roadway, for example, on here, may be millions of dollars. And so you want that to be timed consistently with what you see the lots being absorbed in the future.

What I wanted to go into next is the development agreement for Las Campanas. Las Campanas has long history and most of it is based upon the development agreement that was established in 1993 for Las Campanas. And this essentially set the tone for the entire project over the last 25 year. And within this development agreement it specified pretty much everything that the project entails, from its roads to its water and sewer co-op, to its fire station, the land dedicated to the fire station, to the open space that was dedicated for the project, to the golf courses, the maintenance facilities – everything has been laid out in that development agreement and that's the governing tool for the project, including the affordable housing contribution that was done in 1993.

Why I'm highlighting that is because you'll see in a second that the project, after 25 years is 85 percent complete. We're almost to the end here. We've got 15 percent remaining on the project. Of the 1,717 total lots for the projects, over 1,400 have been developed. We're down to the final 289 lots, or 15 percent or so. We're down to the final few subdivisions to go. So this project, over the last 25 years has been governed by this document and it has been established and consistent with this document. The number of homes that have been built out there are over 900. The number of lots that have been sold or owned are over 1,400 as I indicated. All the major amenities are in. The water, sewer co-op, the HOA, everything is established. It has over 1,200 members in Las Campanas and over 108 miles of roadway completed.

In other words, what I'm trying to say is that you've got a project here that's 85 percent complete, financially solvent, which is significant, given what we all went through over the last five to eight years that you have a development that's actually thriving, and you have a development that employs over 45 people.

So that's essentially Las Campanas, and I think it's kind of important to highlight that because what we did when the code was approved, the new code in 2015 is that we worked with the staff in 2013 and 2014 and we got Las Campanas designated as a PD, a planned development district. And there were lots of them established: Rancho Viejo, Bishop's Lodge, Las Campanas and 12 others.

And what those PDs do is it locks in the original intent of the project. It locks in the development agreement and the intent of the development agreement, and it allows the project to be governed by those rules as it finishes itself out. So Las Campanas is designated as a PD zoning classification.

So in final, I would just like to talk a little bit about this project is a different type of development. This project is a large-lot subdivision. It isn't a project that's going to require a lot of grading, other than the roads. We had incidences this year with a group, and we don't represent Pulte, but they did significant amounts of grading and it caused quite a bit of concern to the community. And, though we don't represent Pulte, though this is not a Pulte project, I wanted to kind of give that outright that we were aware of what occurred and why I took so much time at the beginning of the presentation is to highlight the fact that this is not that kind of project.

There are projects within Las Campanas that are higher density that do require a little more grading of multiple lots at a time, because you're trying to balance the dirt, not sending dirt off and then bringing more dirt back in. You're trying to balance that. This is not that kind of a project. This is just a large-lot subdivision.

And so we do recognize what occurred, but trying to highlight this is a different group and this is a different type of development. The types of – there are several areas within Las Campanas that have that kind of work. Terrazas is one, the Pueblos is another, some areas within Los Santeros have that type of development, but I just wanted to highlight that this project is not like that. So with that, I appreciate your consideration of my request for a time extension. It's very critical for this project, just to keep things going at the time of economic positivism. Things are selling out in Las Campanas. Lots are moving. Volume is high. Homes are being built. And to have these projects ready to go and nimble is very critical to a developer. With that I stand for questions.

CHAIR ROYBAL: Okay, I think we're going to probably keep the questions to the end after we do the public hearing. Is there anybody here from the public that wants to talk for or against this project? Anybody from the public? We have one. Is that it? Just one individual? Sir, if you could stand and be sworn in.

[Duly sworn, George Shoup testified as follows:]

GEORGE SHOUP: Good evening, Commissioners. My name is George Shoup. I live approximately one half mile from the proposed development in District 2. I spent many hours walking the property so I'm very familiar with it. I've also reviewed the developer documents that are in the files here at the County relative to this development, and I've spent a lot of time reading the 1996 and 2016 Sustainable Development Codes.

So in my view of the review of the County documents, that what I see, I see insufficient or lacking information per the Santa Fe County Ordinance 1996-10 that is pertinent to this development in the following areas: I see insufficient terrain management plan for this development. I do not see a landscaping plan for the development in the files. I see an insufficient storm drainage and erosion control plan in the documentation. These are all required in the 1996-10 code and the next statements I have are outlined in Article VII and the various subsections.

In the files I do not see a natural features and topography map that outlined buildable areas and no-build areas. I do not see a slope analysis. I do not see location and density of measured vegetation types as required by the code. I do not see a clearing and grading plan, per Section 3.3.3 of Article VII. I do not see a revegetation and landscape plan. And I do not see a dust control plan for the development. A lot of these concerns are important because of the things we've seen at Las Terrazas Phase 3. And I do understand your comments that this will not be a Pulte type Terrazas. However, I don't think that it's in the spirit of sustainable development to move forward without these important documents in place and in our files. So therefore, I recommend that the extension not be granted until these important documents are complete and added into the County documents.

I think various developers have had almost 20 years now to provide the information and it's not being done. I think our sustainable development codes are excellent but just having good codes is not enough. We need to follow them and we need

to enforce them. Thank you.

CHAIR ROYBAL: Okay. Thank you for your statements, sir. Do we have one other sir? Can you come forward?

[Duly sworn, Jonathon Bartlett testified as follows:]

JONATHON BARTLETT: Evening. I'm the VP of sales for Las Campanas Realty, so I represent the developer on a day-to-day basis. I just want just a quick reminder and Scott remarked on it that what we're trying to accomplish at Las Campanas is something that's been set forth for many years to come. When you see a development as great as Las Campanas and it's 85 percent completed and you have the economy which we have right now, which we feel is a positive one, at least at Las Campanas, we have a great chance to complete a project that's 25 years in the making.

There were some issues, again, with a Pulte project that we had nothing to do with. But that being said, we just did and opened up a brand new neighborhood within Las Campanas, the first custom neighborhood in Las Campanas in ten-plus years and it's been with great success. We never had one hiccup with the County the time we did it. We had a great experience. What I've been told, the County had a great experience working with us and it's just another opportunity for someone who wants to enjoy Santa Fe and Las Campanas to come in and find a beautiful home site and to make memories for their family.

So I just wanted to express that, that Las Campanas is doing extremely well from the real estate side and right now is a really great time to take advantage of that. As Scott mentioned, we're roughly a third sold out of this new development that we just completed in Las Campanas and timing is such an issue if we can roll into the next one and do it properly, which our example is right there. If you go out and drive it today and see how it's done. We would very much like that opportunity to do that. And I'll stay with that. Have a nice evening.

CHAIR ROYBAL: Thank you, Jonathon. Did you have a question, Commissioner Hamilton? Okay, we'll start with Commissioner Hamilton.

COMMISSIONER HAMILTON: Vicki or Vicente, whoever is appropriate. Could you say a few words about the completeness of the files that you have on this and how you feel about compliance from that regard, big picture comments?

MR. ARCHULETA: Mr. Chair, Commissioner Hamilton, the submittal that Scott Hoeft had presented was sufficient for time extensions. He also, after several weeks of review, he brought in the original development plan. The original development plan shows the roads, the plans and profiles, the revegetation plan, things like that. So we do have that. That wasn't in the file when Mr. Shoup looked at the file but we do have that in our file now.

COMMISSIONER HAMILTON: Thank you.

CHAIR ROYBAL: Thank you. And before we go on to other comments from Commissioners, I just want to make sure that we didn't have anybody else from the public. So we don't have anybody else from the public. I'm going to go ahead and close public comment and go on to Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Vicente. I want to make sure that you can provide those documents to Mr. Shoup that he's requesting, the terrain management plan, the landscaping plan, the storm drainage plan, Article VII natural

features, buildable/no-build areas, the location clearing and grading, revegetation, dust control plan and so can you provide all those documents to Mr. Shoup?

MR. ARCHULETA: Mr. Chair, Commissioner Hansen, I can submit – I can let him take a look at the original development plan that was approved in 1993 which was the approval.

COMMISSIONER HANSEN: And did you see those, Mr. Shoup?

MR. ARCHULETA: Commissioner Hansen, can I make a clarification, it was done in 2006.

COMMISSIONER HANSEN: Okay.

MR. SHOUP: It's hard for me to say whether or not documents Vicente has –

MR. FREDERICK: Mr. Chair, may I – I think you closed the public hearing, Mr. Chair. I'm sorry to interrupt.

CHAIR ROYBAL: I did but wasn't sure. Was he asked to come back up?

COMMISSIONER HANSEN: I asked if he got everything.

MR. SHOUP: Well, I think the best way to move forward is for Vicente and I to sit down and we can go through my list and we can look at the code and I could highlight concerns or deficiencies that I see and give those to Vicente.

COMMISSIONER HANSEN: Okay. Thank you. So the public hearing is closed. So I would appreciate it, Vicente, if you could sit down with Mr. Shoup and show him. The main thing that has created all of these issues is what happened with Pulte and the grading and the dust and all that. And I recognize that this is not that type of development. And I recognize that you have had a management plan and so do you feel – I can talk to the developer, right? Do you feel that you have provided these things that Mr. Shoup asked for in the 2005, and do you feel like everything is there that needs to be there for you to move forward?

MR. HOEFT: Yes. The plan set that we submitted in 2005 is very complete. Also note that when you actually go to your construction meeting, your initial meeting with staff, at that time you provide your construction schedule, you provide your SWMP, which is the stormwater management plan, you dust control and mitigation plan and all of that is provided at your pre-con. But yes, to answer your question, Commissioner Hansen, we feel the application is complete.

COMMISSIONER HANSEN: Okay. So I have a motion to approve. Could I read that?

CHAIR ROYBAL: Go ahead. Read your motion.

COMMISSIONER HANSEN: So I move to approve the application for preliminary and final plat and development time extension for Case S 17-5260, Las Campanas Holdings, Estancia Unit III. I further request that the final order approve the three-year time extension including a statement reminding the developer of its obligations to obtain a grading permit prior to any grading of the development in accordance with the relevant provisions of the Sustainable Land Development Code in effect at the time of the application for grading permit, including as applicable and still in effect, Chapter 7, Section 17.7.6 of the SLDC which governs grading, clearing and grubbing, and which requires a grading permit to clear existing native vegetation, and limit such grading and clearing to approved buildable areas, roads and driveways,

drainage facilities, liquid waste systems and utility corridors.

CHAIR ROYBAL: Okay, so we have a motion and I'll go ahead and second. Under discussion, we have a motion and a second. I want to go to Commissioner Hamilton.

COMMISSIONER HAMILTON: I have just wanted to comment for clarity that when I questioned staff about the completeness of the record, that was in my mind the correct official word that the record was adequate to support this.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. Commissioner Moreno did you have anything, sir? No? Okay, so we have a motion and a second.

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

VI. MATTERS FROM THE COUNTY ATTORNEY

A. Executive Session. Threatened or Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(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 the Following:

- 1. Rights-of-Way for County Roads**
- 2. 1071 Camino Vista Aurora**
- 3. Jacona Land Grant Property**

CHAIR ROYBAL: I'll entertain a motion to go into executive session. Bruce, can you give us a summary of what we're going into executive session for?

MR. FREDERICK: Mr. Chair, the basis for going into executive session is 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 the following: rights-of-way for County roads; property at 1071 Camino Vista Aurora; and the Jacona Land Grant property.

COMMISSIONER HAMILTON: Mr. Chair.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: I move that we go into executive session to discuss the items as listed by County Attorney.

CHAIR ROYBAL: Brand new County Attorney.

COMMISSIONER HAMILTON: Brand new County Attorney.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: So we have a motion and a second. Could we get a roll call?

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

SFC CLERK RECORDED 12/13/2017

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

[The Commission met in closed session from 5:53 pm to 8:22 pm.]

Commissioner Hansen moved to come out of executive session where the only matters discussed were those reflected on the agenda. Present in executive session were Commissioners Anaya, Roybal, Hansen, Hamilton and Moreno, County Manager Miller, Deputy County Manager Flores, County Attorney Frederick and Deputy County Attorney Brown. Present for a portion of the meeting were Public Works Director Mike Kelley and Deputy Public Works Director Robert Martinez.

The motion was seconded by Commissioner Hamilton and passed by unanimous 5-0 voice vote.

IX.. CONCLUDING BUSINESS

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

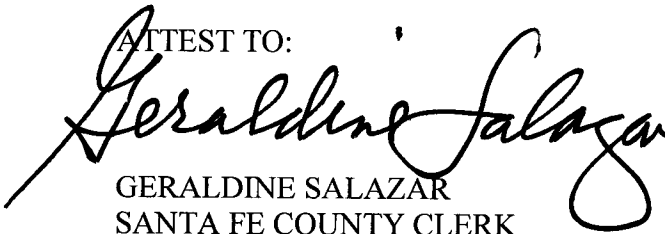
Having completed the agenda and with no further business to come before this body, Chair Roybal declared this meeting adjourned at 8:23 p.m.

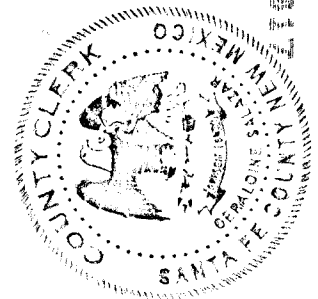
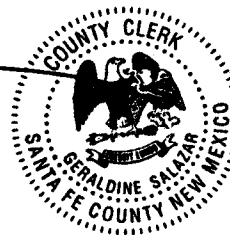
Approved by:



Board of County Commissioners
Henry Roybal, Chair

ATTEST TO:


GERALDINE SALAZAR
SANTA FE COUNTY CLERK




Respectfully submitted:


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

BCC MINUTES
PAGES: 74

I Hereby Certify That This Instrument Was Filed for
Record On The 13TH Day Of December, 2017 at 11:51:30 AM
And Was Duly Recorded as Instrument # **1843613**
Of The Records Of Santa Fe County

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

SFC CLERK RECORDED 12/13/2017

Kristine Mihelcic

From: Richard <rher@aol.om>
Sent: Monday, November 13, 2017 4:27 PM
To: Kristine Mihelcic; Tessa Jo Mascarenas
Subject: Santa Fe County Public Comment Form

Web form results:

Richard
Hertz
Santa Fe, NM 87506
Email: rher@aol.om
Phone: 505-780-7545

Comments:
Re: Nov. 14th Meeting

I urge the commission to pass Resolution 2017(-) , D-1 on the agenda as proposed by Commissioner Hansen. This will be a wonderful move for the citizens in the Northwest section and I ask for your consideration.

SFC CLERK RECORDED 12/13/2017

SANTA FE COUNTY
RESOLUTION NO. 2017 - _____

**A RESOLUTION TO UNDERTAKE LEGAL ACTION
REGARDING THE OPIATE EPIDEMIC**

WHEREAS, the Board of County Commissioners (the Board) of Santa Fe County (the County) recognizes that addiction to opiates is a health crisis impacting Santa Fe County and the nation; and

WHEREAS, in 2016, President Barack Obama proclaimed September 18-24, 2016, as Prescription Opioid and Heroin Epidemic Awareness Week in recognition of the opium addiction epidemic plaguing America; and

WHEREAS, on October 26, 2017, President Donald Trump declared the opioid epidemic a public health emergency; and

WHEREAS, from 1999 to 2015, more than 183,000 people have died in the U.S. from overdoses related to prescription opioids; and

WHEREAS, drug overdose is now the leading cause of injury related deaths in the U.S. for people under 50; and

WHEREAS, according to the New Mexico Department of Health, between 2012 and 2015 there were 2,465 drug overdose deaths in New Mexico; and

WHEREAS, in New Mexico in 2016 there were 497 car crash fatalities compared to 516 drug overdose related death; and

WHEREAS, the New Mexico Department of Health (NMDOH) reported that opioid overdose related emergency department visits have increased 99.4% in the United States between 2005 and 2014, and

WHEREAS, the NMDOH reported that at the end of the second quarter of 2017, 174,262 patients in New Mexico were prescribed opioids, 46,358 were given high dose opioid prescriptions, 391,830 opioid prescriptions were filled in New Mexico, and the number of medical providers treating ten or more patients with buprenorphine/naloxone increased to 125; and

WHEREAS, according to the NMDOH, between 2012 and 2016 there were 223 drug overdose deaths in Santa Fe County; and

WHEREAS, according to the NMDOH, between 2012 and 2016, Santa Fe County has the 10th highest death rate of drug overdose in New Mexico; and

WHEREAS, in 2016 there was 23 car crash related fatalities compared to 45 drug overdose deaths in Santa Fe County; and

WHEREAS, drug overdose deaths for women in Santa Fe County were 18.5 1/100,000 in 2012 and rose to 31.3/100,000 in 2016; and

SFC CLERK RECORDED 12/13/2017

WHEREAS, according to the New Mexico Department of Health, Santa Fe County has the highest unintentional death rate among people 25 to 44 years of age, in part due to opioid overdoses; and

WHEREAS, due to the opioid epidemic, the Santa Fe County Community Services Department has invested heavily in reducing the number of drug overdoses by funding treatment, prevention and harm reduction activities; and

WHEREAS, the Santa Fe County Adult and Juvenile Detention Facilities have incurred various costs related to medical care, transportation, incarceration, and the costs of connecting inmates with services upon release; and

WHEREAS, law enforcement and first responders, including fire, EMS, and ambulance services have incurred substantial costs related to drug overdoses in the community; and

WHEREAS, the New Mexico Attorney General, Mora County and other state and local governments throughout the Country have filed lawsuits against opiate manufacturers and distributors in an effort to hold them accountable for their role in the opioid epidemic and to recuperate the unique damages associated with the epidemic suffered by each state and local government; and

WHEREAS, Bernalillo County is undertaking an RFP for legal services in order to procure legal representation in a lawsuit against drug manufacturers and distributors of opioids; and

WHEREAS, Rio Arriba County discussed litigation against opioid manufacturers and distributors during a closed session meeting on September 13, 2017 and intends to file suit against drug manufacturers and distributors of opioids; and

WHEREAS, the Board believes that Santa Fe County may, through litigation against the opioid manufacturers and distributors, recover damages associated with the tax dollars spent to address the impact of the opiate epidemic in the community, and wishes to pursue litigation in the most efficient way possible, including potentially partnering with other local governments in litigation; and

WHEREAS, in order to develop a litigation strategy and pursue meritorious claims against opiate manufacturers and distributors, Santa Fe County must comply with the New Mexico Procurement Code, NMSA 1978, Sections 13-1-1 et seq., which does not exempt legal services from the procurement process and will benefit from such a procurement by identifying and selecting a qualified law firm.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. An RFP shall be issued seeking proposals to advise and represent Santa Fe County in litigation against opiate manufacturers, distributors and other relevant parties contributing to the opiate epidemic in Santa Fe County;
2. That legal action be taken by Santa Fe County to address the wrongful acts of appropriate defendants involved in the manufacture and distribution of opiates;
3. That any legal action be taken in collaboration with other governmental entities to the extent determined to be in the best interest of Santa Fe County.

PASSED, APPROVED, AND ADOPTED THIS 14th DAY OF NOVEMBER, 2017.

BOARD OF COUNTY COMMISSIONERS

Henry P. Roybal, Chair

ATTEST:

SFC CLERK RECORDED 12/13/2017

THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY
RESOLUTION NO. 2017 - 129

A RESOLUTION REQUESTING THAT THE NEW MEXICO ENVIRONMENT DEPARTMENT STRENGTHEN THE REVISED LOS ALAMOS NATIONAL LABORATORY CLEANUP CONSENT ORDER TO CALL FOR ADDITIONAL CHARACTERIZATION OF LEGACY NUCLEAR WASTES; REQUESTING THE DEPARTMENT OF ENERGY TO REQUEST INCREASE CLEANUP FUNDING FROM CONGRESS, AND SIGNIFICANTLY INCREASE SAFETY TRAINING; AND DIRECTING THE COUNTY MANAGER TO TRANSMIT COPIES OF THIS RESOLUTION TO ASSOCIATED PARTIES

WHEREAS, in June 2016, the Department of Energy (DOE) and New Mexico Environment Department (NMED) signed a new revised Consent Order governing cleanup that incorporates several loopholes whereby Los Alamos National Laboratory (LANL) can avoid comprehensive, complete cleanup by simply claiming that it is too difficult or costly; and

WHEREAS, the new Consent Order bases LANL cleanup on projections of future funding availability instead of what is actually needed to accomplish comprehensive, complete cleanup; and

WHEREAS, in August 2016, based on the new Consent Order, DOE released an estimated cleanup baseline that extended the timeframe for the completion of cleanup at LANL to 2040, asserting that only 5,000 cubic meters of waste needs to be cleaned up, while an estimated 30 times (150,000 cubic meters) that much legacy waste¹ is anticipated to be subject to "cap and cover", which means leaving the waste buried where it is currently located on LANL property, above the drinking water supply of Santa Fe and Los Alamos Counties; and

WHEREAS, the DOE is expanding the production of new plutonium pit triggers at LANL for the nation's nuclear weapons from 20 to up to 80 pits per year, which is estimated to nearly double the associated generation of radioactive and toxic wastes²; and

WHEREAS, plutonium pits are used as the "triggers" for the nation's nuclear weapons; and

WHEREAS, plutonium is a radioactive and heavy metal substance with significant health and environmental risks; and

WHEREAS, independent experts outside of the Department of Defense have found that all plutonium pits, including those created when the existing nuclear stockpile was created over the last 72 years, have reliable lifetimes of a century or more, arguing that expanded production

¹ "Legacy waste" is radioactive, hazardous and/or toxic waste or mixed (radioactive and hazardous) waste that was generated, stored and/or disposed during the Cold War.

of plutonium pits is unnecessary; and

WHEREAS, the DOE has determined that “Required improvements to the [Nuclear] Criticality Safety Program are moving at an unacceptably slow rate” and that “The number and latency of infractions in the plutonium facility is of concern”, for which LANL received the only “red grade” (lowest score) in nuclear criticality safety in the DOE nuclear weapons complex in the 2016 report of the Department of Energy submitted to the Defense Nuclear Safety Facilities Board (DNSFB)²; and

WHEREAS, the nuclear weapons complex at LANL has suffered several accidents in recent years, documented in a multi-part series from the Center for Public Integrity,³ including the following events:

1. In March 2011, in violation of nuclear material handling protocols, a manager placed an amount of nuclear material in a glovebox⁴ that exceeded the criticality limit of the box;
2. In August 2011, technicians, seeking a photo-op, in violation of nuclear material handling protocols, placed eight rods of plutonium in close proximity to each other—several more rods would have triggered a deadly nuclear chain reaction;
3. A 2013 LANL study found that glovebox leaks in the Plutonium Facility (PF-4) occurred roughly three times a month, often the result of avoidable errors;
4. In December 2013, LANL sent a drum containing radioactive material to the Waste Isolation Pilot Plant (WIPP) disposal facility near Carlsbad that ruptured inside the facility—a result of improper mixing of ingredients—costing the federal government approximately \$1.5 billion to clean up;
5. In May 2016, a trolley used to carry nuclear materials in a facility at LANL fell from the ceiling and crashed into a glovebox, which was fortunately empty and not in use;
6. The DOE annual report to the DNSFB, released in February 2017, found that LANL was the only nuclear production site whose performance did not meet expectations in the functional area of criticality safety expectations⁵;
7. In July 2017, a LANL employee sent “special nuclear material” across the country by air in direct violation of nuclear safety standards; and
8. In August 2017, two further incidents of mishandling of plutonium metals occurred, one of which was acknowledged as a ‘criticality safety event’; and
9. On September 23, 2017 three “pipefitters released airborne radioactive material when they removed a plug from a service panel on the base of a glovebox” and this incident involved “the same work crew and glovebox involved in the contamination August event.”⁶

² “2016 Annual Metrics Report to the Defense Nuclear Facilities Safety Board, January 2017, Nuclear Criticality Safety Programs,” https://www.dnfsb.gov/sites/default/files/document/10666/DOE%20Letter_2016%20Metrics%20Report_Feb-1-2017.pdf, see p. 4.

³ Center for Public Integrity, six-part “Nuclear Negligence” series at <https://apps.publicintegrity.org/nuclear-negligence/>

⁴ A “glovebox” is a specially constructed container that permits the safe handling of hazardous and toxic materials, including radioactive materials, utilizing gloves that employees slip their hands into, allowing them to touch and manipulate those materials.

⁵ https://www.dnfsb.gov/sites/default/files/document/10666/DOE%20Letter_2016%20Metrics%20Report_Feb-1-2017.pdf

⁶ September 29, 2017 DNFSB “Los Alamos Report for Week Ending September 29, 2017” and “Los Alamos Report for Week Ending September 1, 2017” at <https://www.dnfsb.gov/sites/default/files/document/12881/Los%20Alamos%20Week%20Ending%20September%201%20C%202017.pdf> and

WHEREAS, DOE should request increased funding from Congress and allocate sufficient funding to ensure all contractor staff working with radioactive and hazardous material are trained in the handling of said material, and overseen by more federal nuclear safety experts, in order to ensure the safety of the employees, downwind and downstream communities, the nuclear stockpile and the surrounding communities, including Santa Fe County; and

WHEREAS, DOE should ensure that DOE staffing targets are fully met on a priority basis, as the February 2017 report of DOE to the DNSFB noted that targeted staffing levels had not been met⁷; and

WHEREAS, radioactive and hazardous contaminants produced as a result of nuclear weapons research and production at LANL have been and continue to be released into the Rio Grande and the Española Basin Aquifer⁸, designated by the Environmental Protection Agency as a Sole Source Aquifer⁹; and

WHEREAS, LANL's legacy radioactive and toxic wastes are located as close as eighteen miles from the Santa Fe Plaza and 5 miles from the Buckman Well Field and Buckman Direct Diversion Project; and

WHEREAS, LANL's radioactive and toxic wastes are buried in unlined pits, trenches and shafts, unlike the composite liners and leachate collection systems that the (NMED) requires of all local governments; and

WHEREAS, the Governing Body of the County of Santa Fe supports the complete and permanent cleanup of all hazardous, toxic and radioactive wastes related to nuclear weapons research and production at Los Alamos; and

WHEREAS, sustainable futures for the Counties of Santa Fe, Rio Arriba, Sandoval and Los Alamos, six Pueblo nations and the broader region depend on preventing groundwater contamination of the Española Basin Aquifer and the Rio Grande; and

WHEREAS, at the October 5, 2017 meeting of the Buckman Direct Diversion Board (BDDDB), a motion was unanimously approved that authorized the Board Chair to sign the proposed Memorandum Of Understanding Between The U.S. Department Of Energy And The

<https://www.dnfsb.gov/sites/default/files/document/13166/Los%20Alamos%20Week%20Ending%20September%2029%2C%202017.pdf>

7

[https://www.dnfsb.gov/sites/default/files/document/10666/DOE%20Letter 2016%20Metrics%20Report_Feb-1-2017.pdf](https://www.dnfsb.gov/sites/default/files/document/10666/DOE%20Letter%202016%20Metrics%20Report_Feb-1-2017.pdf)

⁸ "Interim Measures Work Plan for the Evaluation of Chromium Mass Removal," LA-UR-13-22534, April 2013, EP2013-0073, p. 1, see also Fig. 1.0-1 (p. 13) and Fig. 1.0-2 (p. 14).

Related NMED Ground Water Quality Bureau permits:

1. DP-1835: Extraction Wells and Injection Wells for Chromium Project
2. DP-1793: Land Application of Treated Chromium Project waters in Mortandad Canyon

⁹ A Sole Source Aquifer is defined by the EPA as an aquifer that supplies at least 50% of the drinking water for its service area and where there are no reasonably available alternative drinking water sources should the aquifer become contaminated. <https://www.federalregister.gov/documents/2008/01/22/E8-999/determination-of-sole-source-aquifer-petition>

Buckman Direct Diversion Board Regarding Notification And Water Quality Monitoring after review and agreement on six proposed edits; and

WHEREAS, at the October 5, 2017 meeting of the BDDDB, a representative from the Los Alamos DOE office committed that status updates would be provided to BDDDB as requested regarding the overall cleanup program, including the hexavalent chromium plume in Mortandad Canyon with concentrations above regulatory levels; and

WHEREAS, complete cleanup of LANL would benefit all New Mexicans, permanently protecting precious surface and groundwater resources and the Rio Grande while creating hundreds of high paying jobs for twenty years or more if the wastes were completely removed.

NOW, THEREFORE, BE IT RESOLVED that the Santa Fe County Board of County Commissioners (Board) hereby requests (a) that the NMED strengthen the revised 2016 Cleanup Consent Order to require additional characterization of legacy nuclear wastes; (b) that DOE request increased cleanup funding from Congress; and (c), that DOE significantly increase safety training for all employees at LANL.

BE IT FURTHER RESOLVED by the Board that the County Manager is hereby directed to send copies of this Resolution to the New Mexican Congressional Delegation, the Governor of New Mexico, the President Pro Tempore of the New Mexico Senate, the Speaker of the New Mexico House of Representatives, and the Secretaries of the United States Department of Energy, Department of Defense, The Defense Nuclear Facilities Safety Board, Environmental Protection Agency and the New Mexico Environment Department.

PASSED, APPROVED, AND ADOPTED THIS 14th **DAY OF** November, 2017.

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

By: HPR

Henry P. Roybal, Chair

ATTEST:

Geraldine Salazar
Geraldine Salazar, Santa Fe County Clerk

Date: 11/14/2017

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
PAGES: 5

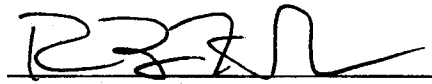
I Hereby Certify That This Instrument Was Filed for
Record On The 15TH Day Of November, 2017 at 11:38:12 AM
And Was Duly Recorded as Instrument # **1841438**
Of The Records Of Santa Fe County

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



SEC CLERK RECORDED 11/13/2017

APPROVED AS TO FORM:



R. Bruce Frederick, Santa Fe County Attorney

Date: 11/14/2017

SEC CLERK RECORDED 11/13/2017



NOVEMBER 14, 2017
MATTERS FROM THE COUNTY MANAGER

- 1. Update on the Edgewood Senior Center**
- 2. Update on the Santa Fe River Trail to La Cineguilla**
- 3. Update on the County Administration Offices Project**
- 4. PILT/SRS Coalition Letter to Congressional Leadership**
- 5. Community Development Block Grant/Economic Development Set-aside**

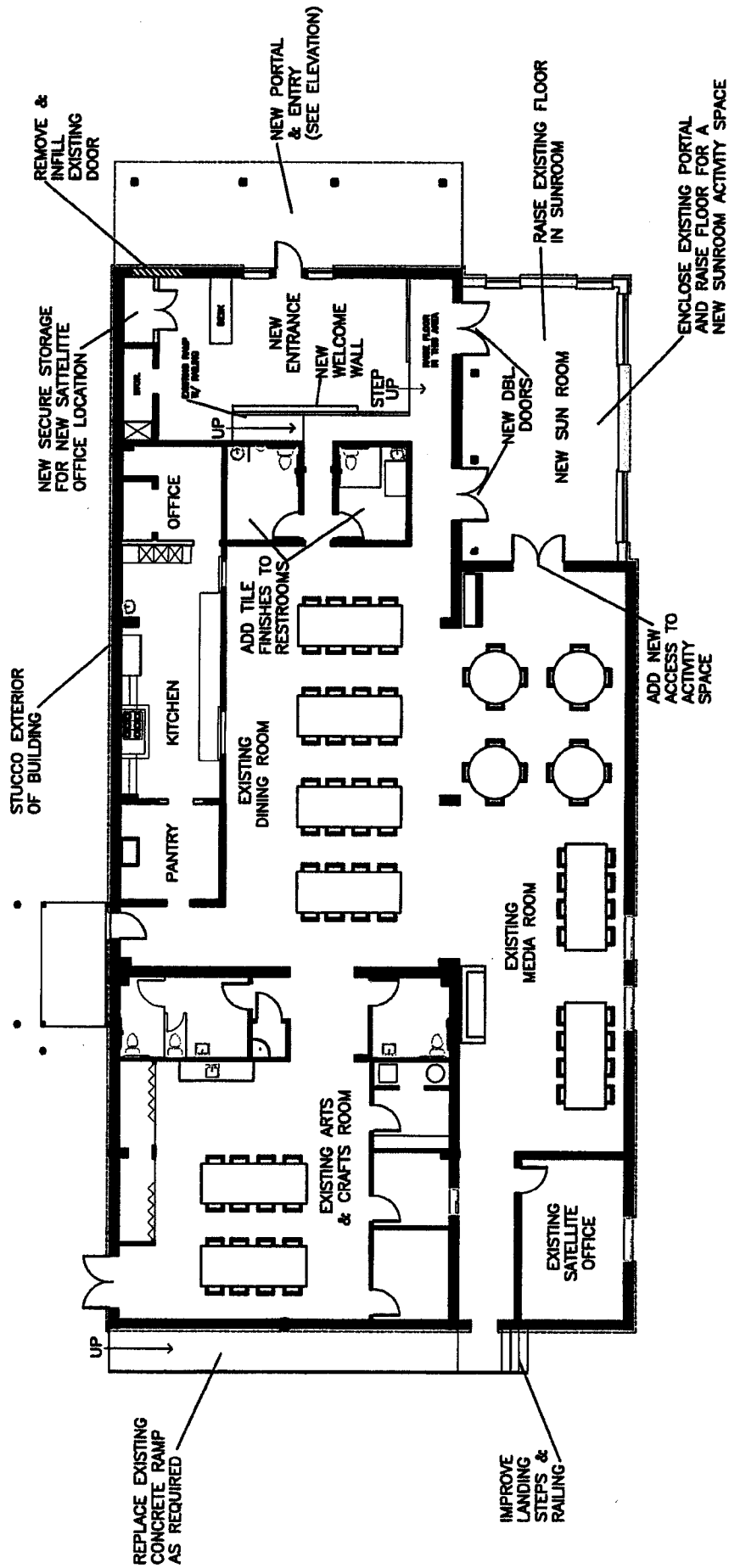
SFC CLERK RECORDED 12/13/2017

EXHIBIT

1

Books

PROPOSED UPGRADES EDGEWOOD SENIOR CENTER





PROPOSED FRONT ELEVATION

Preliminary Estimates

Total Project Budget	\$120,186.49
Preliminary Estimate	\$175,660.21
estimated balance	-\$55,473.72
	-46.2%

Project name: Edgewood Senior Center Exterior Upgrades**Project description:**

The work in this project is to supplement the Access and ADA improvements completed earlier this year. Work in this project includes a new portal and entry door that provides direct access off of the parking area. The area currently serving as the activity area will be used for the new entry. The Satalite office will be relocated to the new entry area to provide direct access to satalite services as soon as you enter the building. The existing portal and entry is proposed to be enclosed as a sun room and will replace the existing activity area for yoga, excersise and other group uses. New doors will intergrate the proposed sunroom with the existing dining room and the remodeled entry space. Finishes in the bathrooms will also be upgraded. The scope of work is to also include adding insulation to the exterior and providing a new stucco exterior finish.

Prelim MACC Estimate

Remodel Costs:	QTY.	MSR..	Unit Costs:	Total:
New Entry Portal and Roof	432	SF	\$80.00	\$34,560.00
New Front door and Sidelite	1	LS	\$900.00	\$900.00
Infill Existing East door	1	LS	\$400.00	\$400.00
Windows and Framing for Sunroom	6	LS	\$800.00	\$4,800.00
New Interior Framing	20	LF	\$120.00	\$2,400.00
New glazed Dbl. Doors at Interior	3	LS	\$800.00	\$2,400.00
Raise sub-floor, sunroom and entry area	500		\$24.00	\$12,000.00
New Finishes in Restrooms	2	LS	\$1,800.00	\$3,600.00
Satalite Office Storage	1	LS	\$1,500.00	\$1,500.00
Replace Exterior West landing, stair and Rails	1	LS	\$8,000.00	\$8,000.00
New interior Paint and Finish	1	LS	\$4,500.00	\$4,500.00
New Floor in Entry Area & Sunroom	500	SF	\$15.00	\$7,500.00
HVAC for Sunroom	1	LS	\$4,500.00	\$4,500.00
Stucco Exterior	1	LS	\$25,000.00	\$25,000.00
Roofing Repairs (allowance)	1	LS	\$10,000.00	\$10,000.00

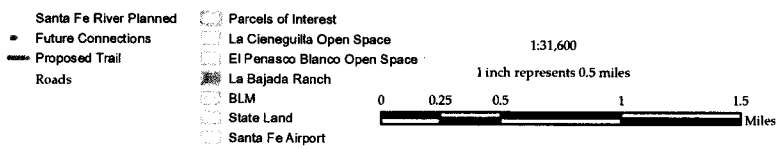
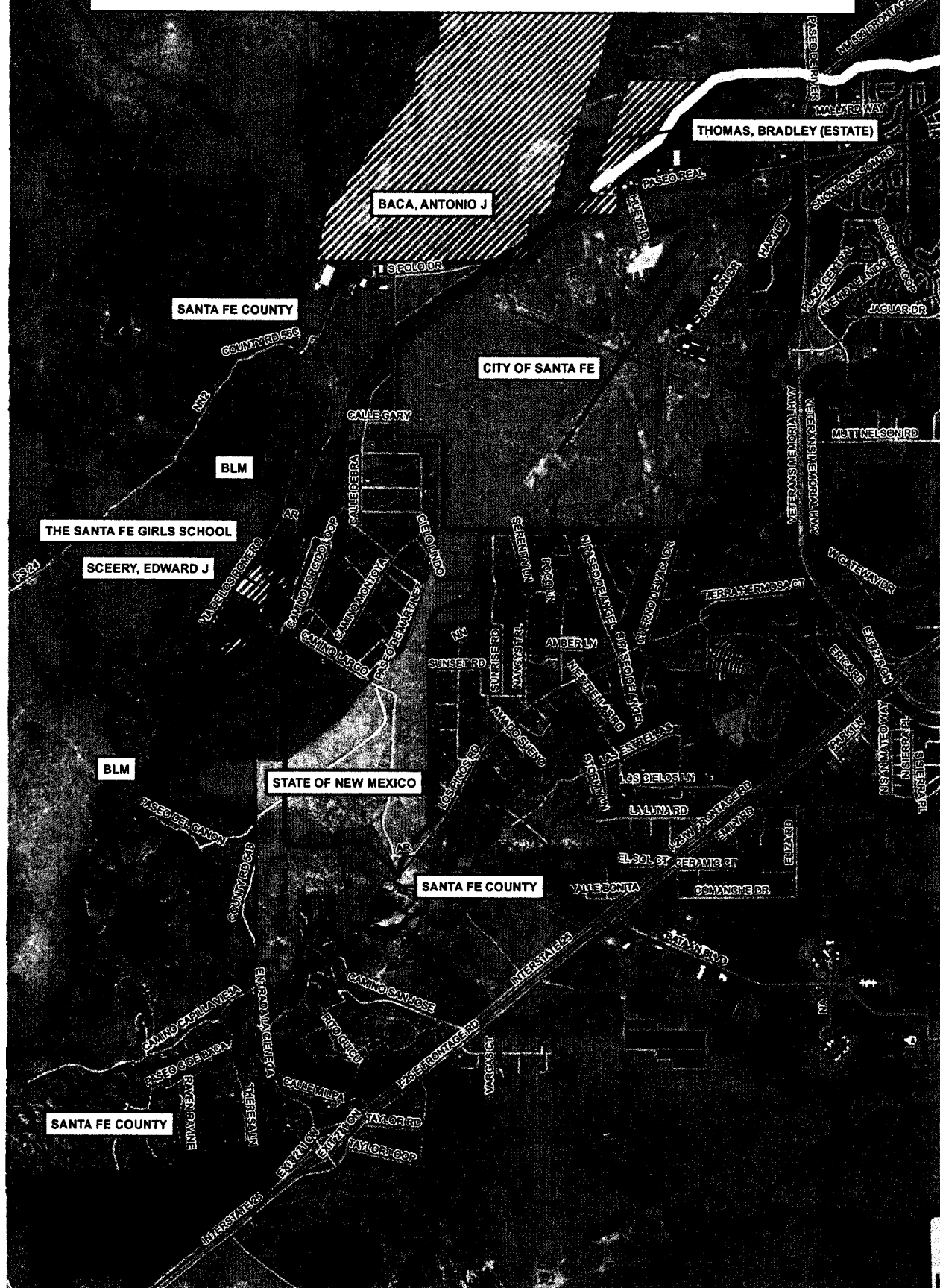
MACC (Construction Improvements)		\$0.00	\$122,060.00
GRT (SF County)	7.0%	\$ -	\$8,544.20
Total Construction Estimate			\$130,604.20

Other Costs:

A/E (% of MACC)	11.0%	\$	13,426.60
GRT (City of SF)	8.3%	\$	1,114.41
GRT (SF County)		\$	-
		\$	14,541.01
Contingency (% of MACC)	10%	\$	12,206.00
FFE (% of MACC)	15%	\$	18,309.00
Escalation (% of MACC)	2%	\$	2,441.20
Other costs total:		\$	45,056.01

SFC CLERK RECORDED 12/13/2017

SANTA FE RIVER TRAIL TO LA CIENEGUILLA

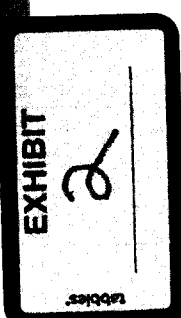


Aerial Photography from 2017.
North American Vertical Datum 1988

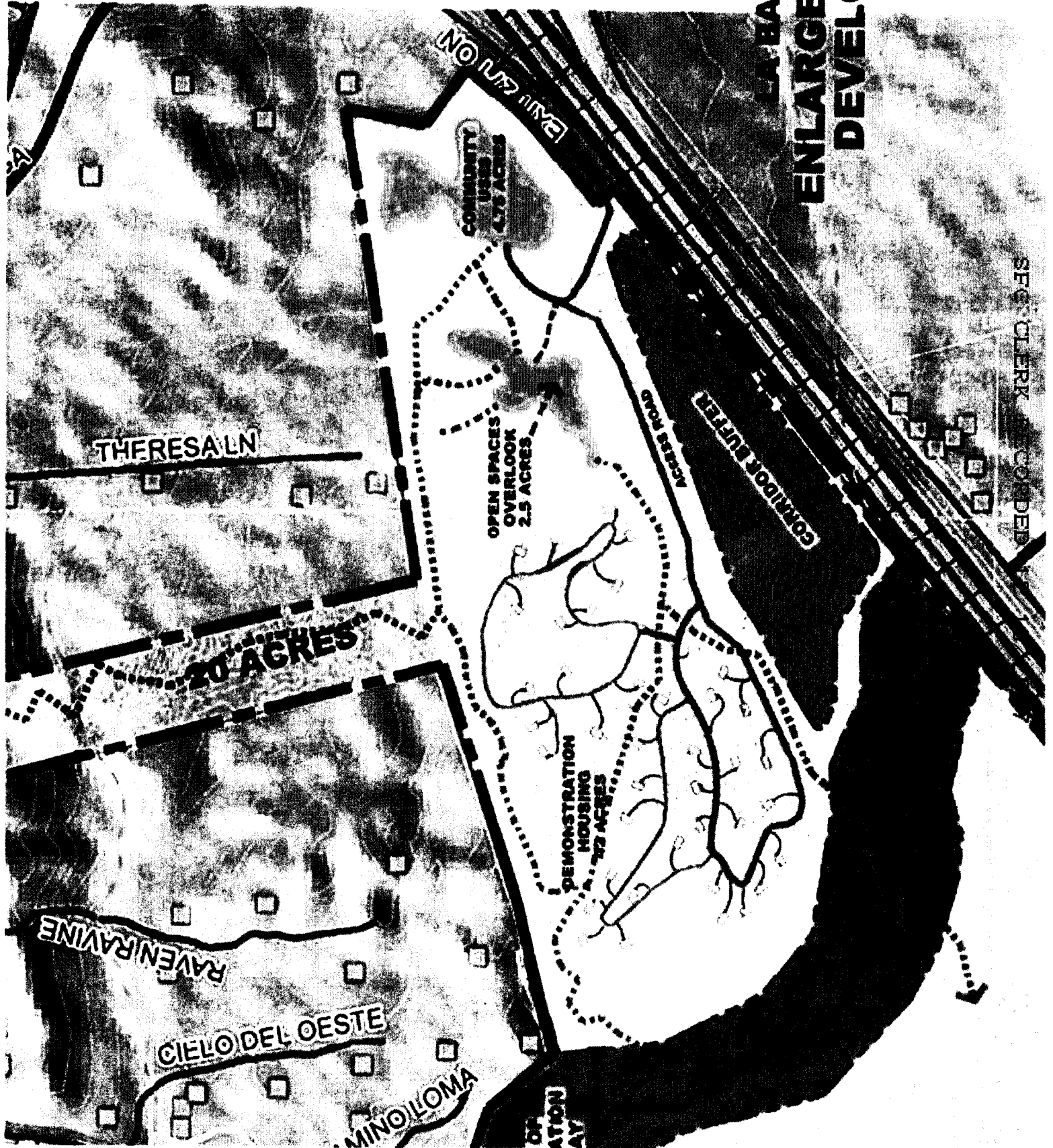
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SFC CLERK RECORDED 12/13/2017



LA BAJADA RANCH ENLARGED CONCEPT DEVELOPMENT P





Date of Issuance: October 30, 2017

SANTA FE COUNTY ADMINISTRATIVE OFFICES

MONTHLY REPORT – October 2017

OLD ADMINISTRATION REMODEL MILESTONES ACHIEVED

Delivery of the 30% Schematic Design drawings and project narrative were prepared by the Spears Horn team and delivered to the County on May 24, 2017

GRANT AVENUE COMPLEX MILESTONES ACHIEVED:

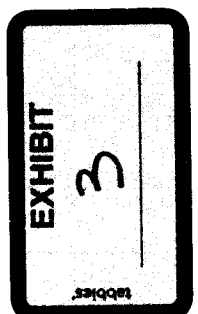
Delivery of the 30% Schematic Design drawings and project narrative were prepared by the Spears Horn team and delivered to the County on May 24, 2017 and an updated design review set of drawings on August 9, 2017.

STATEMENT OF PROJECT STATUS:

Since the submittal of the Schematic Design documents in August of this year, Santa Fe County has been evaluating project costs, design considerations relating to the Sustainability aspects of the project, the design and construction schedule, and the method of project delivery.

1. Cost estimates included in the Schematic Design submittal exceeded earlier projections for the project. Santa Fe County Project Division commissioned an independent project cost evaluation to verify the numbers provided by the design team. There was little variance between the two estimates.
2. County Commissioners have requested that more focus and resources be placed on achieving a higher level of sustainability for the project. Discussions have included utilizing more passive design elements to reduce heating and cooling requirements, natural ventilation systems, building biometrics and healthy building enhancements.
3. The baseline schedule for the project indicated the Schematic Design submittals would be approved in January of 2017. The input on Sustainability has added to the scope of work that needs to be resolved prior to continuing into the Design Development phase of the project. The added scope will add time for development as well as increase project costs. The verified base costs also require additional financial resources be considered. The County Manager's office has identified additional budget that may be committed to the execution of the project.
4. In addressing the increase in time and costs, the Projects Division has considered available options for the delivery of the project. A Design-Build method was compared to a traditional Design-Bid-Build method. A presentation was made to the Board of County Commissioners on October 10, 2017 where the Board adopted the Design-Build alternative. The Schematic Design work developed to date will be supplemented with the new Sustainability requirements in establishing the scope of work for soliciting proposals from Design-Build teams. The County anticipates a short list of three Design-Build proposals to evaluate design, cost and schedule strategies to best address the project requirements.

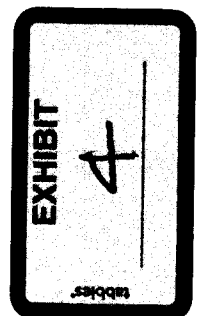
SFC CLERK RECORDED 12/13/2017



PILT/SRS Coalition Letter to Congressional Leadership

Thank you, your submission has been received.
[Go back to the form](#)

SFC CLERK RECORDED 12/13/2017



November XX, 2017

The Honorable Mitch McConnell
Majority Leader
United States Senate
U.S. Capitol Building, Room: S-230
Washington, DC 20510

The Honorable Charles Schumer
Minority Leader
United States Senate
Hart Senate Office Building, Room: 322
Washington, DC 20515

The Honorable Paul D. Ryan
Speaker
United States House of Representatives
U.S. Capitol Building, Room: H-232
Washington, DC 20515

The Honorable Nancy Pelosi
Democratic Leader
United States House of Representatives
U.S. Capitol Building, Room: H-204
Washington, DC 20515

Dear Majority Leader McConnell, Minority Leader Schumer, Speaker Ryan, and Minority Leader Pelosi,

With 2017 quickly nearing an end, we ask that you uphold the federal commitment to local communities with significant percentages of federal land within our jurisdictions by fully funding the Payments In Lieu of Taxes program (PILT) for FY 2018, and reauthorizing the Secure Rural Schools program (SRS) until a permanent solution is developed. Sixty-two percent of counties in 49 states nationwide have untaxable federal land within our boundaries, and are required to provide critical services to residents and public lands visitors including search and rescue services, emergency management, law enforcement and education.

Payments In Lieu of Taxes

Nearly 1,900 counties, boroughs and parishes in 49 states rely on PILT to make up for lost property tax revenue from untaxable federal public lands. In FY 2017, Congress appropriated \$465 million to fully fund PILT, which local governments greatly appreciated. Unless Congress guarantees full funding for PILT for FY 2018, local governments will not be able to provide public services such as emergency management, law enforcement, education, healthcare and road maintenance. We therefore urge Congress to fully fund PILT for FY 2018 and eliminate the annual funding uncertainty faced by PILT counties in the long-term.

Secure Rural Schools

The SRS program provides over 720 counties and 4,000 school districts in 41 states with significant U.S. Forest Service lands with funding to make up for the shortfall resulting from declining timber sales off federal forestlands beginning in the early 1990s. SRS was last reauthorized retroactively for FY 2014 and FY 2015 with final payments going to counties and schools in spring 2016. Because Congress has not reauthorized SRS, local governments are scaling back after school programs, laying off teachers, cutting search and rescue services on federal lands, and are unable to construct or repair roads and other public infrastructure.

Additionally, if SRS is not reauthorized, it will also hurt those communities that receive PILT, as SRS payments will no longer be deducted under the PILT formula, spreading PILT across more localities. We urge Congress to reauthorize SRS as a bridge funding mechanism until a more permanent, sustainable solution is enacted.

SFC CLERK RECORDED 12/13/2017

Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

Date: November 7, 2017
To: Board of County Commissioners
From: Paul Olafson, Planning Projects Manager
Via: Tony Flores, Deputy County Manager
Re: **2017 CDBG Economic Development Application Opportunity**

BACKGROUND:

Santa Fe County has been informed by the Community Development Bureau of the New Mexico Department of Finance and Administration / Local Government Division (DFA)(LGD) that the County is eligible to apply for an Economic Development project under the US Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program administered by DFA. The County has been approached by the United Way of Santa Fe County to ask if the County would consider applying for a CDBG Economic Development Project through DFA to support the development of the United Way Early Learning Center. Funding is currently available through a special set aside of CDBG funds specifically for economic development projects.

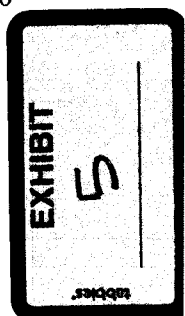
DISCUSSION:

The focus of DFA funded economic development programs is to improve the local economy by creating and retaining skilled/semi-skilled, permanent employment for low to moderate income (LMI) residents. These programs combine both private and public funds in an effort to decrease the unemployment rate within a community by providing promising and enduring employment opportunities for LMI persons.

Eligibility:

Santa Fe County is eligible to apply for CDBG Economic Development funds. Project requirements for eligible CDBG economic development assistance include, but are not limited to:

- 1) Specific employment commitments for LMI residents (generally with no more than \$35,000 in CDBG funds being used for each job created or retained).
- 2) At least 51% of the jobs created/retained must be held or made available to LMI persons.
- 3) Reporting to LGD the total number of jobs created within 6 months of project completion.





THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT



October 18, 2017

Ms. Geraldine Salazar
Santa Fe County Clerk
102 Grant Avenue
Santa Fe, New Mexico 87501

Dear Ms. Salazar and the Santa Fe County Board of Commissioners:

Yá'át'ééh from the Navajo Nation. Thank you for your letter and proclamation recognizing Indigenous Peoples' Day. We applaud the County of Santa Fe and its Board of Commissioners for its efforts and continued support of the Navajo People, and all Indigenous people.

Indigenous people have lived and existed throughout the Americas long before the arrival of the Europeans or Spaniards. From the arrival of Christopher Columbus forward, Indigenous people have persevered through colonization, systematic genocide and forced removal.

The story of our Navajo People is a story of resilience. Since time immemorial, the Navajo People have known our home to exist within the Four Sacred Mountains. Tragically, our people were forcibly removed from their homes and marched to Hwéeldi (Fort Sumner, New Mexico) in August of 1864. Through the prayers and the strength of our people, we returned to Diné Bikéyah in 1868.

On Monday, October 2, 2017 Vice President Nez and I signed a proclamation reclaiming the second Monday in October as Indigenous Peoples' Day to celebrate our existence and the perseverance of all Indigenous People. Our proclamation also encourages Navajo Nation schools, other education institutions, enterprises, business and organizations to recognize Indigenous Peoples' Day.

'Ahé'hee', Ms. Salazar and the Santa Fe County Board of Commissioners. On behalf of the Navajo Nation, we'd like to say thank you to the County of Santa Fe for its continued support of the Navajo Nation, and to applaud you for joining the long list of cities and counties across the world in celebrating Indigenous Peoples' Day.

Sincerely,

THE NAVAJO NATION

Russell Begaye, *President*

Jonathan M. Nez, *Vice President*

SFC CLERK RECORDED 12/13/2017