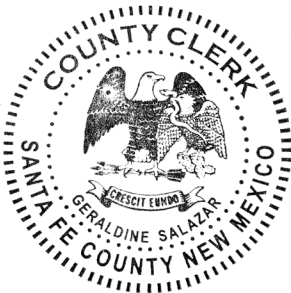


SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
December 1, 2020

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



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 51

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

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

December 1, 2020

1. **A.** This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:17 p.m. by Vice Chair Anna Hansen in the in the Plaza Conference Room, 100 Catron Street, Santa Fe, New Mexico.

 In accordance with the Public Health Emergency Order issued by the State of New Mexico, this meeting was conducted on a platform for video and audio meetings.

[For clarity purposes, repetitive identification and confirmations of those on the phone have been eliminated and/or condensed in this transcript.]

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 [2:33 arrival]
Commissioner Anna Hansen, Vice Chair
Commissioner Rudy Garcia
Commissioner Anna Hamilton
Commissioner Hank Hughes

Members Excused:

None

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

 The Pledge of Allegiance was led by Tessa Jo Mascarenas, the State Pledge was led by Manager Miller and the Moment of Reflection by Annette Baca of the Finance Division.

 Commissioner Hansen requested a moment of silence in memory of her father who passed away on this date 37 years ago.

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1. F. Approval of Agenda

COMMISSIONER HANSEN: Manager Miller, do you have any changes to the agenda?

KATHERINE MILLER (County Manager): Madam Chair, there were some changes. Daniel, can you pull up the agenda? I don't have a printed version here. I should have Greg do it because he had "nits" as he called them, that he did not like. So we had posted the agenda last Tuesday. There were minor amendments. Go down to Action Items. The Action Item on 3. D, that caption was updated. If you could go down a little further. And then under Matters from the County Attorney, item 8. B, the items under executive session are listed there as well. And then right below that, item C is a potential action item. Those may have been posted in the original agenda but I just wanted to point out that we do have those items, and that's what I have, Madam Chair.

COMMISSIONER HANSEN: Thank you, Manager Miller. What is the pleasure?

COMMISSIONER HAMILTON: Madam Chair.

COMMISSIONER HANSEN: Commissioner Hamilton.

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

COMMISSIONER GARCIA: I second.

COMMISSIONER HANSEN: Thank you, Commissioner Garcia, for your second.

The motion passed by unanimous [4-0] roll call vote. [Commissioner Roybal was not present for this action.]

G. Approval of Minutes: October 27, 2020 Regular Meeting Minutes

COMMISSIONER HANSEN: Next we will go on to approval of the October 27, 2020 Board of County Commissioners regular meeting minutes. I have changes that I will give to the stenographer. Are there any other changes from anybody? If not, what is the pleasure of the Board?

COMMISSIONER HUGHES: I move to approve with the changes.

COMMISSIONER HANSEN: Thank you, Commissioner Hughes.

COMMISSIONER HAMILTON: Second.

COMMISSIONER HANSEN: Thank you, Commissioner Hamilton.

The motion passed by unanimous [4-0] roll call vote. [Commissioner Roybal was not present for this action.]

H. Approval of the November 10, 2020 Regular Meeting Minutes

COMMISSIONER HANSEN: I have changes and I have a few questions because I couldn't figure out what they mean and I think maybe Greg and Commissioner Garcia could help me on this. There seems to be throughout the minutes there's a place

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where www, and I don't know if that's because it was just unrecognizable but maybe Wordswork can help me also with that. The first one I find is on page 22, the fifth line from the bottom, and I believe that it is Mr. Shaffer speaking. Attorney Shaffer.

GREG SHAFFER (County Attorney): Thank you, Mr. Chair, Commissioners. From the context it would appear that we were referencing Cañoncito. I don't know why the www would have been used there but we were discussing the Cañoncito Area Water Consumers Association I believe is its name. I'd have to pull that up. But that's what we were referencing at that point in the meeting.

COMMISSIONER HANSEN: Right. So maybe that's Cañoncito. And so maybe the www's are Cañoncito and Eldorado throughout. The other place was Commissioner Garcia, but I would – I think we could move to approve these and then I could work with Commissioner Garcia and Mr. Shaffer to get the correct information, if that is okay with the rest of the Board.

COMMISSIONER HUGHES: I'll move to approve with the changes to be determined.

COMMISSIONER HANSEN: Okay. Thank you very much, Commissioner Hughes.

COMMISSIONER HAMILTON: Second.

COMMISSIONER HANSEN: Thank you, Commissioner Hamilton.

1. I. Approval of the November 13, 2020 Special Canvassing Meeting Minutes

COMMISSIONER HANSEN: Next I will go onto item 1. I, Approval of the November 13, 2020 Santa Fe County Canvassing Board Special Meeting minutes. I have no changes, so what is the pleasure of the Board?

COMMISSIONER HAMILTON: I move to approve.

COMMISSIONER HANSEN: Thank you, Commissioner Hamilton.

COMMISSIONER HUGHES: Second.

COMMISSIONER HANSEN: Thank you, Commissioner Hughes.

The motion passed by unanimous [4-0] roll call vote. [Commissioner Roybal was not present for this action and arrived during the Consent Agenda.]

2. CONSENT AGENDA

- A. Resolution No. 2020-87, a Resolution Requesting a Budget Increase to the General Fund (101) in the Amount of \$10,130 for the Senior Services Program (Finance Division/Yvonne S. Herrera)**
- B. Resolution No. 2020-88, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) in the Amount of \$70,000 (Finance Division/Yvonne S. Herrera)**
- C. Resolution No. 2020-89, a Resolution Delegating to the County Manager the Authority to Execute and Submit on Behalf of Santa Fe County Right-of-Way Applications to the United States Department of the Interior, Bureau of Indian Affairs for Rights-of-Way Pursuant**

to the Settlement Agreements with the Pueblos of Nambe, Pojoaque, San Ildefonso, and Tesuque and Department of the Interior Concerning County-Maintained Roads within Those Pueblos and Recognizing the Enforceability of Right-of-Ways Issued to the County in Accordance With the Settlement Agreements (Public Works Department/Gary L.J. Giron and County Attorney's Office/Gregory S. Shaffer)

- D. Resolution No. 2020-90, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) in the Amount of \$90,000 (Finance Division/Yvonne S. Herrera)**

COMMISSIONER HANSEN: Is there anything from the Consent Agenda that needs to be pulled out or what is the pleasure of the Board?

COMMISSIONER GARCIA: Madam Chair, I just have a couple of questions. Item B, which is for \$70,000 for operational funds for the Fire Department. What is that for?

MANAGER MILLER: Madam Chair, I can answer that. Our wildland fire crew responds to other fires throughout the state and other states and we get reimbursed for our time and overtime. This is a reimbursement that is made to the County and we're budgeting it in the Wildland Division's overtime and travel expenditures in the fire operations fund.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you, Manager Miller. If there's no other questions, move for approval for the Consent Agenda.

COMMISSIONER HAMILTON: Second.

COMMISSIONER HANSEN: Thank you, Commissioner Garcia and thank you, second from Commissioner Hamilton.

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

COMMISSIONER HANSEN: Welcome, Chair Roybal. We are on item 3. A, so I am going to turn the meeting over to you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. I appreciate you filling in for me. Sorry I was late. I had something that I had to take a family member to the hospital so I appreciate you taking over and running the meeting until I could get here.

3. ACTION ITEMS

- A. Resolution No. 2020-91, a Resolution Requesting a Budget Increase to the Clerk's Filing Fees Fund (218) in the Amount of \$677,752.45 from the Center for Tech and Civic Life COVID-19 Response Grant Program to Support Local Governments in the Administration of Safe Elections in the Midst of a Pandemic Grant**

YVONNE HERRERA (Finance Director): Good afternoon, Chair Roybal, Commissioners. I'm here before you to request a budget increase to the Clerk's filing

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fees fund for the grant provided by the Center for Tech in Civic Life. The COVID-19 response grant program was created to support municipalities with a demonstrated need in the administration of safe elections during the pandemic.

The Clerk's Office intends to use the funds to cover the 2020 election costs, such as ensuring that existing polling sites remained open, defraying the cost of early voting locations, providing PPE for poll workers, installing drop boxes, covering the cost of postage and printing as well as equipment purchases and upgrades, and finally, communication efforts to the public on registering as well as voting. And with that, Clerk Salazar and I stand for any questions.

CHAIR ROYBAL: Thank you, Ms. Herrera. Do we have any questions from the Board?

COMMISSIONER GARCIA: Mr. Chair, I move for approval, if there's no questions.

GERALDINE SALAZAR (County Clerk): Chair Roybal, I'd like to make mention of a few other things.

CHAIR ROYBAL: Okay, Clerk Salazar. Please go ahead.

CLERK SALAZAR: Also, we'll be paying for security. We had to have 24/7 security with issues surrounding and the fairness of the election. So we had 24/7 security for our ballots. In addition to that we had overtime, and also we needed more assistance because of the high rate of absentee ballots and early voting. It created a lot more work for our office so we've had to hire additional staff to complete all those tasks. This Friday, Saturday and Sunday we worked at the warehouse to work on the post-election audit, so we were there those days. So the election for us is not completely over, although the State Canvass Board did approve the election for the whole state which included Santa Fe County. We still have remnants of this historical election that created much of the work that we are still finishing and we hope to soon finish that. But we do have these funds which have helped us tremendously. So I want to thank you for your approval.

CHAIR ROYBAL: Thank you. Go ahead, Commissioner Garcia.

COMMISSIONER GARCIA: Just really quick. I notice this is the County Clerk's last election that she's going to work and Madam Clerk, I just wanted you to know I've worked for the County for many, many years, all the Clerks, and you've done a great job, especially during this last election where you did a great job in this last election. I don't have to say what's happening throughout the country but you and your staff did a great job. So I really appreciate you. And good luck, whatever your next endeavors are. I appreciate you once again.

Also, I believe Mr. Fresquez, who actually did a great job as well, is retiring. Did I hear that as a rumor or is he actually retiring? If he is retiring, great job, Steve. You did a great job as well with the Clerk and all of your staff that works there and I wish you guys both the besting your next endeavors.

CLERK SALAZAR: Thank you so much, Commissioner Garcia, for acknowledging the staff at the Clerk's Office and also in addition to that, acknowledging Steve Fresquez. Steve Fresquez did not retire. He did seek employment at Los Alamos County Clerk's Office and did accept the position there. I believe he has two more years till retirement so he's in a good place right now, but we appreciate him and we appreciate

the fact that you have acknowledged him. He worked very hard and this was a tremendous effort to complete this process.

We did miss him during the post-election audit, but we were able to do it. Theresa Atencio, who's the Elections Administration Supervisor, did an excellent job. She knows what she's doing. She has experience at the Secretary of State's level and in the County level, so she has the knowledge and the skill to do what we have to do no matter what. And that's how the staff in this office is trained. They're cross-trained. It's massive when it comes to elections but also with our other duties that we could not neglect curing this COVID pandemic and this historic election. We did what we had to do in all aspects and operations of our office. Thank you.

CHAIR ROYBAL: Thank you, Madam Clerk. Commissioner Hamilton.

COMMISSIONER HAMILTON: I just wanted to offer a second to Commissioner Garcia's motion.

CHAIR ROYBAL: Okay. Thank you. We have a motion from Commissioner Garcia and a second from Commissioner Hamilton. I also just want to thank Clerk Salazar and Mr. Fresquez. We're losing them it looks like this year and you guys have done a great, outstanding job. Staff of the County Clerk's Office – the Commissioners couldn't be more proud of you. We appreciate everything you've done and everything you stated was very well stated, Commissioner Garcia, and thank you, Madam Clerk, for acknowledging your staff as well.

Okay, so we have a motion from Commissioner Garcia, a second from Commissioner Hamilton. I'm going to go to a roll call vote.

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

3. B. Request Approval of Design Exceptions to Construct Camino San Jose (CR 50A) by Santa Fe County Public Works Road Maintenance Division

GARY GIRON (Public Works Director): Good afternoon, Mr. Chair, members of the Commission. Daniel, could you put up the power point presentation. And if I could take a few minutes of your time I'll give you an overview of Camino San Jose, County Road 50-A, project # 6159 as background as we ask for these exceptions. The project was originally funded through the November 6, 2012 general bond election for \$178,000.

A design consultant was hired at that time and we paid \$36,012.99. On July 9, 2015 the engineer's estimate for the construction of the project was \$532,000. At that time a priority plan was made to divide the road into three segments so that we can pay for a segment at a time. The total project length is 3400 feet from Entrada La Cienega to near the La Cumbre Lane intersection. And you'll see on the next slide a map of the length of the proposed construction of this project.

I'm going to show you the three segments that were planned and the costs that were associated with them to make all of the changes to the road, and then to deal with the drainage issues. Segment A was from Entrada La Cienega to the church. The project length was 1,000 feet and the estimated project cost was \$135,000.

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Segment B was from the edge of the pavement on west 1,200 feet on the east side of the project, and the estimated cost was \$162,000.

Segment C was from the church 1,200 feet east, and the estimated cost \$235,000.

So the history about this is that the County staff made a decision to prioritize Segment A at that time. The designer that provided the priority report was not selected during the RFP process for the design of the road. A company called KSA was selected as the designer. In 2018 KSA provided the 30 percent design cost estimate for Segment A, \$186,945. That amount was outside the available project budget. An additional \$120,452 was allocated to the project in July 2019.

When the project staff approached KSA to move forward with the design, KSA said that they no longer did business in New Mexico. At that time the Santa Fe County Projects Engineer made the decision to design and build a road with Santa Fe County maintenance staff and equipment and the Public Works Director and Division Director concurred. The remaining budget as of November 9, 2020 is \$207,486. Public Works is confident that the entire length of the project can be paved with materials only costs with the available project budget.

I'm going to give you a little bit of background, I wanted to say to clarify – we'll talk a little bit about drainage problems and liability claims related to this project and I wanted to explain that a little bit more before I started that conversation. The drainage problems in the area are not caused by County Road 50A. Water drains from higher elevations towards the La Cienega Creek. Paving CR 50A will not, in staff's opinion, increase the volume of water draining towards the La Cienega Creek or the existing drainage rates that the water [inaudible] But paving the road without addressing drainage problems may result in property damage claims being made against the County. Historically we have seen an increase in flooding claims whenever our roads are improved.

It was in part the desire to avoid such claims that led the County staff to institute a policy of addressing known drainage issues in the immediate vicinity of a County road when capital improvements are planned for that road. So sum up, the statement that I have later on "could leave the County with liability" probably should be restated to say "could leave the County facing liability claims", because we believe that we are managing the liability of this project.

So if we go to project option A – there are three options with this and then I will end with a recommendation. Option 1A is to acquire the drainage easement near 121 Camino San Jose to install two drop inlets and a 30-inch storm drain system that outlets into the La Cienega Creek. This solves one drainage problem, a significant one, but not all of the drainage problems along the project. Homeowners at this time are hesitant to provide the drainage easement. We have made some progress in the past couple of weeks and we might be nearing an agreement. And that also includes paving the road in project option 1.

Project option 2 is to pave the entire length of the unpaved portion of Camino San Jose, which will not solve any of the drainage problems which could leave the County facing liability problems. This project will require design exception for road width because the paved surface will not be 20 feet in many sections.

Project option 3 would be to hold the project and define the total amount of

funding required to pave the entire length of the unpaved portion of Camino San Jose and solve all of the drainage problems. This project will still require design exceptions for road widths because the paved surface will not be 20 feet in most sections.

And then the last slide. Our recommendation is as follows: In order to move the project forward we request approval from the Board of County Commissioners for two design exceptions. One, construct the roadway with no drainage improvements, however, with the caveat to instruct Public Works to make one more effort to secure an agreement to acquire the drainage easement near 121 Camino San Jose to install the two drop inlets and the 30-inch storm drain system that outlets near La Cienega Creek. If that effort fails, Santa Fe County proceeds with the project.

And two, construct the roadway within the restricted right-of-way on Camino San Jose, CR 50A, and not meet the Santa Fe County requirements of a minimum roadway width of 20 feet. And with that, Ryan and I will stand for any questions you may have, Mr. Chair.

CHAIR ROYBAL: Okay. Thank you very much for that presentation. Is this in Commission District for Commissioner Garcia? Or whose district is this?

COMMISSIONER GARCIA: It's mine, Mr. Chair.

CHAIR ROYBAL: Go ahead, Commissioner Garcia. I'll let you go first.

COMMISSIONER GARCIA: Just really quick. As Gary mentioned – thank you, Gary. Thank you, Manager Miller and staff for trying to work with me and the individuals in that area. This road is actually caught up in a time when the County still paved roads. We used to pave roads and then what happened is down in the Stanley area we got this huge rain and washed out all the basecourse. So Adam Leighland who was the Land Use Director [sic] at that time. You know, we should engineer these roads. And so this road was caught right in the middle of that and the voters voted in 2012 and I follow what staff is doing so I really appreciate staff, Manager Miller, working with me, the constituents. I know it's hard out there and some of our roads aren't up to standard.

Back in the days whenever we used to go adopt a road what would happen is the Stanley area, up north, all these roads, if there was a bus route the County Commission would say, let's adopt this road. Let's adopt this road. And we never really thought about it because it was a school bus route road. And so what would happen is – not that we have a lot of County roads out there that we adopted back in the Highway Department, back then they said, go ahead. Adopt the road. Adopt the road. So now 25, 30 years later we're actually dealing with a situation where some of our roads aren't up to County standards, up to the SLDC.

It would be very difficult for us to follow the SLDC standards because I feel that the SLDC standards today are for new subdivisions and new development. And so those are just – I just wanted to bring that up. And I agree with Mr. Giron's recommendation, staff's recommendation to deal with that. If there's no questions, I'd like to make a motion for approval with that, with staff recommendations for the option. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia, and I know this project has been very long in coming, so I appreciate staff and their hard work. Are there any other comments or questions from Commissioners? I'm going to go to Commissioner Hansen and then to Commissioner Hughes.

COMMISSIONER HANSEN: I'll second that, but under discussion, I'm wondering if any of the money that we get from Secure Rural Schools could be used in the future for projects. I know we have the money from the bond for this but one of the items, when I go to NACo and we always lobby for is Roads for Secure Rural Schools and I don't know where – since Commissioner Garcia mentioned it we adopted roads that are for school routes. I'd just like a little bit of a comment on that.

MANAGER MILLER: Mr. Chair.

CHAIR ROYBAL: Go ahead, Manager Miller.

MANAGER MILLER: So for the Secure Rural Schools we usually receive somewhere between \$150,000 and \$200,000 a year and it's often also tied to PILT, which we receive about \$750,000 a year. But we never know what we're going to receive and we also don't know if Congress is going to include it in the bill. So we currently don't use that funding as a recurring funding source but we do budget it and just so that you know, we spend over – I'd have to ask Joey but I want to say our transfer from the general fund to the road fund is over \$5 million every year.

So it definitely goes to our roads as well as other general taxes. I think along with what Commissioner Garcia said, whether we adopted them because they were school routes, which we definitely did try to do that. There were some that we tried and didn't adopt and they were substandard. The poor kids – I remember how long it was to get Mutt Nelson taken care of and these poor kids would walk a mile in the mud because buses couldn't get down the private road. And it didn't meet County standards. It took forever to get that into a publicly maintained road. I think it's now a City road actually.

But the point is that the County maintains more roads and has to deal with more roads than the cities and the state as a whole, and we struggle with a lot of those roads being very rural. Historically we've had them for decades. They're not wide enough. They don't have drainage. What we've tried to do, and Commissioner Garcia is correct, what we've tried to do is make sure because we've had some roads where the County just went and paved them, took a dirt road or a basecourse road and slapped down some chip-seal and we created or exacerbated drainage issues.

What we've tried to do is engineer any road that we pave to try to address drainage at the same time. And the width of the road. And in some cases we just can't. Like this road will never be 20 feet wide because of what's on the other side of it. Nor would it warrant trying to condemn land to make it wider, but also it's going to have a drainage issue depending on the size of the rainstorm anyways. I don't think we're increasing our liability by paving it. But what we wanted to do is make sure that we let the Commission know, in a transparent process that eight years ago, seven years ago, we've tried to do as much design work and engineering work for drainage at the same time. It completely increases the cost of the project – four to five times the cost of the project if you try to address all the drainage issues.

So some of our smaller rural roads, it's very difficult and sometimes not practical if you don't have neighbors who want to provide drainage easements as well. So we wanted to make sure that the Board was aware that we can't really do what we'd like to do but we still want to try and complete the project.

CHAIR ROYBAL: Okay. Thank you, Manager Miller. I'm going to go to Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair. I was just wondering if we had done any quick analysis of whether we're likely to cause any kind of flooding that would be a problem with somebody with this road. I understand and I'm in favor of paving it. It sounds like this is the best we can do but I was just curious if we've looked at the drainage problems in light of whether someone would actually get upset about what might happen.

RYAN WARD (Public Works/Roads): Mr. Chair, Commissioner Hughes, we've done, or engineering firms in the past have looked at that. We assessed it internally. Our project engineer had made the recommendation. Out of all the varied drainage impacts and the drainage areas, we were looking at that one area that was mentioned where we were talking about two drop inlets and a 30-inch storm drain to help remediate some of that area. Now, with that said, there's not going to be any changes to the vertical profile or the horizontal profile of the roadway, so we're not increasing any drainage outfall points that's not already in existence. So hopefully that answers the question, hopefully, to where have we looked at the drainage areas and are we making further impacts to what's already there. But at this point if we do just the paving, we don't get the easement, the water will still drain accordingly just like it does now.

MR. GIRON: And Mr. Chair, Commissioner, I'd also add there's still a reasonably high likelihood that we are going to get the agreement with the homeowner to do that one drainage improvement. So I just want to make that on the record as well. We're still working down that road and we've made some fairly significant progress in the past month.

COMMISSIONER HUGHES: Okay. Great. It makes me feel better to know we've thought through all that stuff. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hughes, and thank you, Director Giron. Are there any other questions? Commissioner Hamilton, did you have any questions?

COMMISSIONER HAMILTON: No, thank you, Mr. Chair. They got answered.

CHAIR ROYBAL: Okay, so we have a motion from Commissioner Garcia and a second from Commissioner Hansen. I'm going to go to a roll call vote.

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

3. C. **Request Authorization (1) to Utilize the Design-Build Project Delivery Method; (2) to Utilize the CES Cooperative Job Order Contracting Agreements for the Design and Construction of Recreation Pods for the Santa Fe County Adult Detention Facility; and (3) for the County Manager to Negotiate and Execute All Required Documents, Contracts, and Purchase Orders Relating to the Design Build and Job Order Contracting Project Delivery**

BILL TAYLOR (Purchasing Director): Thank you, Mr. Chair, Commissioners. I appreciate the opportunity. The Corrections Department, Adult Detention Facility, the County has appropriated \$1 million for a capital outlay project to

construct recreation yards within the Adult Facility. This request here though has, as you mentioned, Mr. Chair, multiple requests that are required pursuant to our purchasing resolutions and ordinances. So I would like to get that out of the way to kind of explain a little bit, real briefly.

Our first request is to utilize the design-build project delivery method. This Commission is very familiar with that project delivery method as it was used for the County Admin Building and other projects. I won't get into too much detail but our County Resolution 2006-60 requires approval from the Board before we can use that delivery method.

The second item is to utilize the CES cooperative job order contracting. This is an existing contract and that again is pursuant – we're before the Board because to utilize an outside existing contract for an amount more than \$250,000, also requires BCC approval for that.

And then thirdly, because we are going through this design-build process procurement delivery and we do not have design specifications to build those so the design-build and the job order contracting mechanisms facilitate the County's ability to work with the contractor to design that specifically to meet the budget. And so that's going to take a little bit of time and that's why the third item is before you that delegates the County Manager's authority to negotiate and execute those documents and contracts and purchase orders relating to the design-build and the job order contracting for this important project delivery.

With all of that out of the way, this very important project to construct 12 individual recreation yards just outside of the actual building of the Adult Detention Facility within the secure fencing area for the special management unit at the adult facility. So with that, Mr. Chair, Commissioners, I'll stand for any questions. Thank you.

CHAIR ROYBAL: Okay, thank you, Mr. Taylor. Do we have any questions from the Board? Commissioner Garcia will go first and then I'll go to Commissioner Hughes.

COMMISSIONER GARCIA: I just want to mention to the Commission, this is very, very needed in our facility, for individuals that are incarcerated in there. This is just something that's very needed and I'm glad that the Board of County Commissioners is moving forward. Also, in regards to the design-build with CES, I think this is a great job that the Procurement Department is doing with CES because as Mr. Taylor stated, we did this design-build probably for the first time ever for the admin building as well as the old courthouse that's getting remodeled right now, almost done, hopefully. That project that we did with design-build was actually – I give staff credit for that because that was probably one of the first projects in the state that actually – job well done.

So I just wanted to say that this is something that's needed for our adult facility, so I appreciate that. And if Commissioner Hughes wants to say additional things. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Commissioner Hughes.

COMMISSIONER HUGHES: Yes, I agree with Commissioner Garcia; this is very needed and I certainly support this idea. The only thing I wanted to add is I

would like to, perhaps at a future meeting, have the ability or the opportunity to discuss our use of the special management units in general. I think with all the controversy now around solitary confinement I think we need to make sure we're doing best practices with all the current thinking and not falling behind the times in that. But certainly, if it gives people a chance to exercise it's very, very important. So I support this. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hughes. Thank you for those comments from both Commissioners. Commissioner Hamilton and then I'll go to Commissioner Hansen.

COMMISSIONER HAMILTON: Thank you, Mr. Chair. I totally get the value of this project and also the value of using the design-build approach. Could you, Mr. Taylor, please say a few words about the rationale for using the existing contractor as opposed to bidding it as a design-build?

MR. TAYLOR: Mr. Chair, Commissioner, the CES cooperative allows to – the design-build process is an excellent project delivery method. It is a little heavy on the front end of the procurement process. This is a project that's really needed now in the Adult Detention Facility. The CES cooperative allows the County to expedite that design-build delivery process by already going through that qualification-based selection for contractors that are awarded contracts under those cooperative agreements. So rather than reinvent the wheel and go through an RFP process and make the procurement process more lengthy, we thought that it would be more advantageous to the County to go ahead and use an existing contract that already went through that qualification-based procurement with multiple contractors and in addition to that CES contract, this job order contracting, this is something that just really solidifies the budget of a project.

On top of a contractor actually designing and constructing the project and having control and minimizing change orders, the job order contracting, they have to – they've already provided a bid price or a cost to a price book that Gordian Group has developed and invented for this region of the country. RSMeans, that is a price book for items in construction that are priced, but those are national prices. Gordian Group's price book is specific to the southwest region, particularly New Mexico.

And so the cost of the project is very well managed and controlled. The likelihood of any change orders during this project are minimal, if any. There would only be a change order if Corrections said, well, instead of 12 recreation yards we want 15. So that would create a change order. But those are the reasons and justification for going with this delivery method and utilizing the job order contracting method that's already been procured. And I hope that answers your question, Commissioner Hamilton.

COMMISSIONER HAMILTON: It does, and it got some things out on the table that I wanted expressed for people who might be wondering. But just to confirm, that means that there are multiple contractors that could respond to this that are pre-qualified.

MR. TAYLOR: Mr. Chair, Commissioner Hamilton, that is correct. There are multiple contractors under job order contracting. We researched all of them and the contractor that we're going to look at does have experience with secure facilities and special facilities that manage and take care of individuals that are not necessarily residence areas but are under supervision and things like that. So they're used to – they're

experienced with doing work within secure facilities.

COMMISSIONER HAMILTON: So then just for clarity, that means that the County is going to one particular contractor and handing them the work.

MR. TAYLOR: That is correct. We can go to that contract, Mr. Chair, Commissioner, or they can submit a proposal. If we don't like it, if we can't come to an agreement, we're not satisfied with what we're able to discuss we can terminate that discussion and go to another contractor.

COMMISSIONER HAMILTON: Okay. Thank you. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hamilton, and thank you, Mr. Taylor for that clarification. I'm going to go to Commissioner Garcia.

COMMISSIONER GARCIA: Really quick, Mr. Taylor. Thank you for that great question, Commissioner Hamilton. So Bill, is there actually a team that actually decides who chooses this contractor?

MR. TAYLOR: Mr. Chair, Commissioner Garcia, the team is CES, we speak and confer with them, with the user agency, with Purchasing, and with the Gordian Group. And we talk about what our requirements are, the experience that we need, so it's an internal or an external discussion that we come to a conclusion and decision on a contractor to be begin negotiating and discussion the project.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you, Mr. Taylor.

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

COMMISSIONER HANSEN: Thank you, Commissioners, for all your excellent questions. I think that our design-build has been very successful so far and with that I would like to make a motion to approve this and request authorization to utilize the design-build project delivery method; to utilize the CES cooperative job order contracting agreements for the design and construction of recreation pods for the Santa Fe County Adult Detention Facility; and for the County Manager to negotiate and execute all required documents, contracts, etc.

CHAIR ROYBAL: Okay. So we have a motion from Commissioner Hansen. Do I hear a second?

COMMISSIONER HUGHES: I'll second that motion.

CHAIR ROYBAL: We have a second from Commissioner Hughes. I'm going to go to a roll call vote.

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

3. D. Request Approval of Grant Agreement 2021-0106-FIN between Santa Fe County and the Department of Finance and Administration for Grant #20-E2729 for the Santa Fe Recovery Center Facility in the Amount of \$2,090,600

MS. HERRERA: Chair Roybal, County Commissioners, I'm here before you to request the acceptance of grant #20-E3729 from the State of New Mexico. During

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the 2020 legislative session the County was appropriated funds to plan, design and construct an expansion to a facility for a recovery program in Santa Fe County. In addition to this appropriation, the County was appropriate grant #19-D3187 which was appropriated for the exact same purpose. That grant was awarded to the County in the amount of \$1,485,000, for a total amount for the Santa Fe Recovery Center of \$3,575,600.

Resolution 2018-99 authorizes the Chair of the Board of County Commissioners to sign grant agreements that are greater than \$500,000. Once the County accepts and signs and the grant we will submit to DFA to fully execute it and with that I stand for any questions.

CHAIR ROYBAL: Okay. Thank you, Ms. Herrera. Do we have any questions from any of the Commissioners? We've got Commissioner Hansen first.

COMMISSIONER HANSEN: Thank you. I recognize this is an ongoing project. Once we approve the intake to this grant will that give us enough money to start this project? Because I know the \$1 million was not possible.

P.J. MONTANO (Public Works): Mr. Chair, Commissioner Hansen, yes. We have started this project. We are actually in negotiations with a contractor getting a preliminary design. We anticipated this additional funding coming to us so we started this with a phased approach. We started with a \$1.4 million budget to go ahead and start designing with expansion for the additional \$2 million. So yes. This project is under contract with a contractor through CES, just like the action item earlier discussed with Mr. Bill Taylor. So we really appreciate Bill helping us through this but we are prepared and ready for this.

COMMISSIONER HANSEN: Thank you. I am happy to hear that. I think in this time of COVID this kind of facility and services are really going to be needed in the future. I wonder if Rachel O'Connor has any comments on this also.

RACHEL O'CONNOR (Community Services Director): Mr. Chair, Commissioners, I don't really have a lot to add other than as you know, the Community Services Department funds Santa Fe Recovery Center for residential treatment, for outpatient treatment, for detox services, and we will soon be partnered with Santa Fe Recovery Center at the crisis center, because the detox portion of what we fund will be moving into there. So there are a lot of good things happening in the community to address substance abuse and behavioral health issues and I think Santa Fe County has had a long-time relationship with Santa Fe Recovery Center. So I just want to add that to the discussion. Thank you.

COMMISSIONER HANSEN: Thank you, Rachel. I really appreciate your comments on that. Thank you. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hansen, and yes, thank you, Ms. O'Connor. We appreciate those comments. I'm going to go to any other Commissioners that have comments.

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: Commissioner Garcia, go ahead.

COMMISSIONER GARCIA: Just as the two individuals mentioned, what a great, great program for this community. Very well needed. So great talks about it. Just one question I have. What's the timeframe for the grant agreement?

MS. HERRERA: Mr. Chair, Commissioner Garcia, let me look up the grant and find that information for you.

COMMISSIONER GARCIA: That's fine. You can just email me. I think it's probably a four-year grant. Mr. Montano said we already had one point-some million there and so that was roughly a four-year grant there when we go that. So this is a new grant. So I just want to make sure that we actually spend the money before the grant expires. You can email me that. That's fine. I appreciate that.

Mr. Chair, if there's no other questions, I would like to make a motion for approval.

COMMISSIONER HANSEN: And I will second. And also, Commissioner Garcia, it shall terminate on 6/30/2024.

CHAIR ROYBAL: Okay. Thank you. So I have a motion and a second. Manager Miller, did you have something to add or was it just that bit of information? Thank you. Okay, so I have a motion and a second. Motion from Commissioner Garcia and second from Commissioner Hansen. I'm going to go to a roll call vote.

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

CHAIR ROYBAL: I would agree with my colleagues that this is a service that is very important to the community and has been a long time coming as well so I appreciate all my Commissioners questions and comments and their approval of this grant. So thank you, Ms. Herrera.

3. E. Request Authorization for the County Manager to Execute Contracts and/or Purchase Orders Up to \$1 Million for the Extension of Broadband from Española to Chimayo Along State Highway 76 Using CARES Act Funds

CHRIS HYER (Economic Development): Thank you, Mr. Chair. This is a request to allow the County Manager to be able to sign off on an amount that's greater than what the Commission previously authorized it for, which was half a million for CARES Act funding. We have some money from the CARES Act that is not being utilized at this time and we are looking at completing the build from the east side of Española up to Chimayo. We'd like to do that with an overlash of the existing cable and so put fiber optics onto the poles. We're getting costs in, literally they're coming in as we speak. However, we have not been able to assemble the numbers yet to get a final price.

So this is kind of a ball park authorizing the County Manager to go ahead and sign the purchase order that's probably going to be over \$500,000, yet it will be up to \$1 million. So I stand for any questions.

CHAIR ROYBAL: Thank you, Mr. Hyer and I appreciate that. This is in my district and I'm very pleased to see that we will be expanding our broadband in that area as we need it throughout Santa Fe County. So I know this was a project I think that was some low-hanging fruit so I appreciate the efforts in getting this done.

I'm going to go to any other Commissioners that have comments, but I would like to make a motion to approve.

COMMISSIONER GARCIA: Mr. Chair, I'll second that motion. Under discussion I'd just also like to just say great. A great program that Santa Fe County and our colleagues are doing, especially in your district, Commissioner. Broadband is definitely needed throughout the United States. Sometimes it's a little hard for us to get it through the rural areas but I think this is a start, a great start. So yes, I would second it, Mr. Chair. Thank you.

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

COMMISSIONER HANSEN: Yes. Under discussion, I think this is really important to get broadband out into our rural communities. I think we have to start looking now at shovel-ready or however you're going to hang this. If it's going to go on wires, but I believe that in the new year, with the new administration in Washington there will be some stimulus money and I think if we can start thinking about shovel-ready projects with broadband that we can do throughout the county and be ready to move on those once the stimulus is approved, I think that would be really important. So I think using the CARES money is a really good use of this initiative because as we all know, the money expires on December 31st of 30th, and so making sure that we start using it in the community is really important to me. So I wholeheartedly support this so thank you. And thank you, Chris, for working hard on getting this done and everybody else on the team who worked on this.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Commissioner Hamilton, Commissioner Hughes, did either one of you have comments? No?

COMMISSIONER HAMILTON: No. Thank you, Mr. Chair. The importance of this is really clear.

CHAIR ROYBAL: Okay. Thank you very much. I'm going to go to a roll call vote.

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

CHAIR ROYBAL: Very excited to see the progress so thank you, Mr. Hyer. We appreciate it.

3. F. Resolution No. 2020-92, a Resolution Authorizing Holidays, Closing of County Offices, and the 2021 Santa Fe County Employee Calendar

SONYA QUINTANA (HR & Risk Management Director): Thank you, Mr. Chair, members of the Board. I'm here today to request approval of the 2021 employee calendar. The calendar is a really important tool for our employees and managers and it delineates pay period ending dates, pay dates, and County-observed holidays. A copy of the calendar has been attached for your reference and with that, I will stand for questions and respectfully request your approval.

CHAIR ROYBAL: Okay. Thank you, Ms. Quintana. I'm going to go to Commissioners. Do we have questions from Commissioners? I don't see any hands so Commissioner Hansen.

COMMISSIONER HANSEN: I would like to move to approve.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: Okay, so we have a motion from Commissioner Hansen and a second from Commissioner Hamilton. I'm going to go to a roll call vote.

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

COMMISSIONER GARCIA: Just really quick, Mr. Chair. Ms. Quintana, is this the same exact – there's no added holidays or no holidays that are taken away? It's the same exact calendar as in 2020?

MS. QUINTANA: Mr. Chair, Commissioner Garcia, actually, this year Christmas falls on Saturday, December 25th. New Years falls on Saturday, January 1st, and those two holidays are included on the calendar for Friday, the day before.

COMMISSIONER GARCIA: Thank you, Ms. Quintana. I just wanted to make sure that the employees out there just want to actually know that we're actually giving them some additional Fridays off because those two holidays do fall on Saturday. But thank you, Mr. Chair.

4. MATTERS OF PUBLIC CONCERN

CHAIR ROYBAL: I'm going to see if there's anyone from the public that would like to address the Commission. Tessa Jo, has anybody signed up?

TESSA JO MASCARENAS (Operations Manager): No, sir. Not for this meeting.

CHAIR ROYBAL: Okay, so if you can unmute everybody just for a moment and I'll ask once again. If there's anybody that would like to address the Commission, please state your name. Once again, I'd like to ask, is there anybody here today that would like to address the Commission? Hearing none, I'm going to go ahead and close Matters of Public Concern.

5. PRESENTATIONS

A. Presentation from REDI Net Regarding Ongoing Broadband Issues within Santa Fe County Boundaries

RAYMOND ORTIZ: Mr. Chair, members of the Board, thank you for having me today. I want to thank you guys for having us all here today and while we're waiting for the presentation to come up I can address Commissioner Hansen, her questions regarding engineering on projects. So what we've been doing is using capital outlay and operational funds from REDI Net to pre-engineer projects so that as we find more monies, such as CARES Act, or any other monies that come up, we already have shovel-ready projects in the hopper so that they can be put in for funding through those deals.

The problem was the CARES Act did not allow for just engineering by itself. So we'd already had some preliminary discussions on some of the projects we were rolling out which allowed us to move a little quicker on some of it. So again, just trying to address Commissioner Hansen's concerns in terms of having shovel-ready projects.

We're definitely working towards that for sure. We're working on our contracts towards that as well so that we can engineer solutions that are a little more cost-effective and faster to build. So again, when the monies come available from whatever source we can match that funding directly to a project and move very, very quickly.

All right. So moving ahead with the presentation if everyone is okay with that. As you well know, we're REDI Net. Santa Fe County is an owner of REDI Net, and everybody on our board basically works for REDI Net. Currently we're a working board, volunteering. As far as the secretary-treasurer, we have Mr. Gerald Baca. He's the vice chair. And Christopher and our comptroller work closely hand in hand to make sure our funding is good, our budgets are good and our banking is on track so that we can be fiscally viable and responsible for everybody.

Gerald and myself primarily work on a lot of the engineering and technical solutions. We've moved ahead now and we've dispensed half a million dollars on a core upgrade for our commercial side of the house and that will bring our ISPs up to a full capability for their broadband delivery to end users. We've also just spent \$250,000 on our JPA upgrades and that will bring all of our connections JPA-wide for those of us that are on fiber right now to [inaudible] connections so we can move offsite backups and such and so forth.

So those are the things that REDI Net does for our JPAs. When I say JPAs, I'm not sure you're all familiar with that, but we can go on to the next slide please. These are our JPAs. Now, when I say JPAs, we all sign a joint powers agreement that we've ratified amongst ourselves. And then we took it out to DFA. They went ahead and ratified us which made us a recognized entity under DFA rules which makes us eligible for capital outlay as long as we are within the DFA guidelines and any other county or quasi-government agency has to comply with. We have all of those same exact requirements. Part of our membership you can see listed here, Pojoaque Pueblo, Okhay Owingeh, City of Española, Santa Clara Pueblo, Rio Arriba County – that's who I represent – Tesuque Pueblo, Santa Fe County, Los Alamos County.

Nambe Pueblo has an asterisk next to it because they've been voted on as a board member as is allowed under our bylaws, but they have no vote and they cannot be part of the JPA. The only entity that is not listed on this list, and I'll just read off North Central. North Central is a JPA member but they do not have ownership of any infrastructure. Only the entities listed above would have any kind of ownership stake in REDI Net. The only entity that is not listed on here that can become part of the JPA without modification – it cannot be modified for 25 years; otherwise it becomes null and void, would be San Ildefonso Pueblo. That is the only other entity that was made available to join the JPA later. They have not exercised that. So they are not part of the JPA.

But needless to say, all of these entities have an ownership stake with the exception of North Central Economic Development District. So we work for all of these people.

So how REDI Net began, as most of you are aware, we had a serious broadband issue here and I know because I've been dealing with this for 24-plus years in the area and was here when REDI Net was just a dream. So we basically got together and decided, hey, we want to service our community. We can't afford to budget. The incumbents are charging us for connections point to point and otherwise. And so we went out to all of our

community anchor institutions, all of the agencies around us and all of the governments around us and again formed a JPA to service all of us to the best of our ability. There's been a few stumbling blocks to that and I won't get into the detail of that but we can certainly have a conversation about that at another time or individually if you wish to contact me directly, I'll stand for any questions you all have. But I think we can move on.

As you all know, a JPA agreement is an agreement between government agencies and/or other agencies that are recognized as government agencies through a formal agreement to create one entity under which they have specific goals in what they want to achieve in common. So we've already covered all of our JPA members and that's just a very quick definition of what our JPA is what JPA is.

So this here is a copy of our JPA which is available, I believe, on our website. I'll have to double-check that for you, but it's certainly available to all of our board members for anybody to read. So again, we're a public agency, quasi-government and we have to abide by the sunshine laws like everybody else does.

So again, what makes us a quasi-government agency is being recognized by DFA, and we have again, compliance the same as any other state agency or local government agency. We operate the same way as an acequia does or a land grant that's recognized by DFA or any other quasi-government that's recognized by DFA. That's pretty much what puts us in that definition.

All right. Well, I think we all understand why there's a REDI Net, and even though we're all frustrated by the pace of growth in the broadband area sometimes I think without some kind of vehicle that services our long-term goals and our short-term goals that we have some control over, that pretty much puts us at the mercy of incumbents and their pricing structure and their business goals and initiatives, whereas those don't always align with where we would like to be as a government or where we want to be with emergency services delivery or even bandwidth delivery to some of our constituency.

And we're seeing that if it is not commercially viable to operate in the area, they just won't go there. And I certainly understand that. You have to have a sustainable business model in any regard in order to survive long term. But the goals of government are a little bit different than the goals of a commercial environment. And so if we can kill two birds with one stone by using the government guys or the community anchor institution guys to build infrastructure, much like we're trying to do along 76 now, and then open that up to ISPs, what that does is it stabilized the broadband market by making that available which would only otherwise be available to an incumbent.

So in other words, you're creating fiber infrastructure for various ISPs that would not normally be able to capitalize that under their own operational situation and constraints.

So by doing that we open the market to more ISPs, which creates a much more stable market, meaning if one goes out of business, so what? You've got the other ones to pick up the slack.

With a large-scale incumbent, if they get sold on the open market, and/or they go bankrupt, then you potentially suffer disruption of services. Where we saw that here in the valley was with our cable TV company, which now, okay, cable's passé but they were delivering broadband as well. So when they went bankrupt, all of a sudden a lot of people who had paid their bills in advance, all that went away. Again, you've got no control over

that.

When you've got a public agency that has ownership and control of certain infrastructure, just like our roadways, well, they can't just be shut down by anybody. And that's kind of how we operate at REDI Net. We have to just keep those highways open. So by opening those highways up into markets that normally wouldn't otherwise be open, we again try to deliver broadband to those areas that are not commercially viable to deliver to under a normal incumbent business model. So that's what we're doing here. That's why we exist.

Another thing here, we have our mission statement. I think we've met that or tried to bring that to life. This was established – how many years ago, Chris? Maybe like four years ago? So we had a workshop and we all sat around a table – what is REDI Net? What are we trying to do here? And this was the result of all of that. What we worked really hard to try to do is to make this mission statement not just a statement but turn that into real action, which we're actually seeing here in the last few months. We've brought a host of things online that we wouldn't normally do. We've been a lot more robust in the way that we negotiate our contracts. That has been made available to some of your infrastructure people at Santa Fe County, so they understand the direction that we're trying to take with some of the contract we're trying to put in place to get more services to Santa Fe County in different areas right now.

So I think we're right there in terms of the mission statement and I really don't think there's much more to be said than what's on the board right there.

Vision statement – so, to become a recognized leader in broadband services. Again, this was identified and built during that same meeting, and I think we've made this true. We were the provider of the year at Mountain Connect just last year. That's a pretty big achievement for a little broadband company that came from nowhere, really not known for anything, to be winning an award for best ISP and up and coming ISP wholesale. That's a pretty big thing when you're coming up against some of the big boys that really have won this in the past.

All right, so part of that as well is identifying the quality of life component which we're all seeing now under the pandemic response. What we did here at REDI Net was we saw the work from home. Man, people are staying home. The depression levels are hitting huge, substance abuse problems are hitting huge. Domestic violence situations are increasing. So to try to alleviate that you've got to open avenues up. So what we did is we doubled all the bandwidth to all of our ISPs at no extra cost as part of the response so that we could actually provide more services out to our community so that those kids could get the schooling they require, so that we could have those remote workers. The VPN connectivity puts an overhead on a standard little VSL line, just doesn't cut it. So we increased all of that.

We also took all of our JPAs that are connected to our network and pulled them over to a full gig internet service at no extra cost. What that did was it allowed for more of a robust remote services traffic for all of our JPAs. So if we have a response, and I'm just going to speak freely, Rio Arriba County, we've had a couple times where we've shut down a couple departments, sent our people home. They're working from remote. Without that extra bandwidth there's no way we could support that and our standard daily constituent services. There's just no way to do that.

So by being in control of our own infrastructure we can make those decisions. I can write an order and literally two days later it becomes a reality. We're not sitting here haggling for price. We're not sitting here haggling for does this make sense from a budgetary standpoint? We're just going to do it because it makes sense for our people. As long as we're operationally viable, and as long as we're paying the bills properly, we're fine. Whatever our people need, that's what we're going to do. So getting on to our next one.

REDI Net maintains a business model based on greater good. I think our response to the virus pretty much says it all. You can't have that level of freedom and control and that level of movement to make some of the decisions that we've made here at REDI Net if you're constantly beholden to some corporate entity that's taking the profits and throwing them somewhere else. We're trying to put our profits right back into our community.

So I think you're seeing the reality that happens. I wish we could be moving a lot faster. Believe me, I wish we could. And we've done everything we possibly can to make that happen.

Our goals: reduce the cost of broadband for anchor institutions. We just – I've been working on a pricing structure and we're looking at how that stacks up from a commercial viability standpoint, and I think we're right in the mix. We're way below where we probably could be. We're just now lighting up another 10 gig connection, which brings our cost down to about 69 cents a meg wholesale. We'll deliver that to our ISPs of course. We have to make money to insure it all and any expenses we have, but as long as we stay somewhere in that marketability, guarantee some kind of a profit for those ISPs so they remain competitive against incumbents, I think we can do that. Community anchor institutions, again, have budgetary constraints. They have worker constraints that we have to work with, and as long as we're covering expenses plus a little bit extra to maintain our operational viability, I think we're doing pretty good as far as so far what we've been doing.

Formulating strategic partnerships to increase our area. We've been doing that by trying to leverage some of the contracts we have with other fiber owners in the areas, so we can bring more coverage to the area. One of our major partners just got sold off to another company in Ontario so it put a freeze on some of the negotiations we had going on. We're working with other owners to try to have multiple paths for resiliency of our network, physical resiliency, which gives us a much better logical delivery and physical delivery. By using alternate paths, if one path breaks, [inaudible] go down. Where other paths exist you can load-balance the traffic so you have a much more efficient broadband delivery at the end points.

So that's what we're trying to do by leveraging those contracts I'm talking about.

Workforce development and improve IT capacity. Well, I think that's pretty self-explanatory. We've been trying to get that done.

REDI Net customers: We have a few ISPs and believe it or not, we work with people all the way to Glorieta. We've got a lot of presence. It's helped out the community a lot and if there's more choice for the end point user to select the options that they want and the price they want to pay and how much bandwidth they want. Every one of those ISPs is a little different. Their business models are a little different, and what that does

again is if you have a monoculture forest, it's not a healthy forest. If you've got a forest that has a bunch of different fauna, it's a lot healthier. It's a much more balanced ecosystem with biodiversity. And it's the same thing in any commercial environment. Broadband is no different.

Community anchor institutions such as schools, we're servicing that. We currently service all of Los Alamos Public School Systems. We're trying to make it commercially viable for all of Santa Fe Public School Systems that come on board. Basically what we've heard is the owner of the infrastructure that they have in their areas, by making the Santa Fe POP our internet hotel, if you will, which was another dream that we had and we made it a reality. That means that we're bringing better pricing all the way from Albuquerque to Santa Fe so that we can be much more competitive in the Santa Fe area. Since our fiber delivers directly to Santa Fe we can do that.

We can reach different markets by leveraging different agreements with different companies to get all the way to Denver. Again, that makes us a lot more resilient from a price perspective as well as a delivery perspective. So that's what we're trying to do here for all of these organizations with some limited success because of course – let's just take Presbyterian, for example. They're right in our backyard. We have fiber there. But the way they run their business, they have a master contract with one incumbent that leverages their business contracts with another incumbent, so that's how that's managed.

So how to crack that has been kind of a little bit of challenge but we're getting there. We're getting there and as we become a lot more reliable and a lot more viable and can deliver a lot more bandwidth for a lot less money, that means that their budget constraints all of a sudden start coming down a little bit. And those of you that manage money, which all of you do, can truly understand and appreciate I think having to struggle with trying to balance a budget and trying to figure out how you're going to pay 50 cents worth of bills with a nickel. That's really where we're all at, I think.

Our fiber network, this is how it exists. We have an inventory going on currently, which identifies every single strand, identifies where the jurisdictional boundaries end for that strand, and how does it tag into ownership of that. We have a responsibility to our JPAs to turn that over so that you can book that as a capital asset. So that's an ongoing project, but this is a very quick map. You can see Los Alamos is off by themselves in the corner there. We deliver and receive traffic from them via wireless links all the way through out main network that comes in right there in Pojoaque Pueblo and in the Sombrillo area, those of you that are familiar with Sombrillo – both of them in Santa Fe County.

What do we do? We're busy people, believe it or not. We're very small so we stay pretty busy. I think this year has been the least year for fiber breaks, but we were responding 24/7 to fiber breaks. We're the first guys on site when a fiber goes down. We engineer the repair. We're there from the time that we're aware of the break to the time we identify location to the time it's repaired. So we do all of that there.

We manage easements and rights-of-way that we have control over, over some of the tribal areas. If they have jurisdictional problems with some of that we try to help with some of those things. Again, because of our agreements and our easement agreements we can do that. Our pole attachment agreements we have with Jemez Electric currently. What we do there is, again, if we want to build into an area, we leverage that agreement

to add that into the existing agreement so we don't have to go back to the drawing board and renegotiate a brand new agreement that's already in place. So our easements and rights-of-way, they are already in place and they exist for 25 years.

The utility line locates, we have to do that as part of our bills and to protect our assets. So we have contracts, we have under contract a company by the name of USIC. They do a lot of line locates and those of you in Public Works are probably very familiar with them. We do permitting. Well, we don't actually issue permits, so we have a project like the 76 project; REDI Net manages all the permitting for that through DOT or any other entity we've got to go through. So it's not managed by the entity itself.

Construction – again, project management, we do all that. New technology implementation, again, we saw in our core infrastructure a little bit of a – one gig is very fast. It's fast. But it's not as good as 10 gig. And if you can do the same job on the same fiber, which single-strand, multi-mode. Single mode fiber rings itself well. You don't have to build that infrastructure over and over and over and over again to improve. All you do is change the end points out to increase speeds on that same exact wire. Right now, there's technology, you use one strand of fiber and passing 100 gig of data over that. So that's a huge thing.

Right now we're working on ten gig and in some cases working on 40 gig for our point to point from Española to Santa Fe, but otherwise, 10 gig is a lot of bandwidth. But I can see that we're quickly overrunning that as well. We do manage a NOC. It's a 24/7 operation. They monitor the network 24/7 for us. If something goes down we get the notice and we either repair it remotely or onsite.

Bulk purchase of internet access – that's what we just did in Santa Fe, at the Santa Fe POP. Santa Fe County owns that. That's our internet gateway right now, other than the Sims building, and so we can bring in more wholesale providers to that area, provide cheaper bandwidth at the end points.

So the rest of it is pretty cut and dry. I really don't like just reading off the slide. It's available for everybody to read but we do all of that there.

Now, when we talk about broadband options, really, what the point of this slide is is to kind of illustrate for you what the speeds are for a five gig file upload and download. And you can see that we're working on 3G technology, 4G wireless. That goes all the way down to one gig and 10 gig. In most of our cases for community anchor institutions, we're building REDI Net at the one gig level. In some cases most of our community anchor institutions we're 100 meg. So it's pretty quick. As we move out to ten gig technology, those speeds for large-scale backups and files will actually go down substantially. So that's just a quick illustration for you all to understand kind of what we're trying to do here.

And that pretty much concludes that presentation and I will stand for questions. One point I would like to make though is that as we move through these projects I would like to make it clear that everybody understand that even our contractors are having COVID responses and quarantines. Everybody's suffering from the equipment shortages and longer lead times. We're trying to mitigate that as best as we can but it's everybody dealing with that nationwide.

I think we are good to go and I'll answer any questions you all have. Thank you.

CHAIR ROYBAL: Okay, thank you, Mr. Ortiz and thank you, Mr. Hyer. I

did want to ask, you guys probably do analysis of areas where there's good possibilities of trying to provide internet and I guess for lack of better words, looking for areas where there's low-hanging fruit that we could get something really major accomplished. And I wanted to ask you, there's a tower in Nambe at the fire station that the County owns, and I wanted to know, would we be able to look at that tower to see if there is a possibility of putting REDI Net there? Or broadband? Because I think we would really be able to serve a huge part of the Nambe area at that area. I don't know if that's something that we looked at. But I wanted to also ask County staff if that would be something that we can look at and see if we could work with REDI Net to look at wind analysis for that tower.

MR. ORTIZ: Actually, I can answer that question for you. We currently have a project going on and I can get you the project number if you give me a second, but you've already funded some of that, or actually it's been a project identified by Santa Fe County as a priority object. So we already had another project that was going with Nambe Pueblo to deliver backbone. What we did is we over-engineered it by an entire gig so that we could service that facility. The agreement with Nambe Pueblo allows us to use them as a jump-off for backup into that area. So as part of the Cundiyo project, that's also in the engineering phase currently, and in the build phase for phase one of that entire delivery area which is that whole Nambe area. So those locations are not only viable and do-able, we're already building some of that. I hope that answers your question, sir.

CHAIR ROYBAL: It sure does, Mr. Ortiz. I do want to go to my fellow Commissioners. I'm just going to go through the list. I'll go to Commissioner Garcia.

COMMISSIONER GARCIA: Just really quick, Mr. Chair. Thank you. A great presentation by REDI Net and as you know, we've been dealing with that for a while. Rio Arriba County, Española area, up north Santa Fe where ex-Senator Richard Martinez and ex-Speaker Ben Lujan funded a lot of money for that. Great presentation. Appreciate that.

One thing I'd like to do is I'd actually like to give a shout-out to my cousin. She actually lives in Española and called in. She texted me and said she was actually watching the County Commission meeting. So Jennifer, Janelle, Janelle Garcia Chavez, so hi, and he actually her husband used to be Rio Arriba County Commissioner about eight years ago and he's also a school board member, and I just want to say hi to her. Thank you for watching us. Appreciate that.

And just really quick, I would like to just ask REDI Net, is there like a state legislature priority list that you all have for this next session?

MR. ORTIZ: Yes, we did. We submitted a complete list out there. We worked with DFA to make sure we were compliant with that. We have project plans. Those projects that we cannot build under CARES money we did apply for them also under capital outlay requests. So we do have that. We requested, on one project alone was \$10.4 million on a four different phased project. That's moving out towards Cuba into that area to give us a northern out, a secondary out in the Albuquerque side of it. So we're looking at all that.

We have a few more projects that were actually given to us by Santa Fe County IT staff. We went and took that on board and we include that in our plans as well. As we develop our contracts with various organizations that service Santa Fe County. We would be much more better suited and able to see how we can work more project plans into

those kinds of request. So the answer is simple: yes, sir. We are looking at that and we do have a plan and we have submitted it. It's with the state currently.

COMMISSIONER GARCIA: Thank you. Appreciate it. Thank you, Mr. Chair. And it's also something that you brought up that we've dealt with many years ago is the Reynolds Building. Because all that stuff comes from Albuquerque to the Reynolds Building and then I forget what it's called – redundant. So if that thing, whatever, cuts out, everybody's down. So many years ago the County is looking at redundant which means if one line cuts you actually have another line coming back and forth and everything goes to that Reynolds Building there on Cordova and St. Francis, but I'm glad you guys are looking into that and so with that, Mr. Chair, just appreciate the time. Thank you, Mr. Chair. Thank you, guys.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Any other Commissioners? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you very much for the presentation. I really appreciate it. So I see on the map that Los Alamos is not connected to Pojoaque by fiber, but what about connecting Los Alamos through Buckman to Las Campanas? Because my constituents – I'm wondering about connecting through Los Alamos to White Rock, through the Buckman to Las Campanas. Because my constituents out there constantly want more service and they are struggling. My other question is do we have a dig once policy at the County where we can dig once. If we build a road we can put fiber in at the same time?

MR. ORTIZ: Commissioner Hansen, it's been a little while since we sat in your office talking about that same thing. Mr. Chair, and to be frank with you I did take that, literally a week after we talked about that I rolled that entire situation, looked at it. There were some easement issues as well as some funding issues. We didn't have the money at the time. But we do have a better idea of what it would take. We do have a better understand of, again, one of the negotiations we're working on right now would help us to potentially extend services into that area on an existing fiber line that is there already.

We do have fiber in the White Rock area and everybody on the hill, including LANL has been looking to try to get off the hill. They're paying a lot of money. The remote workers now, they found out – I just met with LANL I want to say three weeks ago, again. This is probably our third meeting regarding that. What a lot of people don't know is that LANL made a \$1.1 million investment in building that fiber and it is in their best interest to try to figure out a way off the hill as well. What I've been doing is proposing different projects to them to see what kind of funding we could get from LANL to extend exactly that type of a build.

Now, if I can leverage the agreement we're trying to work with with the person or the entity that owns that fiber infrastructure to get on there and get some strands on there, and with a little bit of funding from LANL to connect White Rock to that infrastructure, I think that that's a very viable reality. But to build a brand new situation all the way through it would have been ideal when there was waterlines being laid in to throw some conduits in the ground. That way you could find fiber because most of your labor goes in – that's that costs. Eighty percent of any fiber project is labor. Eighty percent. That's a huge, huge number and that's an industry accepted standard on any fiber project. It might

be a couple points up; it might be a couple points below, but 80 percent is right where you're going to be with labor.

So if we're doing exactly what you're talking about, Commissioner Hansen, a dig once policy where you have a trench already open, or a bore going on, why don't we just get together – we'll buy the conduit and put it in for you all. We'll do that. What that does is it future-proofs us against anything else going on and it helps us to get a much better pathway in terms of potentially leasing either the empty conduits to an incumbent, so they don't have to participate in that labor. That's an instant capital savings to them. It allows us to potentially recapture those investments in terms of rental revenues. And what's more, we can lay in our own fiber to keep our own infrastructure safeguarded against price fluctuations, against outages and to provide redundancy.

And to get back to the redundancy question, what we're looking at now is we have two different paths of redundancy, but we're looking at four different paths. Four. Through the City of Santa Fe and the County Santa Fe so that we don't get stuck into that whole redundancy. So the build that we're talking about going north towards Cuba, that's to help us out with that. Any build-out at Buckman, that would definitely help with that same situation. So we're hoping to close loops as quickly as possible. I don't know if that was too verbose of an answer. I hope it answered your question, but we did look at it ma'am.

COMMISSIONER HANSEN: So that's what I'm talking about if there is stimulus money, I know that it's expensive to dig and so if there are plans already for us to move in that direction. I also wonder, since San I has not joined REDI Net, but they could join, is there any possible talk of connecting through from Los Alamos to Pojoaque?

MR. ORTIZ: Ma'am, I've already got that completely engineered. REDI Net paid \$45,000 for that engineering. We have it in place. We know what the trench detail looks like. We know what the overhead detail looks like. We know what the strand count requirements are. We know what the strand allocations are. We've got all that ready to go. As a matter of fact, I was surprised that San I did not come on board with us. We had \$6.5 million available for complete fiber build to the home for all the pueblo if they allowed access to that, and they didn't do it. Whether I can get that funding back, I really don't know. But if San I didn't come to the table as a JPA member with full autonomy of ownership for \$6.5 million of infrastructure, and potential ongoing revenues for trespass, easement, for delivery of bandwidth across their lands, I don't know what will ma'am.

And I believe in the sovereignty of the nations; I do. I firmly believe that, but in this case when you have a landlocked pueblo that has no other source of revenue, because they don't have casinos, they're not gaming, there's not – I mean, dang, there's a lot of things that could happen with that money for the tribal members. There really is. But I can't dictate to the tribes and I won't even try. All I can do is say here's where we're at. It's free money. You own it. What's the problem?

COMMISSIONER HANSEN: They're a sovereign nation so they have their choice to do whatever they would like. And I understand that. I was just wondering about that. But I really appreciate the presentation. Thank you so much. But I would like to see fiber – I'd like to make sure that we have a dig once policy in the SLDC and we

start laying fiber wherever we can. So thank you, Chris and Ray. Thank you.

MR. ORTIZ: You're most welcome, ma'am.

CHAIR ROYBAL: Okay, thank you, Commissioner Hansen.

Commissioner Hamilton, did you have any questions?

COMMISSIONER HAMILTON: No additional questions. Thank you so much for the presentation.

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

COMMISSIONER HUGHES: I don't have any questions either. Thank you, Mr. Chair, but that was a good presentation and I'm glad we're working on expanding our broadband network.

CHAIR ROYBAL: Thank you. Once again, I'd just like to thank Mr. Raymond Ortiz and also Chris Hyer for your hard work and for this presentation today. Thank you very much for being here.

MR. ORTIZ: Mr. Chair, on behalf of Rio Arriba County and my leadership, they asked me to extend thank yous to Santa Fe County for everything you're doing to work with us on joint projects. They greatly appreciate it. That's from all my commissioners and my leadership. So thank you.

CHAIR ROYBAL: Yes, sir, and we look forward to future endeavors like this. So thank you, sir.

MR. ORTIZ: Thank you.

6. MATTERS FROM THE COUNTY MANAGER

A. Miscellaneous and COVID-19 Updates

MANAGER MILLER: Good afternoon, Commissioners. I don't have a ton of updates. I'm going to let Hvtce do the legislative updates based on the special session, and then I just may add to that relative to the business grants because they had a special meeting with the New Mexico Finance Authority to try to set rules in place for getting out that \$100 million to the businesses, to set some policies and procedures in place.

But relative to our COVID update, the State announced new criteria for reopening counties based on a three-tier rating system. It goes from red, yellow, to green. Unfortunately, all but one New Mexico county, Los Alamos, are red. And in order to improve Santa Fe County needs to reduce the per capita incidence of COVID and the positivity rate must be at or below five percent. We're currently at 15 percent, and that means that we have 87.7 cases per 100,000 of population. So not good.

And also, very difficult, and a shift in this position by the State is to move this responsibility for getting positivity rates to the counties. That's challenging, especially since we don't control testing, lab work, or contact tracing. That the area where if we had that local control we might be able to make some differences, and as you know, we did propose that, to have our own contract tracing in Santa Fe County. We weren't able to really get that coordinated with the State. I think the State at the time just really wasn't ready to move to a locally based contact tracing methodology, and so I don't – I think this is going to be challenging.

Rachel and I have been discussing what other things we might be able to do relative to our ad campaigns and some of our efforts. I think one of the things that the State is hoping for in order to move those numbers is increase testing and the increased testing – we are working and have opened up our fairgrounds for testing and working with the State to increase testing at the Public Health Office. There's an additional site at the City's fire station. So there's definitely efforts to increase the availability of testing sites, but it still takes a while to get test results back. So that's a challenge.

I think the type of things that Santa Fe County can do is to encourage people to test early. Don't wait. If you think you may be exposed or you think you may have COVID-19, go get tested, self-isolate, self-quarantine from your family and from anybody. From work, from any contact. That's the kind of thing that we can – aside from the social distancing efforts of public information that we've done with that and mask wearing, right now, I think one of the challenges is if somebody has it, how do we keep it from spreading? And it's not just the six feet and a mask but it is go get tested if you think you may have been exposed. Go get tested if you think you may have it. Don't wait, because it's going to take a few days to get your results, and don't expose your family members to it.

So we've talked about working on some public information campaign along that line in addition to the mask campaign that we have. We also have some more public awareness campaigns, two new campaigns to focus on the southern part of the county with a cowboy theme, and also a female theme of targeting those individuals that are in the southern part of the county or women, because we've had some other targets in the northern part of the county and in the 87107 zip code.

So those are some of the things that we hope we can move the needle on and to work with the City and other community leaders and any ideas that they may have to help reduce Santa Fe County's positivity rate. It clearly is challenging. There's no way to keep people from coming into the county for shopping, particularly from those rural counties that don't have any businesses. They're still going to come into Santa Fe County, as well as the other counties that have urban centers.

Also, our small business grant application, obviously was released and we've been actively approving funding requests. To date we've approved about \$650,000 for 45 businesses and non-profits and we're processing an additional 60 applications. We're doing additional outreach to ensure local businesses are aware that the funding is available and how to apply for it. Some of the changes that we've run into was DFA did put quite a few restrictions, requirements, on what our application process had to look like, and so we created the program in line with those but that's not necessarily in line with businesses in Santa Fe County, in the city and in the Town of Edgewood that need the funding.

Additionally, we had started out with \$25,000 when we made a request, but when we only got \$3.8 million worth of funding we dropped it down to \$15,000, because we were hoping to help more businesses. It's hard to say if that discouraged people from applying because it wasn't enough money, but what we have done is gone back to anybody who has applied and said they're eligible for \$25,000 if they want to increase their application. So we're trying to make sure that we not only touch things that we've made grants to, to increase the opportunity to \$25,000, but also going forward to increase

it, as well as I believe we increased the amount of their gross sales, gross revenue, which was something that the State had limited to \$2 million and 50 employees.

I guess while I'm talking about that, the State's program now, they didn't put those kinds of requirements on the \$100 million that just got approved by the legislature and the governor last week. They have different requirements, 51 percent New Mexico owned, and 100 employees or less, and they will not have to provide as much financial information, and the grants will be based upon number of employees and financial impact to their profit and loss statements from last year to this year.

So they're going to tie it more to just those two things – number of employees and actually loss of revenue based on the number of employees. But what that may do is actually put some of the Santa Fe businesses going towards the State's grant program over ours. But the other thing they're doing is you can still apply to the State's program even if you've received a grant from a local government. They will just deduct from the amount you're eligible for the amount that you received from that local government.

So we want to help get the word out about that opportunity as well as to continue to push out all of the \$3.8 million that Santa Fe County received in the grant.

With CONNECT, we've been doing a lot of public awareness on the CONNECT program, including direct mailers and distribution of information to establishments that are shutting down or laying off employees, so what we've done is if we know that a business is shutting down for an extended period or if they're laying employees off, staff and/or contractors have been going directly to those businesses and providing information flyers directly to those employees who are being affected by the shut-down if they're employers.

Last week we had 600 applications pending and we have added both contractors and Community Services employees to help process any new applications.

Also, our Seniors program has tried to help spread a little cheer over Thanksgiving. They actually made a specific Thanksgiving meal for the home-delivered program and they provided a meal that had turkey breast, stuffing, mash potatoes, gravies, mixed vegetables, dinner role and a slice of pumpkin pie, and we received a lot of positive feedback from the seniors. They really enjoyed the meal and they really appreciated the job that all of the staff in Senior Services are doing to continue to provide meals to seniors. So I want to give a big shout-out to Rachel O'Connor, Anna War, Toby and all their staff that have really, really been diligent in providing meals to our seniors.

We also distributed a total of 146 Food Depot bags last week to the seniors and as always, those contain canned food, non-perishables and fresh produce. And then we still are providing transportation services of about seven trips a day to seniors for high-risk medical appointments.

I mentioned our public awareness campaign and with the social distancing and wearing masks. And then just one last item, as you know we leased our mobile health van to the State. We also reached out to the State, that lease was finishing up this month, and so we reached out to the State to reclaim our mobile health van. They have not purchased it. They were going to purchase it but they have not appropriated those funds and executed a purchase agreement with us, so we are reclaiming it to prepare it to be used in the vaccination effort for COVID-19.

So working with Martin and Rachel on how we could specifically outfit it as an

immunization vehicle, anything that we can do with CARES Act money this month to get it set up so that we'd be able to utilize it.

So that is all I have on updates relative to COVID-19. Do you have any questions?

CHAIR ROYBAL: Thank you Manager Miller. Do we have any questions? Commissioner Hansen.

COMMISSIONER HANSEN: I just want to say thank you to Rachel and her entire team, especially for the Thanksgiving Day meal. That is so important for people who are stuck at home at the moment. I think that is fantastic and thank you for everything that you are doing. It is good for us to know what we at the County are doing and I think we're doing what we can do. Getting money out to people is so important at this time. And getting tested – please, everyone, if you think you've been exposed get out there and get tested. Anyhow, just thank you to everybody and all of Rachel's team. Thank you very much.

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

COMMISSIONER GARCIA: Really quick, Mr. Chair, thank you. I agree with that, Commissioner Hansen, what she actually stated and brought forward. So just really quick, the vehicle, I think that's actually a great thing if we can try to get the vehicle going and moving. My district is very, very, very, very rural so if we can actually get that mobile vehicle going that would be great. And I appreciate that. Thank you, Katherine and your staff for doing an excellent job.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Any other Commissioners have comments? Commissioner Hughes.

COMMISSIONER HUGHES: Yes, thank you, Mr. Chair. I think Commissioner Hansen said it very well. It's very nice to know that the County staff is doing so much in this difficult time and I think the only thing I wish is that we could get people to wear masks more often and pay attention to the social distancing, especially not gathering with people outside their household and places without masks. And I am sure our advertising is doing the best we can on that message. Thank you.

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

COMMISSIONER HAMILTON: No, I don't have any questions but it was an excellent report and I'll just join my fellow Commissioners in thanking Manager Miller and Director O'Connor for such excellent work in responding to the diverse county needs. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. And I would ditto the remarks and sentiments. I'm really proud of the work that staff is doing. I did want to ask how the overall morale for Santa Fe County and employees and how things are, I guess, how employees are sharing any concerns relative to the COVID-19 pandemic. Manager Miller, does it seem like our staff is safe and are comfortable?

MANAGER MILLER: Mr. Chair, obviously with the surge in numbers, I think a lot of staff got very nervous. We changed operations in the 100 Catron. We reduced hours. We were going 9:00 to 4:00. We moved that back to 10:00 to 2:00. We test or screen everybody who comes in. They have to have appointments. We've beefed

up help for the Treasurer's Office so that people – they were just getting inundated with phone calls. They had hundreds of voice mails so we actually hired temps to help them clear the backlog of phone messages so people didn't feel they had to come down to the County to find things out.

We've definitely had an increase in employees who have potentially been exposed. The sheer numbers in the state and the county would indicate. We had none for the most part through September and October even that felt that they were exposed and had to quarantine. We have had an increase in that with family members who've been exposed and therefore the employee's been exposed through a family member and had to quarantine. We are providing, because we did receive CARES Act money, we have provided 80 hours of administrative leave for that through December. That was something that prior to receiving CARES Act money we were not able to do. So we've done a lot in the last couple of months to change, as the numbers have increased in the county, to change the way County staff is doing business, making sure they're socially isolating.

We have had some incidents where some staff have not been that cognizant so we have definitely kind of brought down the hammer that you need to ensure that if you're not able to work from home and work remotely, because we have done that wherever we can, but where we can't, they socially distance and they wear their masks, and reminders of it and to make sure that if an office area is small, that we utilize other office areas, emptier areas and move people around. We took some people from Public Works, the administrative area of Public Works and moved them to the empty HR Building where we have separate offices.

So a lot of that has been done just in the last few weeks since the numbers started to surge. So we have tried to take care of employees and ensure their safety. As you know, we've deemed all County employees essential and you can see that we are definitely essential in the services that we provide and the amount of work that we're doing.

We've changed the way that we're delivering our services but they certainly have not been reduced. So I hope that gives you an idea of what we've tried to do to help employees feel safe and feel secure. Stay at home when they can and also to remind them to wear their masks and be careful, wash their hands, do their part to slow the spread of this virus. I think – I will say this – I think working in this environment has become hard for everybody. It's challenging. It's difficult to find ways to keep morale up when you don't see anybody and you don't have a potluck. Like typically, every Thanksgiving every office has a potluck. This isn't the environment to have a potluck, so there were no potlucks. And those are things, while they may seem small, they do give a sense of camaraderie and moral and it's hard to create that in this virtual environment, but I think everybody is doing their best to keep their spirits up and keep providing to the public. And I think when we have a response like we did from the seniors for their Thanksgiving meal that always – that helps employees feel like they're doing the right thing. I wish I had gotten one of those meals because my turkey was not very good. By my husband's own admission.

COMMISSIONER GARCIA: So Mr. Chair, really quick, I have a question, Mr. Chair.

CHAIR ROYBAL: Okay. Go ahead, Commissioner Garcia.

COMMISSIONER GARCIA: Who prepared the turkey? Yourself or your husband?

MANAGER MILLER: My husband prepared the turkey. And he said, it wasn't very good, was it? And I didn't say anything.

COMMISSIONER GARCIA: Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. And so I want to just reiterate for us to continue to evaluate the need for employees to be in the office if not necessary and which ones can possibly work from home. It's just something that as time goes on we may have to evaluate it and look at it closer.

And another thing I want to do is just ask for our constituents in Santa Fe County to be patient with these changes as we try and keep our staff safe. All of our staff is somebody's brother, uncle, cousin, relative of some sort. And we want to keep all of our family and team safe, so once again, I thank you, Manager Miller, for always looking at this and trying to keep our staff safe, and just ask that we continue to evaluate that. I'm going to go back to Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Really quick. Just to add to that. I appreciate Manager Miller and her entire team as well as my colleagues as into moving forward. Santa Fe County is doing an excellent job. And for our employees to not get laid off and I feel as us as a Board, as well as the Manager and her team, Santa Fe County, we're doing an excellent job. I know Manager Miller is very, very conservative. I appreciate that and I think that's great because all our employees have not been laid off and they're still working and we're doing an excellent job and we're moving forward. So thank you for that.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Manager Miller, did you have anything else or was that it for your report?

MANAGER MILLER: That's all on the COVID and our business operations, but I wanted Hvtce Miller to give you an update on the legislative – the special session and what's coming up.

6. B. Legislative Updates

HVTCE MILLER (Liaison): Good afternoon, Mr. Chair, Commissioners. Good to see you all. A question for you, Katherine. Did you just want me to go through the special session and then you can fill in the information – the small business grants.

MANAGER MILLER: Sure. That would be fine.

MR. MILLER: Okay. I'll go over the special session part first, Mr. Chair, and then have the comments from Katherine and then talk a little bit about the 2021 session.

So last week, on Tuesday, the legislature held a special session on Tuesday the 24th and it concluded the same day. There wasn't really any surprises from the special session. The items detailed in the governor's agenda were taken up and they were addressed and they were passed. I'll go over the specific elements of the bill.

There was just one bill. It was House Bill 1 which was passed and then signed by Governor Lujan Grisham on Wednesday the 25th. So what the bill contained is \$100

million in grants for small businesses in New Mexico and there's supposed to be a priority for hospitality and leisure industry businesses. Small businesses are 100 employees or fewer. Those grants are going to be administered by the Finance Authority.

The second item is \$1,200 New Mexico worker pandemic benefit. This is similar to like the stimulus money that was given from the feds earlier in the year and the state is taking similar action for those who are currently collecting unemployment. Reports from yesterday are that these \$1,200 payments are supposed to start taking effect on December 14th or the week of December 14th and continue through that week. This program is being administered by the Department of Workforce Solutions.

The next item in the bill was \$15 million for emergency housing assistance and assistance for the homeless. The next item is \$5 million for emergency food bank services. The next item is \$5 million for direct assistance to low income residents who did not receive an economic impact payment. And lastly, the bill also contained \$10 million to the Department of Health to support COVID-19 contact tracing, testing and vaccine distribution efforts.

Like I had mentioned earlier, there wasn't much surprises and there was largely support from both parties with the passing of the bill 59 to 11 in the House and passing in the Senate of 33 to 5.

So overall, what the bill was trying to do was make sure that \$319 million from the federal CARES Act, which had been given to the State of New Mexico would not revert back to the feds after the deadline which takes effect December 30, 2020. There was one amendment trying to be included in the bill, but ultimately did not pass and that was for a hazard pay bonus for essential employees such as healthcare workers, grocery store workers – any type of business that has remained open throughout the pandemic. And that was supposed to be a \$600 payment but it ultimately did not make it into the bill. But during the debate of this particular amendment it was mentioned that this item of a hazard pay for essential employees would most likely be brought up in the regular session in January of 2021. So that is an item that is going to continue.

One amendment did make it into the bill and that was an inclusion of fraternal organizations such as the Fraternal Order of Police, Elks Lodge, those types of organizations, that they could qualify for grant monies for these small businesses. And criticism of the legislation and the conducting of the special session included that the overall bill was limited and its effect, that not all the legislators were informed in due time so it was considered more of a last minute rush issue. And also that the state needs to take a bigger response to help out the citizens of the state, and lastly that there was also criticism provided saying that the measures taken so far by the State are not the correct to address the pandemic at hand.

So some criticism, but by looking at the votes over all it wasn't too controversial and everything got concluded in the same day. And with that, Katherine, did you want to provide your comments on the small business grants?

MANAGER MILLER: Sure. Thank you. So as I said, the New Mexico Finance Authority was tasked with getting \$100 million out in small business grants. They will range from \$2,000 for non-employer businesses to up to \$50,000 for those businesses with 76 to 100 employees. They will be looking at those businesses with severe economic impact which will be determined by calculating each business's profit

and loss divided by the number of employees and it will be measured against other applications in those instances where there was greater request for funding that funding is available. If all the funding is available then they'll look at them based upon their employee size.

There was a desire by the legislature as well as the governor to make sure that the funding targeted rural areas, so there is a 40 percent earmark of that \$100 million to be earmarked for businesses in rural New Mexico, which will be determined by essentially an urban area, and then those areas that are supported by that urban area. So while Commissioner Garcia, for instance, indicated that much of his district is rural, there's also parts of his district that flows into the City of Santa Fe that they would not consider rural. So that doesn't mean they're not eligible; it just means they'll be competing in the urban pot.

Then there also will be earmarks for industry and business types, because they really wanted to focus on the hospitality industry, so the hotel industry will get 20 percent earmark, restaurants will get 20 percent, and that's within the rural and urban areas, but essentially I would say that 58 percent will be geared towards other leisure and hospitality – hotel, restaurant, destination marketing organizations, and then the other 42 percent for other type of employers.

And they don't have a whole lot of other requirements, and they're going to do it starting next week accepting applications, and they're going to do it what I'll call three tranches, so they'll take all their applications. They'll look at distributing \$40 million. Then there'll be another cutoff date of applications and out of that total amount of applications another \$30 million. And then by December 18th I think will be the final cutoff of applications. They anticipate they will likely get applications for all \$100 million.

I just wanted to let know about that and the details of that because please get the word out to any businesses that you know that would be eligible, because the key thing about this, this does need to be out the door by December 28th in this case. I think the bill requires anything that isn't out for business grants will go to the income support side, and then anything that isn't spent out of the money as it stands now will revert back to the federal government on December 30th.

So the Finance Authority and the State are looking at anybody to partner with them to get the information out. As soon as I have an actual link to a website I'll make sure all of you have that and can send it out through your newsletter group, because you each have your own individual mailing lists and we'll also put it out on our website and we'll put it out to our County mailing list. So that's all I have on the business grants and the last special session. Hvtce, I'll turn it back to you for anything else.

MR. MILLER: Thank you. The second part of my report is regarding the upcoming 2021 regular session. And so the 2021 session is a 60-day session and it will start on January 19th, which is one day before the swearing in of the new president. And right now, it looks like it would be more or less conducted in the same manner that the two special sessions this year have been conducted in. There's going to be more logistics that need to be figured out, I would say to accommodate more of the staff. During the special session there was limited legislation being considered so it didn't take as much direct and dedicated staff time as a multitude of legislation as a during a regular session

would take. So that's one of the main logistical issues that's still being figured out right now as far as accommodating staff to the legislative proceedings.

It's most likely that there won't be any public allowed into the capital building during the 2021 regular session. And earlier this year the Legislative Council Services was given the go-ahead to go with a contract with the Santa Fe Convention Center, so that might be an option, an offsite way of having the public in a larger venue to provide input on different legislation that is going introduced.

What I have here in the report is that the House and Senate have their rules for conducting and the House of Representatives allowed members to participate live at the capital or virtually from their own homes or offices. And the Senate rules were that Senate members were allowed to participate live in the Senate Chambers or from their offices within the Capitol but they were not allowed to participate from home.

Also in the report that I have, who are the Senate and House leadership, and the two biggest changes are that the Democratic Caucus has nominated Senator Mimi Stewart of Albuquerque to serve as the Senate pro tem. She would be replacing Mary Kay Papen, the Senator from Las Cruces. And the other change on the minority leader side is the nomination of Senator Greg Baca to be the new minority leader in the Senate and he would be replacing Senator Ingle.

Another big change that's not known but definitely a possibility right now is that the governor herself might be serving as the Secretary of Health and Human Services for President Biden and that might be known as early as next week, and that could change a lot of things as to what would be brought up for the governor's agenda in January and it would be Lt. Governor Howie Morales who would take over the remaining two years if Governor Lujan Grisham did in fact get appointed and accepted the nomination for a spot in the president's cabinet.

So there's still a lot of unknowns but the main issue that is going to be taking the top spot with the legislature in 2021 is going to be the budget and that's really kind tells how everything else will go. Some of the major issues that are likely to continue which were heard in the regular session this year are the legalization of cannabis, changing of liquor license laws, looking at tax credits and whether or not to continue these in a revenue-strapped year, and another big issue will be vaccine distribution and the continued healthcare issues of COVID-19 and the pandemic.

There are some items of legislation that have been endorsed but because the introduction time doesn't start actually till next month these bills aren't given numbers and they're not really assigned spots. But the premise of the legislation has been endorsed and I can assemble those and provide those to you later on. Interim committees are still meeting right now and those legislation endorsements are still taking place.

And going into legislation endorsement, Tessa was going to offer some comments on what New Mexico Counties is doing right now in regards to the legislation and endorsements of any legislation.

MS. MASCARENAS: Thank you, Hvtce. As you're all aware, by this point we've already approved a resolution which cites the legislative priorities of New Mexico Counties. However, this year only one priority was approved, and that is also their policy statement, which states: New Mexico Counties opposes unfunded mandates on county government and opposes legislation that has significant negative impact on

revenue, budgets, and liability. So because that's already their mission statement and something that the counties have agreed to they will not be requesting a resolution from us. However, they have agreed to support revisions to Senate Bill 8, which is regarding law enforcement body cameras, to the disposition of personal property for counties to allow non-profits to receive capital outlay funds directly from the State, and to amend solar energy improvement special assessment for commercial real estate only. So those are their supports and they would be in opposition to any legislation that would create new civil rights cause of action under the New Mexico constitution, and legislation that would create a new special valuation or classification regarding leased residential solar taxed as personal property.

So those are a couple of things that we see upcoming but it's nothing that they really want us to hammer home while at the session.

MR. MILLER: And with that, I'd be happy to answer any questions you have at this time with regards to the report and if you have any other items which you would like me or Tessa to follow up with, we'd be happy to do that.

CHAIR ROYBAL: Okay. Thank you, Mr. Miller and Tessa Jo and Manager Miller for all the legislative updates that you provided. I'm going to go to the Commission and see if we have any other questions. Can I see a show of hands? Any questions? Comments? Okay, Commissioner Hamilton, then I'll go to Commissioner Hansen.

COMMISSIONER HAMILTON: Just a quick question at the moment. Given the unusual circumstances, are you guys going to find it more difficult to follow what's going on and give input?

MS. MASCARENAS: I don't expect, Mr. Chair, Commissioner Hamilton, I don't expect to. I expect it to be a little bit easier in that we won't be running from one committee room to another. You can have both screens up and pay attention to two different meetings and track your agendas a little bit easier. That's for me personally. I'm not sure how Hvtce feels but I know that he's always happy to rise to the occasion.

MR. MILLER: Mr. Chair, Commissioner Hamilton, the way that comment was being taken in this most recent special session was that on the Senate side they were taking emails in support or opposition to legislation and they were allowing comment to be introduced that way, and on the House side they were taking virtual, either through phone or through video conferencing technology, comments of public input. So depending upon which side, whether it be the Senate or the House they would probably have similar manners of public input, but I think it would take a little bit more preparation to have more or less written comments to be able to be provided to either the House or Senate.

MANAGER MILLER: Mr. Chair, I was just going to say we also have the bill tracking software, our service that we have and that issues alerts all day every day. And particularly for bills that we're watching for. So that's really helpful. But I do think, to Hvtce's comment, we want to make sure that if we do want to comment on something that we have something written and submitted in time.

CHAIR ROYBAL: Okay. Commissioner Hamilton, did that answer your question?

COMMISSIONER HAMILTON: Thank you.

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

COMMISSIONER HANSEN: Thank you, Mr. Chair. So is there any way to ask for capital outlay? Are we hearing that there's zero capital outlay? What's the story?

MR. MILLER: Mr. Chair, Commissioner Hansen, we will actually get a more clear picture coming this Thursday. There is a capital outlay presentation being provided to the Legislative Finance Committee, and after that I can make sure and provide the Commission an update as to what the forecast is, whether there is capital outlay that is going to be issued, a limited amount or if there is going to be none at all. On Thursday we will have a clearer picture of that.

COMMISSIONER HANSEN: Thank you. Also we normally gather together our Santa Fe legislator colleagues. I can't see us doing it via zoom, but I think after we find out if there is any capital outlay we'll put together a packet like we normally do? Or write them a letter? Or did we have any ideas of how we're going to approach that?

MANAGER MILLER: Mr. Chair, Commissioner Hansen, we'll write them letters no matter what. We'll write them based upon any direction that the Board gives relative to supporting or opposing legislation, like we have done in the past. We've had not just our capital outlay priorities, our top five countywide projects but a list of our ICIP and their districts. So we'll still provide them a packet. Even if they don't have capital outlay is one more way for us to get our needs in front of them. So we'll still send them a packet. I don't know if it's really conducive to do some kind of Zoom, and send them sandwiches. I'm not sure we'd get a whole lot of participation.

So I think we might just be best sending a little basket or something or a little packet to them, thanking them for their work in the legislature and just letting them know our position on certain pieces of legislation as a County as well as our capital outlay needs, if there is any capital outlay, and also inviting them to contact us if they have anything – any information or assistance they need from us.

COMMISSIONER HANSEN: Thank you, Manager Miller. That sounds fantastic. I think a little basket and a letter and a packet – all of that sounds great and that's what I wanted to hear. I can't imagine trying to do a Zoom meeting either. It seems a little over the top, so to speak. So thank you. I appreciate your answer. Thank you.

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

COMMISSIONER GARCIA: Mr. Chair, I just would like to thank staff, Katherine and her staff that's working throughout this, following those bills. Been there, done that, and Katherine, Tessa, I know so well. It's just a different session this year. But I appreciate what you all do. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. And once again, I just want to thank you guys for your presentation. You did a great job and as always we appreciate you guys keeping us abreast of all these different issues that are coming forward. Commissioner Hughes, did you have a comment, sir? I'm sorry. I don't think I called on you.

COMMISSIONER HUGHES: Thank you, Mr. Chair. I didn't have any

additional comments or questions. Thank you for the report and I'm still learning how we do this process at the County, so it's very interesting.

CHAIR ROYBAL: Thank you, Commissioner.

7. MATTERS FROM COUNTY COMMISSIONERS AND OTHER ELECTED OFFICIALS

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

CHAIR ROYBAL: And so I just want to thank staff for all their hard work and also just want to hope that everybody did have a happy Thanksgiving and a safe Thanksgiving. It was definitely a different celebration this year than many other years for a lot of folks that usually get together with a huge family. So it was different but I think that hopefully everybody did what they needed to to keep their family safe and to help fight this pandemic. So I just wanted to say I hope everybody had a great Thanksgiving. I don't have anything other than that. Commissioner Hamilton.

COMMISSIONER HAMILTON: Yes, thanks. Just one quick thing. This coming Saturday is the first Saturday of December so I'll be doing Coffee with the Commish starting at 9:00 and as usual, Tina will send out the meeting notice and link to everybody and I hope lots of people can join. It's been pretty successful. And in addition to Tina I want to really give a shout-out to Daniel Fresquez and Tessa Jo Mascarenas for their assistance with that which I just appreciate more than I can say. They do a fabulous job. So thank you, Mr. Chair.

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

COMMISSIONER GARCIA: No, Mr. Chair. I don't at this time.

CHAIR ROYBAL: Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. First of all I want to give a shout-out to Santa Fe Watershed. We recruited 40 volunteers who have been monitoring and caring for the cottonwoods in the Santa Fe River. They've spent 92 hours over seven visits in 2020 and this is part of the Santa Fe County New River Greenway project of watering them. They have a bucket brigade and the volunteers have helped to impact approximately 100 cottonwoods remaining from previous seasons. And at the next meeting – I did not have time – they just notified me about this, but I plan to offer certificates to all of these 40 volunteers for their dedication and hard work in keeping the Santa Fe Greenway green and beautiful for future generations to be able to appreciate that.

I also wanted to thank Sara and Daniel for my moving forward conversation. I think it was a little jinxed but I think it has to do with, like Commissioner Hamilton, the first time she went and did her video she had technical issues. We had a few technical issues, so I think it's just part of the process of learning how to make these roundtables work. I look forward to doing another one in January and just keeping in touch.

Reunity Resource in my district will be having another pop-up farm day on this Saturday, December 4th of 5th. The 5th. So in the morning from 10:00 to noon. You can

also order on line. Otherwise I have been busy also attending a number of NACo meetings, Resilient Community and the EELU where we have had some very interesting presentations. And Sara and I have been very busy and I want to wish everybody a happy – I hope you all had a happy Thanksgiving and blessed holidays. It will definitely be different this year. Staying home, staying safe is the most important thing that we can all do. So thank you for the few moments, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hansen. I'm going to go to Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair. I just wanted to run through a couple things that I've been working that I want to make sure that the other Commissioners as well as my constituents and the staff are aware of. As some of you know I asked the Ethics Board for some advice on my dual role in our community which they very kindly gave me. They also asked me to help them update the Ethics Ordinance, and so I'm been investigating that and will be meeting with the County Attorney's Office on Thursday to learn what some of the issues are with that. I understand it got to a certain point and then got stuck, and I'll see if there are ways to get it unstuck. This is one where if there are other Commissioners who have insights I'd very much welcome your insights because I'm stepping into this new and I'm sure I'm going to step into something. But I appreciate any help.

Just in addition to that, Commissioner Hamilton and I have been talking to people up and down the 285 area about the issue of nuclear waste transport and we'll keep working on that. I'm really enjoying working with Commissioner Hansen on the energy efficiency stuff that we're investigating as well as not only the requirements for energy efficiency but the possibility of working with the Santa Fe Community Foundation to form a green bank to fund projects that are hard to fund in the renewable energy sector, particularly people of lower incomes who might not be able to get a bank loan and that sort of thing.

And second to last, I did get some complaints for the San Marcos area when the transfer station hours changed and I wanted to thank the staff, Director Giron's staff and Gary for their explanation. When we explained that it was because of safety and COVID people seemed much better. And so I think we need to make sure that people know how hard our County staff is working under very hard conditions and that we're trying to keep things as close to the way they used to be as possible but it's not possible to do everything.

And then finally, I'm also having my community meeting this Thursday, since it's the first Thursday, at 5:30. And thank you, Mr. Chair. That's it for now.

CHAIR ROYBAL: Thank you, Commissioner Hughes.

COMMISSIONER GARCIA: Mr. Chair, if I may, really quick.

CHAIR ROYBAL: Commissioner Garcia, go ahead.

COMMISSIONER GARCIA: Just really quick. I actually wanted to just say on November 10th we had a Board of County Commissioner meeting and November 11th was actually Veterans Day. I just would like to – I apologize for myself being part of it. I didn't tell everybody happy Veterans Day, so I just wanted to bring that up because I got a call from a couple of people saying, you didn't tell everybody happy Veterans Day. So I just wanted to bring that up just for the record. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia, and I appreciate you recognizing that, and so I would like to ditto the sentiments. Happy Veterans Day, belated. We wish all our veterans the very best.

7. B. Other Elected Officials' Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions and Requests for Updates or Future Presentations

CHAIR ROYBAL: I know that we have our County Clerk. Ms. Salazar, did you have anything to share?

CLERK SALAZAR: Chair Roybal, as I mentioned earlier, we did complete the post-election audit and Theresa Atencio submitted our findings to the auditor, the CPA that was hired by the Secretary of State to give us direction and selection of where the audit needed to be conducted in our elections.

We balanced. Everything went well. We had to recount absentee ballots just to ensure, because we couldn't find one ballot, but it was located. So we went over all of the early voting ballots, all of the absentee ballots and election day ballots. So we're talking about over 80,000 ballots that we had a team working Friday, Saturday and Sunday. So that's complete. And we are good to go with that.

In addition to that, we are continuing with data entry that continues in the office. We have a lot of voter registrations. I think this morning I checked and we had over 1,900 voter registrations and then some in the system, over 900. So we're working on that. And the temps that we hired with the grant that we received are helping, because we have a lot of work, as I mentioned earlier today, because of this historic election. So that continues also.

And then we're just finishing up all the details. We're also preparing for retention of our election documents. We have to go through that whenever we have an election so we will be going and boxing up all of our election documents so that we are following the law with retention. And then if we have any records from previous elections that we can destroy after the statutory limits, then we will destroy those and we go through a process.

Well, there's lots still going on in the County Clerk's Office. We continue with our recording operations, our records operations, our probate operations, everything else. Thank you very much.

CHAIR ROYBAL: Thank you, Madam Clerk. Do we have any other elected officials online right now, Tessa Jo?

MS. MASCARENAS: No, Mr. Chair. We don't.

CHAIR ROYBAL: Okay. Thank you, and thank you for the update and sharing and recognizing the staff of the County Clerk and how much work it was. So we do appreciate you guys once again.

CLERK SALAZAR: Thank you, Chair Roybal, and thank you to all the Board for all your support. It was an interesting process and I will cherish these moments forever.

CHAIR ROYBAL: I think this would be a very difficult election for anybody to beat in the future.

CLERK SALAZAR: It was incredible. Thank you.

SFC CLERK RECORDED 12/22/2020

7. C. **Resolution No. 2020-93, a Resolution in Support of Senate Resolution 372 and House Resolution 835, the 30 x 30 Campaign to Protect 30 Percent of Lands and Ocean by 2030**

COMMISSIONER HANSEN: So, Mr. Chair, I want to just say that this is also supported by Commissioner Hughes. And we have Ken Hughes as our guest. They're not related but they're both in support of this resolution. This is a resolution that is in support of what Senator Tom Udall and Michael Bennet have done in the Senate to protect the earth, protect our land and water, and in the past four years Santa Fe County has brought forward numerous resolutions to stop the climate crisis and this is one more step. Also, Deb Haaland has introduced this bill in the House and so it's really – I wanted to bring this forward out of deep respect for Senator Udall and all the work that he has done in the last 20 years, 25 years, when he was our Attorney General, when he was our Congressman and now as our Senator and the fact that he is retiring from that, hopefully he will go on to continue his activism in many different ways. He is a top contender for the Department of Interior post.

So I wanted to bring this forward, and I want to also have Commissioner Hughes and Ken Hughes say a few words before we go into – I would like to read the resolution even though it is quite long. I think there are some really important items in it that need to be put in the record. So Commissioner Hughes, I want to turn it over to you for a moment.

COMMISSIONER HUGHES: Thank you, Mr. Chair and Commissioner Hansen, and I'm really happy to have been invited by Commissioner Hansen to co-sponsor this resolution. I think that we all know that we're at a point in our history where nature is taking on new importance with climate change and environmental destruction. We need to look at our open space in a different way. It's the lungs of the earth. It's not just another place to develop. I'm really happy that this resolution not only honors Senator Udall but calls on us at the local level to continue to do our part. We have a great open space program in Santa Fe County that we can all be proud of and I think we have the opportunity here to continue that and to look at future open space areas that might be of particular ecological significance within Santa Fe County to provide wildlife corridors, and also the opportunity to use our transfer of development rights project to preserve more open space.

We're really fortunate here in Santa Fe County to have lots of open space and we want to kind of keep that for all our future generations. Thank you, Commissioner Hansen. I will turn it over to my not-brother, Ken Hughes, but we've known each other a long time.

KEN HUGHES: Thank you, Commissioner Hughes, Mr. Chair and other Commissioners. Thanks for the opportunity to support this resolution. I'm here on behalf of the executive committee of the northern group of the Sierra Club, Rio Grande Chapter, with our 10,000 members throughout the state. This is definitely something our organization supports. About five percent of the earth is left not wild. We really need to bump that up. So I'm really glad to support this and I think there's no better gift for Tom Udall as he leaves the Senate in a few days to support this resolution. It's something he's

worked on tirelessly in the Senate and I'm sure whatever role he plays in the future will also continue to promote the 30 x 30 Resolution in adopting it by as many entities as possible. So thank you very much.

COMMISSIONER HANSEN: So with that, Commissioner Hughes, would you like to read this resolution with me? Or would you like me to read it?

COMMISSIONER HUGHES: Well, since you have a copy in front of you I think I would like you to read it.

COMMISSIONER HANSEN: Okay. Thank you. So a resolution in support of Senate Resolution 372 and House Resolution 835, the 30 x30 Campaign to protect 30 percent of lands and ocean by 2030.

Whereas, the continental United States loses a football field's worth of natural areas every 30 seconds due to human activity; and

Whereas, this loss of nature, accelerated by climate change, is a threat to the nation's health and prosperity, affecting communities' clean air, water, and defenses against severe weather, floods, and wildfires; and

Whereas, to curb wildlife extinctions, fight climate change, reduce toxic pollution, and safeguard healthy natural systems, our nation must confront the conservation and climate crisis head-on; and

Whereas, the 30 x 30 campaign, a worldwide, science-based initiative to conserve at least 30 percent of the Earth's lands and oceans by the year 2030 was launched to address our climate crisis and reverse the destruction of our wildlife, waters, and natural places; and

Whereas, science-based research has found that conserving and restoring lands and waters is necessary to preserving the Earth's biodiversity and ecosystems and mitigating the impacts of climate change; and

Whereas, biodiversity loss and human encroachment upon wildlife habitat is increasing the risk of infectious diseases such as COVID-19, Lyme disease, and SARS; and

Whereas, our natural places provide us with food supplies and clean drinking water, boost our economies, and offer us a wide range of health benefits;

Whereas, wilderness, wildlife refuges, national conservation lands, monuments and other conserved places provide access for hunting, fishing, hiking, biking, camping, and other outdoor recreational pursuits; and

Whereas, permanently conserved private lands, including working ranches and farms, protect open spaces, preserve threatened wildlife, and help maintain a sustainable way of life; and

Whereas, every person, regardless of race, background or economic status, should have access to safe, clean and close-to-home opportunities to get outside in nature; and

Whereas, scientists are warning that protecting at least 30 percent of lands and water is the bare minimum we must achieve if we hope to stabilize the climate; and

Whereas, on October 22, 2019, US Senators Tom Udall (D-New Mexico) and Michael Bennet (D-Colorado) introduced Senate Resolution 372 titled "Thirty by Thirty Resolution to Save Nature" and on February 6, 2020, Representative Deb Haaland introduced companion House Resolution 835; both resolutions set a national goal of conserving at least 30 percent of the land and 30 percent of the ocean within the territory

of the United States by 2030; and

Whereas, Santa Fe County has a total area of 1,911 square miles of which approximately 1,909 square miles is land and 1.5 square miles is water; and

Whereas, of the total County acreage, 6,610 acres of open space, trails and parks is managed and maintained by the County through planning, capital improvement projects, maintenance, and collaboration with volunteer organizations; and

Whereas, the Board of County Commissioners has adopted a number of resolutions in support of protecting our nation's and county's land and water and declaring a climate crisis. [I'm not going to read all the entire list of all the resolutions.]

Whereas, the Board, on February 26, 2019, approved Resolution No. 2019-33 opposing the Environmental Protection Agency – EPA – and US Army Corps of Engineers' December 11, 2018 proposed Waters of the United States WOTUS Rule, which replaced the 2015 Clean Water Rule, and formally notified the EPA of its opposition to the December 11, 2018 proposed WOTUS Rule via letter in April 2019; and

Whereas, in April 2020, the EPA and the US Army Corps of Engineers published a final rule, formally called "the Navigable Waters Protection Rule", which redefined the definition of the "Waters of the United States" and severely weakened the regulations protecting New Mexico's rivers and streams including the Santa Fe River and its watershed. This final rule places additional burdens on clean water infrastructure and programs including wastewater treatment facilities, stormwater infrastructure, and the Buckman Direct Diversion Regional Water Treatment Facility which supplies critical drinking water and fire protection services to the residents of Santa Fe County;

Whereas, the Board approved Resolution 2019-42 urging the New Mexico State Legislature to Enact the Healthy Soils Act, House Bill 204, and directing staff to explore ways to incentivize soil health improvements. The Act was signed into law in 2019 and the New Mexico Department of Agriculture launched the Healthy Soil Program whose goal is to afford grant funded projects in support farming and ranching systems and other forms of land management that increase soil organic matter, aggregate stability, microbiology and water retention to improve the health, yield and profitability of our state's soils; and

Whereas, the Board passed Resolution 2020-16 recommending reform of the 1872 Mining Law to Protect Public Lands and Local Economies and Supporting the Hard Rock Leasing and Reclamation Act of 2019. This reform ensured additional protections of our public lands, water resources, wildlife and fish populations, and recreational activities that support our local economics from mining activity and pollution; and included robust stipulations for consulting with local governments in the planning process of hard rock mineral leasing and extraction; and

Whereas, the Board passed Resolution 2017-68 committing the County to the greenhouse reduction goals of the Paris agreement, which will reduce the impacts of climate change on land and water; and

Whereas, the County contains a diversity of habitat types, including piñon-juniper woodlands, ponderosa pine, mixed-conifer, spruce-fir, and riparian forests, grasslands, wetlands, shrublands, and varied aquatic ecosystems. Protection of all these varied habitat types will conserve our rich biodiversity; and

Whereas, wildlife corridors are important for maintaining biodiversity by allowing for gene flow among wild populations that might otherwise become isolated and die out; and

Whereas, County staff, in accordance with our Sustainability Growth Management Plan, Open Space Resource Management Plan, Transfer of Development Rights Program and other initiatives, are diligently working to preserve our land and water by improving soil health, restoring wetlands and riparian areas, restoring ponderosa pine forests, planting native trees, forbs, and grasses, removing invasive species, conserving wildlife and plant species of conservation need, and reducing trail impacts on ecosystems, and mitigating the impacts of climate change; and

Whereas, the Northern Group of the Sierra Club, Rio Grande Chapter voted to endorse the 30 x 30 campaign and this resolution which supports local initiatives to conserve land and water in Santa Fe County.

Now, therefore, be it resolved that the Board of County Commissioners of Santa Fe County, hereby:

1. Supports the 30 x 30 initiative and science-based, locally led efforts to conserve and restore at least 30 percent of lands and water by 2030;
2. Supports efforts by Congress to champion this goal, such as the Thirty by Thirty Resolution to Save Nature, introduced by Senators Tom Udall and Michael Bennet, and Representatives Deb Haaland, Joe Neguse, Ted Lieu, Ruben Gallegos and Ed Case;
3. Calls upon Congress to advance its own initiatives as well as support and assist state and local efforts to achieve the goals as identified in the Thirty by Thirty Resolution to Save Nature;
4. Directs Santa Fe County staff to analyze, as part of the general strategic planning process or part of the Sustainable Growth Management Plan planning process, the human and other resources necessary to do or explore doing the following:
 - a. Continue to develop strategies for preserving varied habitats in Santa Fe County, and species of conservation need;
 - b. Investigate available legislative, state, local and federal grant programs and build partnerships with foundations, non-profits and conservation trusts for the future protection of land and water including the Land & Water Conservation Fund and the County Transfer of Development Rights Program;
 - c. Conduct an analysis of lands within the County of high conservation value that would qualify for the Land & Water Conservation Fund and the TDR program for purchase and management taking into account areas that provide wildlife corridors and those that are of unique ecological significance;
 - d. Continue to prioritize healthy soils and regenerative practices in our agricultural programming and open space;
 - e. Continue to work with the appropriate entities and stakeholders to protect the integrity and water quality of the Rio Grande, the Santa Fe River, and local stream systems within Santa Fe County;
 - f. Strengthen efforts to maintain adequate river water levels for aquatic, riparian, and wetland habitats, and the species that depend upon them;
 - g. Continue to support and collaborate in the development of water conservation and

long-term water resource management in partnership with the City of Santa Fe, the Santa Fe Watershed Association, other community groups, and local water users;

- h. Make recommendations to the Board as appropriate on actions at the County level that would further the goals of this resolution.
- 5. The County Manager is directed to forward this resolution to New Mexico's Senators and Representatives in Congress, the New Mexico Governor, State Senators and Representatives in the New Mexico Legislature representing Santa Fe County, New Mexico Counties' Executive Board of Directors, and other elected officials representing political subdivisions wholly or partially within the boundaries of Santa Fe County.

Thank you for allowing me to read all that into the record. I also want to really recognize Olivia Romo and my constituent liaison, Sara Smith, for all of their hard work on this resolution. This could not have been done without them, and I am grateful for their dedication and their hard work for both Commissioner Hughes and myself. And with that, I make a motion to pass this resolution.

CHAIR ROYBAL: Commissioner Hughes, would you like to second?

COMMISSIONER HUGHES: Yes. Thank you, Mr. Chair. I'll second that motion to pass the resolution, and I also wanted to thank all the other staff members at Santa Fe County in Growth Management, Planning, and Sustainability who helped write this resolution. Couldn't have done it without all that help.

CHAIR ROYBAL: So we have a motion from Commissioner Hansen and a second from Commissioner Hughes. Under discussion, do any Commissioners have comments?

COMMISSIONER GARCIA: Mr. Chair, yes, I have comments.

CHAIR ROYBAL: Go ahead, sir.

COMMISSIONER GARCIA: Thank you, Commissioners, for bringing this forward. Very excellent resolution, sending it to Congress. I think it's excellent. Awesome. One of the other things, Ken Hughes, good to see you. Haven't seen you for a while. Seventeen, eighteen years. Glad you're still involved in government process because you and I worked together many, many years when you were at DFA and then you transferred to another department. I'm glad you're still involved. Appreciate that.

MR. HUGHES: It was not me, but thank you, Commissioner.

COMMISSIONER GARCIA: Senator Udall, great man. Whenever he was the Attorney General, the Congressman, now the Senator. Senator Lujan said that when he was the general we actually worked with Senator Udall and Katherine knows this. Denise Kulseth was actually one of our County Attorneys and she used to work for Attorney General Udall. And she actually came to the County and she became the County Attorney and she did an excellent job. The Senator has done a very great job. Sad to see him leave but we have to do what we have to do and I just want to put that forward and thank you for what you've done, Senator and the Commission in bringing this resolution forward. Awesome. Great deal. Appreciate that. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia, and I also want to thank the Commissioners for bringing this forward, Commissioner Hansen, Commissioner Hughes, and also to say hello to Mr. Ken Hughes. It's been a little bit that

we've seen each other but always very happy to see you and also just to really take a lot of the things you bring forward and the comments you make to heart, so thank you, sir. Commissioner Hamilton, did you have any other comments?

COMMISSIONER HAMILTON: Sure. I want to thank them for bringing this forward. A really important topic. I've worked for 46 full-time professional years in environmental protection. It will never not be an important topic. So thank you very much.

CHAIR ROYBAL: Okay. Thank you, Commissioner. So we have a motion from Commissioner Hansen and a second from Commissioner Hughes. I'm going to go to a roll call vote.

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

COMMISSIONER HANSEN: I just want to state I have been an environmentalist my entire life and I feel like this resolution is just one more step in protecting our community and our environment and it is an honor to work with all of the people in Santa Fe County and all of the Commissioners and all of the work that we do to protect our community. So thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. It's just another step towards sustainability and I saw a bumper sticker today that said, Let's make America green again. Great bumper sticker.

9. INFORMATION ITEMS/MONTHLY REPORTS

- A. Community Services Department Monthly Report**
- B. Human Resources Monthly Report**
- C. Finance and Purchasing Monthly Report**
- D. Growth Management Department Monthly Report**
- E. Public Safety Monthly Report**
- F. Public Works Monthly Report**

CHAIR ROYBAL: I don't think we have anything to come out of executive session and I don't think we need anything from the information items from staff. So unless there's any other comments I just want to thank staff for all the information items that they provided. I also wanted to check with our County Attorney if I'm correct that we don't need to come back out of executive session and we can adjourn from there?

MR. SHAFFER: Thank you, Mr. Chair, Commissioners. Actually, under item 8. C we will be requesting one motion, one action item after executive session with regard to threatened or pending litigation in which Santa Fe County is or may become a participant as discussed in executive session so we won't be able to adjourn from executive session this evening.

8. MATTERS FROM THE COUNTY ATTORNEY

A. Statement for Inclusion in Meeting Minutes Concerning November 10, 2020, Executive Session

MR. SHAFFER: Under item 8. A, as a housekeeping matter we would be looking for a motion from the Board to have the minutes of this meeting reflect that the matters discussed during the November 10, 2020 executive session were limited only to those specified in the motion for closure. That housekeeping item is required by the Open Meetings Act since we did adjourn from the executive or closed session. And once that matter is taken care of, I'd be pleased to outline what we need to discuss in executive session this evening. Thank you.

CHAIR ROYBAL: Okay. So I stand corrected. We will be coming out of executive session to adjourn from regular session. So can I get a motion on 8. A, a statement for inclusion in meeting minutes concerning November 10, 2020 executive session?

COMMISSIONER HANSEN: So moved, Mr. Chair.

COMMISSIONER HAMILTON: I'll second.

CHAIR ROYBAL: A motion from Commissioner Hansen, a second from Commissioner Hamilton. I'm going to go to a roll call vote.

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

8. B. Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Public Hearing(s) on the Agenda, as Allowed by Section 10-15-1(H)(3) NMSA 1978; Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Between the Board of County Commissioners and Collective Bargaining Units, as Allowed by Section 10-15-1(H)(5); Discussion of Contents of Competitive Sealed Proposals Pursuant to the Procurement Code During Contract Negotiations as Allowed by Section 10-15-1(H)(6); Threatened or Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(7) NMSA 1978; and, Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1 (H)(8) NMSA 1978, including:

- 1. Rights-of-Way for County-Maintained Roads Within the Exterior Boundaries of Pueblos**
- 2. Potential Breach of Contract Action Concerning Water and Wastewater Line Extension, Water Delivery & Wastewater Discharge Agreement, and Related Agreement**
- 3. *City of Albuquerque et al. v. New Mexico Taxation and Revenue Department, et al.*, Cause No. D-202-CV-2018-08036**
- 4. Dispute Between County Vendor and Vendor's Creditor Concerning Compensation Due Vendor**

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5. Property Damage Claim Concerning Housing Authority Property

CHAIR ROYBAL: Attorney Shaffer, would you please give us a summary of what we'd be going into executive session for?

MR. SHAFFER: Yes. Thank you, Mr. Chair, Commissioners. So the basis for the executive session and the matters to be discussed would be as follows: threatened or pending litigation in which Santa Fe County is or may become a participant as allowed by Section 10-15-1-(H) (7) NMSA 1978, and discussion of the purchase, acquisition or disposal of real property or water rights as allowed by Section 10-15-1-(H)(8) NMSA 1978, including 1. Rights-of-way for County-maintained roads within the exterior boundaries of pueblos; 2. Potential breach of contract action concerning water and wastewater line extension, water delivery and wastewater discharge agreement, and related agreements; 3. *City of Albuquerque et al. v. New Mexico Taxation and Revenue Department, et al.*, Cause No. D-202-CV-2018-08036; 4. Dispute between County vendor and vendor's creditor concerning compensation due vendor; and 5. Property damage claim concerning Housing Authority property.

So we'd be looking for a motion that incorporates those items as well as the basis for the closed session. Thank you, Mr. Chair.

COMMISSIONER HUGHES: Mr. Chair, I'll make a motion to go into closed session according to what Attorney Shaffer just read.

CHAIR ROYBAL: Okay, so we have a motion to go into executive session for items that were summarized by our County Attorney. Do I hear a second? Commissioner Hansen.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: We have a motion and a second. I'm going to go to a roll call vote.

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:

Commissioner Garcia	Aye
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Moreno	Aye
Commissioner Roybal	Aye

[The Commission met in executive session from 5:43 to 6:50.]

CHAIR ROYBAL: I'm going to go ahead and entertain a motion to come out of executive session.

COMMISSIONER HAMILTON: Mr. Chair, so moved.

CHAIR ROYBAL: So we have a motion to come out of executive session. Do I hear a second?

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: Second from Commissioner Hughes. So we have a motion from Commissioner Hamilton and a second from Commissioner Hughes to come out of executive session. I'm going to go to a roll call vote.

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

MR. SHAFFER: Mr. Chair, if I could, did the motion include the statement that the only matters discussed were those that were listed in the motion for closure?

COMMISSIONER HAMILTON: My apologies. I failed to say that, but my motion definitely did include that, sir.

CHAIR ROYBAL: Okay, and did your second as well, Commissioner Hughes?

COMMISSIONER HUGHES: Yes.

CHAIR ROYBAL: Okay, and we've all voted in the affirmative, so we are out of executive session.

8. C. Potential Action with Regard to Pending or Threatened Litigation in Which Santa Fe County is or May Become a Participant

CHAIR ROYBAL: I'm going to go to Commissioner Hansen.

COMMISSIONER HANSEN: With regards to New Mexico Insurance Authority claim No. 001266-1, I move to authorize the County Manager to execute on behalf of Santa Fe County a full and final release in exchange for \$25,000 paid to New Mexico County Insurance Authority in settlement of the subrogation claim against the City of Española to damages to the Santa Cruz housing site.

COMMISSIONER GARCIA: Second, Mr. Chair.

CHAIR ROYBAL: We have a motion from Commissioner Hansen and a second from Commissioner Garcia. I'm going to go to a roll call vote.

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

10. CONCLUDING BUSINESS

A. Announcements

B. Adjournment

CHAIR ROYBAL: We didn't have any other information items and we released staff so we're going to go to concluding business. Are there any Commissioners that have any announcements that they would like to share?

COMMISSIONER HANSEN: Mr. Chair, I would just like people to stay home, stay safe and if you have been exposed to COVID go get tested please.

CHAIR ROYBAL: Okay. Does that include a motion, Commissioner Hansen.

COMMISSIONER HANSEN: Yes, it includes the motion to adjourn.

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COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a second from Commissioner Hamilton. I just want to ditto the same responses that Commissioner Hansen brought forward. Everybody stay home. Stay safe. That's the only way we're going to keep from spreading this virus that's going around so please do everything you can to take care of our citizens.

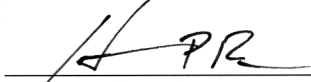
COMMISSIONER HANSEN: And wear a mask.

CHAIR ROYBAL: I'm going to go to a roll call vote.

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

Chair Roybal declared this meeting adjourned at 6:55 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
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