

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
December 15, 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

SFC CLERK RECORDED 01/26/2021

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

December 15, 2020

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:02 p.m. by Chair Henry Roybal.

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
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 and the State Pledge were led by Chair Roybal and the Moment of Reflection by Sam Montoya of the Finance Department.

Commissioner Hansen requested a moment of silence to commemorate the life of Connie Gallegos Prada a beloved member of Agua Fria Village. Commissioner Garcia shared his memories of the deceased.

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 Tabled or Withdrawn Items

KATHERINE MILLER (County Manager): Good afternoon Mr. Chair and County Commissioners. Yes, I have a few items to highlight that were posted on the amended agenda on December 11, 2020 at 5:07 p.m. Under item 4, Miscellaneous Action Items, the caption for 4.A, the resolution number 2020, a resolution rescinding resolutions 2010-40, that actually should have stated resolution number 240. The resolution and the packet material are correct but we were missing in that title – it should say 2010-240,

Also under item 4.F. that caption was updated to reflect some changes that happened at the end of the week and the packet material was also updated to reflect those changes. Under items 7, Matters from the County Manager, item C., that caption was updated to allow discussion about any legislation that the Commission has interest in supporting or opposing. Also, item 8, Matters from County Commissioners and Other Elected Officials, item 8.C. was added as a prophylactic measure should the governor request a nomination from Santa Fe County since this is our last meeting this year. Also, I believe under item 9.F. a resolution amending the Investment Policy, 9.F., was added because we did have the investment policy there but we did not have the resolution included in the packet Tuesday. Also, under item 10, Matters from the County Attorney, under 10.A.3, item 3 was added and also item 10.C. the caption was updated. And, I believe those are all the amendments that we posted to the agenda on Friday, December 11th.

CHAIR ROYBAL: Okay, thank you Manager Miller. Are there any other questions or concerns? Commissioner Hansen.

COMMISSIONER HANSEN: I just would like to move to approve the agenda with those changes.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: Motion from Commissioner Hansen and second from Commissioner Hamilton. I'll go to roll call vote.

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

CHAIR ROYBAL: One thing I did want to bring up, the Treasurer Pat Varela, he's actually our treasurer and he will no longer be our treasurer and it's his birthday today and I just wanted to tell him happy birthday. Thank you.

The Commissioners wished Treasurer Varela a happy birthday.

1. G. Approval of Minutes: December 1, 2020 Regular Meeting

CHAIR ROYBAL: Any corrections or updates to the meeting minutes? Commissioner Hansen.

COMMISSIONER GARCIA: Mr. Chair, move for approval.

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COMMISSIONER HAMILTON: Second.

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

H. New Hires and Years of Service Recognitions

MANAGER MILLER: Mr. Chair, thank you. First is years of service. Back about five or six years ago in 2014, we started a program recognizing employees on a monthly basis who have completed years of service, consecutive years of service in five-year increments. As you know we value the employee retention and those employees who commit to making a career at Santa Fe County. We had quite a few employees this past month as well as this past quarter who hit some milestones. So the group that I'm bringing forward now are those who have hit 5, 10 or 15 years and then I have another group who have hit 20 or 25 years – maybe even longer.

This group though I would like to thank the employees who have hit a 5, 10 or 15 year milestone and is Corrections Adult Facility, Shayna Abeyta and Gustavo Palomino-Ruiz. At our dispatch center, Julieanna Salazar hit her five-year anniversary. At our Public Housing Department, Adrianna Velasquez also on December 28th will hit her five-year anniversary. And then in Corrections Adult Facility for 10 years we have Audry Maestas who hit her 10-year anniversary on December 6th. In Public Works and Projects and Facilities Building Services, Antonio Garcia on December 8th celebrated his 10-year anniversary. In the Sheriff's Department under Animal Control, Vanessa Barnett on December 12th had her 15-year anniversary. In the County Manager's Office in IT, Dominic Ledoux also on December 12th had his 15-year anniversary. And then in Public Works Road Maintenance Seferino Houston will have his 15-year anniversary on December 27th. So we send a little note to the employees with a writing pen to thank them for their service and commitment to Santa Fe County and its residents. I wanted to bring that forward to the Board so you knew who has been hanging on at Santa Fe County.

CHAIR ROYBAL: Thank you, Manager Miller and we do appreciate the commitment from our employees and congratulations. We have great staff that does a great job and we're happy to recognize you for your 5, 10, 15 year service to the County. We appreciate it and thank you for everything that you do. Do we have comments from other Commissioners?

COMMISSIONER GARCIA: Mr. Chair, really quick, I would just like to thank those employees who have worked for the County for many, many years because myself as individuals who are City Councilors now – and worked for the County it's good for the County. And to those employees who have worked here for 5 years, 10 years, congratulations and I just want to say congratulations. Appreciate that, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia and thank you Manager Miller for bringing these employees forward.

MANAGER MILLER: There another part to that, Mr. Chair, and that's our new hires. So also I'd just like to make sure that while we have a hiring freeze, the hiring freeze is not on every position we have and we'll talk about this later but we had some positions we only funded from January 1st forward. Other positions we're still

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hiring and we have been hiring. So in the month of November, as you can see, we had quite a few employees that have a hiring date of November 21, 2020. In five years in November 21, 2021 hopefully we'll be saying thank you for your five years of service with us.

But our new employees for the month of November are Julia Romero in the County Assessor's office as an appraiser trainee. Kristen Sciandra also in the County Assessor's office a customer service program specialist. Then in the County Treasurer's office a new cashier AnaLicia Sandoval. At our dispatch center the Regional Communications Center is Giovanni Gonzales-Moreno, Ethan Greene and Patricia Lenihan. Then in Public Works Department in administration we have Michelle Plumber. In fleet services Monique Visarraga and in Public Works Utilities Marissa Arguello. Then in the Sheriff's Office, Sheriff Deputy III Anthony Currey and Sheriff Deputy II Danny Vigil. I apologize to any of those that I may have mispronounced their names but I thought got them pretty close.

I just want to welcome them to Santa Fe County and hopefully I'll be able to see them face-to-face sometime soon.

CHAIR ROYBAL: Thank you, Manager Miller and I just want to extend the same thoughts that you did and just say welcome to Santa Fe County it's a great place to work and we welcome you. Any other comments from Commissioners; Commissioner Garcia?

COMMISSIONER GARCIA: Really quick, Mr. Chair, thank you for letting me speak and Manager Miller that was very well done with the names because names are – you did a good job. I just want to thank everybody, all of the new hires from the Sheriff's Office to RECC to the Assessor's Office. People in the community don't realize that local government which we are is very essential and it's important that local government that we are and these individuals from the Sheriff's Office, Utilities, RECC the Regional Communications Center, Assessor's Office – everybody has to work as a team and I just want to welcome the new hires because local government is where I grew up and this is where we are and this is who we are. So welcome aboard. And thank you, Mr. Chair and Manager Miller

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

COMMISSIONER HANSEN: I just want to say thank you to all of these essential workers. The Regional Communications Center is an incredibly important dispatch center that we definitely need hires – the Sheriff's Office, Public Works Department is out on the ground and the County Assessor and Treasurer. These are all important positions and I welcome you all to the County and please enjoy your time here and we hope you stay for a long time. Thank you very much.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Any other Commissioners have comments? Thank you and congratulations on working for the County and we look forward to working with you.

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I. Special Recognition of Santa Fe County Employees with 20+ Years of Service

MANAGER MILLER: Mr. Chair, Commissioners, actually at Commissioner Hamilton's suggestion we have separated out those individuals who hit a 20-year milestone or greater in five year increments and we recognize them a little differently than the other individuals with long tenure. What we did back in October 2018 created a separate recognition program for these individuals. It recognizes anyone who has 20+ years at a five year milestone and it's an impressive list and an impressive feat. As I said earlier, it's 20 consecutive years. Somebody like me, I have five and a half years before but then I left for eight years and I have 10 so I'll probably never hit the 20 consecutive years. I think it is really admirable for those people who have committed their entire career to Santa Fe County. We do provide them with a separate award and gift for being with the County for so long. Normally we do this in person and we ask them all to come to the BCC meeting and present them with their award and get a picture with everybody but we're not able to do that under the conditions of the pandemic. But, hopefully, the next time we do this because we do this on a quarterly basis we'll be able to present the award to them in person. So they receive a service plaque or almost like a trophy that they can put on their desk.

The individuals who hit those milestones over the last quarter are two of them in the County Assessor's Office and that's Isaiah Romero who hit 20 years of service on September 11th this year. He started in 2000. Also, Jessica Ulibarri hit her 20-year milestone on September 18th. In DWI Community Services we have Diolinda Roybal who on September 21st had her 20 year anniversary and also in DWI, Joanne DeBaca on November 27th had her 20-year anniversary with the County. In the Dispatch Center, Joseph Doolittle hit his 20-year anniversary on November 27th. And then in Land Use we have quite a few very committed employees in Land Use and two of them have been with the County – Robert Griego, 20 years on November 29th, the head of planning. And Erle Wright the head of our GIS division in Land Use on September 11th hit his 25 year anniversary. I cannot tell you how much I appreciate all of these individuals making their career in public service with Santa Fe County. I want to recognize them and thank them very much.

CHAIR ROYBAL: Thank you, Manager Miller. I want to congratulate them as well. This is a huge milestone to work 20, 25 years. Congratulations. As most of you know I worked here about 25 years ago about when Erle started at Santa Fe County and I worked for five years and then I went on to the Laboratory. It is just huge – it's a career commitment and loyalty to the County. We really appreciate each and every one of you. Thank you so much. Other Commissioners?

COMMISSIONER GARCIA: Thank you, Manager Miller for bringing this forward. You know, for a guy that worked there that worked at the County for many years myself, Isaiah Romero, young kid, he still looks like he's 25 years old. He actually took the information from the Assessor's Office and moved forward and said, I'm going to learn this stuff. Very good kid and to Joanne DeBaca she's a lady that lives in my

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district and she's worked for DWI for many, many years. Congratulations. Jessica Ulibarri, I don't know Jessica that well, but congratulations and Robert Griego. He's a good planner and good guy. He's worked there – I didn't realize he has worked there for that long. I guess we're getting older as we move forward. Erle Wright, as Katherine was saying, Erle Wright, he worked there when there was no computers, no GIS and Erle has been there for many, many years.

To all those individuals who have worked here, great job, awesome job. Great job and thank you for working for the people, the public who we serve so congratulations to you all. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. I want to thank Commissioner Hamilton for this great suggestion. Commissioner Hamilton, did you have comments?

COMMISSIONER HAMILTON: Thank you for that and it seems a small thing to recognize people who have been here for so long and carry a lot of the legacy of knowledge of what has happened at the County and how things are done and it's really valuable. It is valuable to have that diversity between long-timers and new people who bring new ideas and that dynamic. The County, I think, is just a fabulous place to work and to have an experience of that kind of diversity of interaction and I hope that it enriches everybody's work experience. It definitely enriches what we do at the County and it is very much appreciated.

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

COMMISSIONER HANSEN: Thank you, Mr. Chair. I believe that I have known Robert Griego and Erle Wright for at least a good 15 years since they were working here when I had to spend a lot of time at the County doing things for Oshara and the City of Santa Fe and different projects that I was working on. They were always great to work with and they were always wonderful and helpful and now as a Commissioner, they are even more helpful. I am grateful to all of their service and grateful to everyone from the Assessor's Office to the DWI Local and to our RECC to have people that have been there for 20 years is really helpful when new people come in that there is somebody there to show them the way and the ropes, sort of speak, who are coming in to learn. So thank you Joseph for your long time commitment to RECC. To all of the people, thank you for your long-term commitment to Santa Fe County.

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

COMMISSIONER HUGHES: Thank you. Mr. Chair. I just want to add my congratulations to all of these people. I too have known Robert Griego a long time and I hope to get to know the others on this list and I noted that combined they have 145 years of experience. That's a great asset for the County. Thank you everybody.

CHAIR ROYBAL: Absolutely, thank you, Commissioner Hughes. Thank you for your dedication to Santa Fe County. I wanted to see if there was anybody that wanted to say something relative to their milestone. I can see that Mr. Wright is on the line. [Mr. Wright was encouraged to speak by Commissioner Garcia.]

ERLE WRIGHT: I don't want to take up your time. I know you've got a busy agenda. It's been a real honor and pleasure to serve both Commissions and the

citizens of Santa Fe County for 25 years. We have a great staff from the beginners to the front line employees all the way up to the division directors and department directors. Again, it's a real honor to be able to make a career at the County. Thank you very much.

CHAIR ROYBAL: Thank you, Mr. Wright, and congratulations again, 25 years; that's great. Any other employees who would like to speak? Yes, Clerk Salazar, go ahead.

CLERK SALAZAR: Yes, I would like to personally congratulate Erle Wright for his 25 years and I'm hoping Erle that you will hang in there and wait until after the 2020 census because I believe your expertise and the team that you have – the County will need your expertise for redistricting and the mapping that is required after the census. So your expertise will be appreciated. I hope you're considering staying on a little longer. And I want to thank you for all the work that you have done to assist the County Clerk's office when it comes to our districts, our mapping, all of that is very important for the County Clerk and for the public. Thank you for your expertise and your work.

Isaiah, I believe I'll need to congratulate you also. I agree with Commissioner Garcia that it's unbelievable 20 years and you still look like a teenager. Congratulations and I know you are a very hard worker and very professional. All of you, congratulations.

CHAIR ROYBAL: Thank you, Madam Clerk.

2. **CONSENT AGENDA**

- A. **Request Approval of County Health Care Assistance Claims in the Amount of \$1,662.50 (Jennifer Romero, Community Services Department)**
- B. **Resolution No. 2020-94, a Resolution Requesting a Budget Increase for the Housing Division's Housing Choice Voucher Section 8 Fund (227) in the Amount of \$67,519 (Yvonne S. Herrera, Finance Division)**
- C. **Request (1) Ratification of the Homeland Security Grant Application to the New Mexico Department of Homeland Security and Emergency Management for Chemical, Biological, Radiological, Nuclear and Explosive Funding in the Requested Amount of \$526,945.00; and (2) the Grant of Signature Authority to the County Manager to Sign the Grant Agreement (Finance Division, Yvonne S. Herrera)**
- D. **Resolution No. 2020-95, a Resolution Adopting the Amendment for Local Governments Road Improvement Fund Project No. SB-L500349 for Pavement Rehabilitation/Improvements of Hale Road (CR 25) (Gary L. J. Girón, Public Works)**
- E. **Resolution No. 2020-96, a Resolution Adopting the Amendment for Local Governments Road Improvement Fund Project No. SP-L500350 for Pavement Rehabilitation/Improvements of Santuario Drive (CR 94C) and Martin Road (CR 17) (Gary L. J. Girón, Public Works)**
- F. **Resolution No. 2020-97, a Resolution Adopting the Amendment for Local Governments Road Improvement Fund Project No. CAP-**

- L500351 for Pavement Rehabilitation/Improvements of Avenida Torreon (Gary L. J. Girón, Public Works)**
- G. Request Approval of Santa Fe County's Conveyance to the City of Santa Fe of the Frenchy's Field to Siler Road Bridge Segment of the Santa Fe River Greenway Project (Gary L.J. Girón, Public Works Department)**
- H. Resolution No. 2020-98, a Resolution Authorizing the County Manager to Secure Multi-Line and Law Enforcement Insurance Coverages for Calendar Year 2021 and to Finalize Negotiations for Multi-Line and Law Enforcement Insurance Coverages and to Execute All Documents Necessary to Effectuate Such Coverages (Sonya M. Quintana, Human Resources and Risk Management Director)**
- I. Resolution No. 2020-99, a Resolution Determining Reasonable Notice for Calendar Year 2021 in Accordance With the New Mexico Open Meetings Act, Applicable to All Meetings of the Board of County Commissioners ("BCC") and to the Meetings of County Boards and Committees Created and Appointed by the BCC ("Appointed County Committees"); Establishing Permissible Meeting Locations and a Webcast and Broadcast Policy; and Requiring Meeting Agendas to Include Instructions On How the Public Can Participate In Meetings Remotely During the COVID-19 Public Health Emergency (Gregory S. Shaffer, County Attorney's Office)**

CHAIR ROYBAL: Are there any items on the consent agenda that the Commission would like to pull for further discussion? If not, what is the pleasure of the Board?

COMMISSIONER GARCIA: Mr. Chair, I have a question on item F and item I. And if there's no other questions, I'll make approval for the consent agenda.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I just want to make a comment on item G.

CHAIR ROYBAL: Go ahead.

COMMISSIONER HANSEN: I just want to acknowledge that we have fulfilled one part of our annexation agreement with the City and we have fulfilled many of our annexation agreements with the City. And finishing the Siler to Frenchy's Field trail was another segment that was agreed upon in the annexation and I am very proud of the work that the County has done to complete this section of the trail. It is incredibly beautiful and I am grateful to all the volunteers who have helped with the work that was a challenging experience since we had this terrible flood in 2018 and so I am so happy to see us turn over that section of the River Trail to the City. So thank you to all of the staff who worked so hard and diligently on this section of the river for all of the constituents to enjoy because I know that so many constituents love the River Trail. It is near and dear to their hearts. So thank you.

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

motion for approval of the consent agenda with requests for additional information on two of these items by Commissioner Garcia.

COMMISSIONER HAMILTON: I'll second.

CHAIR ROYBAL: We have a motion and a second. I'm thinking that we can probably go ahead and ask those questions before we vote and see if those two items need no further explanation and have to be considered – Commissioner Garcia, do you want to ask your questions, sir.

COMMISSIONER GARCIA: Yes, Mr. Chair. Is item F just actually a resolution adopting the amendment for Local Governments Road Improvement Fund Project for pavement rehabilitation, that's just for Avenida Torreon; correct?

MANAGER MILLER: Mr. Chair, Commissioner Garcia, actually items D, E and F those were the grant agreements that we received last year. We were unable to get – these are Local Government Road Improvement Agreements, we usually do three projects every year. Those agreements were approved last year and we entered into purchase orders to get the materials but because of COVID-19, the suppliers of materials ran out of materials doing DOT projects. So we needed to ask for an extension on these three agreements. These are just extending agreements that we had already had approved by the Board last year.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you, Manager Miller. Also, then on item I can you explain to me what that is about?

MANAGER MILLER: Mr. Chair, Commissioner Garcia, every year we do an Open Meetings Resolution that essentially lines out all of our meetings for the following year. To give our reasonable notice we do it in one resolution and then that becomes our notice for all of our regularly scheduled BCC meetings for next year. So this is to meet that requirement in State law for reasonable notice of our Commission meetings.

Just to note, we do this and we also notice our meetings when they actually come up as well.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you, Manager Miller.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Any other comments from Commissioners? Commissioner Garcia, did that answer your questions?

COMMISSIONER GARCIA: I'm fine and my motion stands for approval of the Consent Agenda.

CHAIR ROYBAL: Motion from Commissioner Garcia and second from Commissioner Hamilton.

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

[The County Clerk provided resolution numbers]

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3. APPOINTMENTS/REAPPOINTMENTS

A. Request Approval of the Reappointment of the Resident Board Member of the Santa Fe County Housing Authority Board

JOSEPH MONTOYA (Executive Director Housing Authority): I wanted to be here to support the reappointment for Cathy Hurtado. She has been an excellent board member. She's active in the community even during this global crisis she continues to have great support and communications with the members of staff. And just recently she tends to use her text messaging very well and was telling us about some suspicious cars that had been on our streets. This is the kind of board member she is and I'd like to have your support in accepting her re-nomination unanimously. With that, I'll stand for any questions.

CHAIR ROYBAL: Thank you, Director Montoya. I'm going to go to the Board and see if there's any questions but I would 100 percent support that. Commissioner Hansen.

COMMISSIONER HANSEN: I would like to move to approve Cathy Hurtado to the Santa Fe County Housing Board.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: Yes, Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, I'll second that as well. And just really quick as an individual she is involved in our housing area and she's definitely been involved and Commissioner Loewy has as well for many many years and it's great to see an individual that is involved in the community and sees what happens there, whether it's the Christmas Fund, whether it's the cars that are happening there and as Director Montoya said that with the texting and stuff like that because I think she does an excellent job and I'm happy that she is back on the board and what's to be involved. I appreciate that. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Commissioner Hamilton, did you have a comment as well?

COMMISSIONER HAMILTON: I was just going to add that I agree with what my colleagues and the director said. Her input is very valuable to the board as well as to the community and I appreciate that.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. We do have a motion and a second and I also want to convey my appreciation to Ms. Hurtado for her willingness to sit on this board. She does a great job and brings a great view from not only our residents but just as someone who always has great information to add.

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

3. B. Appointment/Re-Appointment of Four Members to the Santa Fe County Planning Commission from Commission Districts 1, 3, 4 and 5

VICKI LUCERO (Building and Development Services Manager): The SLDC give the BCC the authority to appoint members of the Planning Commission. The

Planning Commission consists of seven members. One member shall reside in each of the Commission districts and the terms of the members are for a two-year periods. We have terms of four of the current Planning Commission members expiring now in January 2021. These members represent Commission Districts 1, 3, 4 and 5. In early November, the County sent out a press release seeking interested member of the general public to serve on the Planning Commission and we received letters of interest from constituents who are interested in serving on the Planning Commission from each of the Commission district as listed in the staff report.

All of the applicants' letters of interest and resumes are included in Exhibit B of the packet. Staff recommends appointment and reappointment of the following members to serve on the Planning Commission. For District 1, reappointment of Leroy Lopez to a two-year term expiring January 2023. For District 3, reappointment of J.J. Gonzales to serve a two-year term expiring on January 2023. For District 4, reappoint member Frank Katz to a two-year term expiring January of 2023 and for District 5, Rhea Serna for a two-year term expiring in January of 2023.

Thank you, Mr. Chair. I stand for questions.

CHAIR ROYBAL: Thank you, Ms. Lucero. I'm going to go to the Commissioners. I would support the direction of staff. Commissioner Garcia.

COMMISSIONER GARCIA: Yeah, Mr. Chair, thank you. I appreciate you Vicki for bringing this forward. One of the things for my member that actually lives in La Cienega, J.J. Gonzales. Anybody who has been in the La Cienega area, the Gonzales family actually sold property to the National Guard across the interstate there -- we have our ditch there. We have our pond there and the Gonzales family has done an excellent job and J.J. he has probably the La Cieneguilla area, the La Cienega area and they still actually do a lot of work agriculturally-wise in the La Cienega area -- in this area right here. And so I totally appreciate the Gonzales family and J.J. great job. Here's a guy who has been on the Planning Commission so great job. So I totally support staff's recommendation as well. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you. Any other comments or questions from the Board? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you so much. Although District 2 is not represented here, I just want to say that looking over the qualifications of the people who applied for these positions is impressive. And I hope as we move down the agenda that all of these people will be reached out for possibly other positions on boards of the County. There is in the Impact Fee Board. But there is a wide range of people here who have a tremendous amount of experience and I want to thank all of them for taking the time to apply for this position especially on the Planning Commission. I find it really heartening to see so many people interested that they want to serve their community and participate in County government. I just want to say thank you to all of them who applied.

CHAIR ROYBAL: Thank you, Commissioner Hansen. I couldn't agree with you more. It could be a very difficult decision for staff to go through these and make a determination. I couldn't agree with you more. Thank you very much for your comments. Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you so much. I agree as well.

[poor connection] I have to say that I am very grateful that Frank Katz on what will be his final term that he'll be eligible for, but he's been an incredible contribution to the Planning Commission. The Planning Commission is a very important board to serve on.

And I also, like Commissioner Hansen, was hugely impressed with the qualifications of the people in my district that applied, and, in fact, have every intent of reaching out to them and trying to find places for them to contribute because contribution of constituents' expertise through the County is hugely helpful and really important. So I want to thank everyone of them for applying and assure them that they can apply in two years again and to many other boards and positions that come up.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. Commissioner Hughes, did you have any comments or questions, sir?

COMMISSIONER HUGHES: Yes, sir, thank you, Mr. Chair. I was also really impressed with the quality of the candidates and their commitment to the community from District 5. I also wanted to thank Fred Raznick who is retiring from the Planning Commission from District 5. He did a great job and he's always been a pillar of the community out in this part of the County. I think all of us give thanks for his service. And then just to mention that Rhea Serna who is being appointed has an impressive record of not only planning but other community service in her background. She was a planner with Taos County for awhile but her whole career is one of service to various communities so it is great we can appoint her. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hughes.

COMMISSIONER GARCIA: Just really quick, Mr. Chair. Fred Raznick you know the guys has been out in Eldorado for many, many years, 30 years. And with what the Commissioner said, great job that he has done. He's been in that community for 30 to 35 years, Mr. Raznick, congratulations on your retirement, if that's what you want to call it. In my district, Mrs. Douglas, Roger, I don't know Roger, but I know Ms. Douglas very well. Filandro Phil Anaya he actually lives in the Edgewood area and all of you guys for coming forward and reapplying or applying because as the other Commissioners said, it takes a lot to be on a long term board member. And congratulations to all you individuals who said we'll do it again, because thank you for being involved. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. I believe we had a motion from Commissioner Garcia. Did we have a second?

COMMISSIONER HUGHES: I'll second.

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

CHAIR ROYBAL: Thank you, Ms. Lucero, for having to do the heavy lifting on making these decisions. Thank you so much.

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4. MISCELLANEOUS

A. **Resolution No. 2020-100, a Resolution Rescinding Resolutions 2010-40, 2011-2, 2011-110, and 2012-50; and Establishing the Health Policy and Planning Commission**

PATRICIA BOIES: Good afternoon, Mr. Chair and Commissioners. Before you for approval is a resolution for the composition of the Health Planning and Policy Commission which we call the HPPC. The size and composition of the HPPC have gone through many adjustments since it was first created in 1999. In 2010 the HPPC was to be made up of seven members, one from each district and two county-wide. And then subsequent resolutions in 2011 and 2012 increased that membership from seven to nine, to eleven and finally to thirteen in 2012 which is when the requirement for two members per district was instituted. I started with the County shortly after that and I have been managing the HPPC since I've been here. And since then with the institution of two members per district despite a lot of outreach and advertising and personal recruitment, it's hard to maintain 13 members on the HPPC. At least two districts have almost always had just one member. So due to term expiration and maxed out term limits over the past few months as well as other long standing vacancies right now there are only five HPPC members whose terms are active. The proposed resolution would establish a nine member HPPC so there would be one from each district and four countywide. The four countywide positions with a total of nine members on the HPPC would be easier to recruit and fill and would enhance the effectiveness of the HPPC and I would just also like to add that all the HPPC members really consider the County as a whole. So the requirement for district representation is really a good one for us to have for geographic diversity and to have all the districts represented but each HPPC member has in my experience has always considered the needs of the county as a whole. So four countywide members I think would just be helpful in moving forward. With that, I will stand for any questions.

CHAIR ROYBAL: Thank you. I'll go to Commissioner Hansen.

COMMISSIONER HANSEN: Thank you so much Patricia. I recognize the difficulty in this position that you're in and I support what you want to do. I also wanted to make a suggestion that I have found one of the more valuable ways that a board is operated is the Santa Fe River Commission has a seven member board with two alternates. The alternate has the same exact position as everyone else but they're not counted in the quorum. And so therefore if you have seven members or eight members present you will always have a quorum. I'm going to support what you would like to do but I think in the future if we think of that model that alternates are not a lower member in any regard but are there to allow for a quorum it makes it all even easier. I know that on some of these boards it is just difficult to always get a quorum. I think I might have mentioned this when we were talking about WPAC also because that is another board that struggles to have a quorum.

I think this is a good solution to have one member per district and with that I will move to approve. So thank you very much.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Are there other

questions? I have a question. I agree that maybe we can change the quorum so that it is not so hard to get a quorum. Being that if we have four members there is the possibility of more members coming from a certain district and if you're a commissioner that would like to see representation from your district it would be difficult but I understand that things have been very difficult to get quorums and things of that nature but I wonder if the quorum can be such that if you have four members; what would your quorum be three? Patricia.

MS. BOIES: Mr. Chair, Commissioners, if we have a nine member commission, then five would be a quorum.

CHAIR ROYBAL: Okay. I was curious as to how that quorum could be established. And do you have a – is it difficult to get a quorum of five at this point?

MS. BOIES: No, that would not be difficult, I do not think. If this resolution, Mr. Chair, Commissioners, is approved what I will be doing immediately afterwards is putting out notice and advertising for vacancies and that would be the next step because our protocol has always that even for people who would like reappointment which is in the case of two of those people who were on the HPPC, we always post our vacancies and recruit and consider all before bringing them before the BCC.

CHAIR ROYBAL: Okay. Thank you for that information, Ms. Boies. Commissioner Hughes, did I see your hand up?

COMMISSIONER HUGHES: Thank you, Mr. Chair. I don't remember if anybody seconded the motion but I'll second the motion. I just wanted to add that every committee I'm on, it's always five or six or seven people who do all the work so I fully understand the need to pare it down to the people who are actually going to be interested and participate so I support this. Thank you.

CHAIR ROYBAL: Commissioner Garcia.

COMMISSIONER GARCIA: Really quick. Patricia, thank you for what you do and the director as well. When I'm done here can you tell everybody what HPPC is because we know what it is but sometimes the general public doesn't know what HPPC is and what you all actually do. And as Commissioner Robert Anaya who works for this for many, many years and it was back in – when he actually moved this forward as Ms. O'Connor did -- so just for the general public if you could say what HPPC is because it's actually a really really important role that local government does for the community and it's an important job for the community so thank you to staff for what you all do and I think moving from a 13 to a nine member I think that that's good. So I appreciate that and so with that, Mr. Chair, I would actually – I'll vote for this, thank you.

MS. BOIES: So Mr. Chair, Commissioner Garcia, just briefly the Health Policy and Planning Commission, HPPC, is a body appointed by the BCC to work with the Community Services Department and the community regarding the health needs of County residents and to look into health and related issues. And since I have been here, the HPPC has worked jointly with us and was very instrumental in producing the *Santa Fe County Health Action Plan* which the Board adopted and which continues to be our guiding document for health priorities. And then also the HPPC working jointly with us and recommending to the Board our Accountable Health Community which is now called CONNECT that was worked through the HPPC. I would say that every major health initiative or idea that we are thinking of we work jointly with the HPPC and these

meetings are always open to the public so we get a lot of community input as well. They tend to be fairly active meetings for those Commissioners who have attended them when we were having them in person. Sometimes the room was full so they are also viewed as crucial by the community.

COMMISSIONER GARCIA: Thank you and I just wanted the public out there to know like what local government and the HPPC does for the people and we're actually here to help out individuals out there that need help. So that's what I wanted you to do which you did, as in to what Santa Fe County and our manager, to director O'Connor and yourself Patricia, what the County is doing for the community because sometimes people don't realize how we do it and why we do and that's why I wanted you to bring that forward. I appreciate that, Ms. Boies, thank you.

CHAIR ROYBAL: Thank you, Ms. Boies. We have a motion from Commissioner Hansen and a second from Commissioner Hughes.

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

4. B. Request Approval of Amended and Restated Memorandum of Understanding Between the Incorporated County of Los Alamos, Santa Fe County, and Santa Fe County Sheriff Adan Mendoza Concerning the Commissioning of Los Alamos County Police Officers as Santa Fe County Deputy Sheriffs

SHERIFF ADAN MENDOZA: Thank you, Mr. Chair and Commission. Thanks for hearing this MOU. We bring forward this MOU, it's actually an amended restated Memorandum of Understanding. To give you a little bit of history, Los Alamos Police Department did have commissions back in 2018 when there was issues with commissioning across the State of New Mexico. Those commissions have since been rescinded. This is a work in progress for the last couple of years because we do understand the importance of collaborating with the Los Alamos Police Department and their help and assistance mostly for motor vehicles enforcement and infractions and crashes that happen on the northwest corner of Santa Fe County. As you know, Santa Fe County is a pretty large county and with limited personnel it takes some time for our deputies to respond to our northwest corner that borders Los Alamos. Before I retired and when I worked here at Santa Fe County before, Los Alamos did work under commissioning and they were an invaluable asset for responding in a timely matter to major crashes and traffic enforcement and traffic infractions in that area. Because of the issues with cross-commission – not necessarily cross-commission – we worked diligently with the legal here at Santa Fe County and I appreciate the help of our legal department, everyone from Los Alamos to include Chief Sgambellone, I hope I am pronouncing his name correctly, to hash out the issues of liability and figuring out how we can collaborate again with commissioning.

I think that if this is approved it will benefit the public in that area and shortening response times for emergency-type calls, specifically motor vehicles crashes in that area. Chief Sgambellone is on the line and I would recommend hearing from him about how we worked together and the types of calls that they respond to in that area. And with that,

I'll stand for questions.

CHAIR ROYBAL: Thank you, Sheriff Mendoza. Chief, are you here? Would you like to address the Commission?

CHIEF SGAMBELLONE: Yes, thank you, Mr. Chairman. Just to echo the comments of the Sheriff, it is a win-win. I pulled data from 2018 which was the last full year of the previous MOU. We had about 550 calls for service although not all of those were in Santa Fe, the substantial majority were. And most of those as the Sheriff indicated were traffic related. Under the Sheriff's leadership I think we were able to put together an effective MOU that takes into account all of the issues that the Sheriff references. On behalf of Los Alamos County we would look forward to regaining this MOU to be able to respond as the Sheriff indicated for life safety issues and traffic related issues.

CHAIR ROYBAL: Thank you, Chief, we appreciate it. I'm going to go to other Commission members. But I know that reaching out and bridging these gaps between our counties is something that is necessary to make sure that we provide the services to our constituents. I appreciate the work on this MOU. Any other comments or questions from Commissioners? Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, as the Sheriff – personal thank you, Sheriff. I know Adan and I'm happy that you do what you do. As you said, it's a reinstalled commission that is happening and what people don't sometimes realize is institutional knowledge as Sheriff Mendoza has – as you know in the state legislature for the last 3, 5, 7 years it's been about commissions because there's a 1928 or 1920 state law that says how a sheriff because the sheriff is the most highly elected deputy sheriff in the state in every county. So like I said, this is like a 1928 resolution from back in the days of the state legislature. Sheriff Mendoza, thank you for what you're doing and once again I'd like to thank Marco. Marco actually was the sheriff for Los Alamos County. I believe he's not the sheriff anymore – he was termed out. But Marco actually worked for the Sheriff's Department of Santa Fe County for many, many years. And to all of those elected sheriffs out there, Sheriff Mendoza, thank you for all that you do. So that's all I have. Thank you, Mr. Chair. And if anybody doesn't have any other questions, I'd like to make a motion for approval for this is almost like a no-brainer.

CHAIR ROYBAL: Thank you, Commissioner Garcia, and I'll second. Under discussion, Commissioner Hansen.

COMMISSIONER HANSEN: Yes, I want to thank Sheriff Mendoza for bringing this forward and having the foresight and dedication to our community and to thank Los Alamos County for working on this MOU. Thank you very much. I'm sorry you're so far away Sheriff Mendoza and we can't see you very well but Merry Christmas and it's nice to see you always and to at least hear your voice. So thank you for all you do for Santa Fe County.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Yes, we have a second, thank you. We appreciate our law enforcement for everything that you do and keeping our streets safe. I know that it is not an easy venture and you guys do a great job. So thank you all.

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

4. C. **Request Approval of Permanent Severance of Transferable Development Rights and Land Use Restriction Agreement (TDR Agreement) Between Dependable Property Solutions LLC and Santa Fe County**

ROBERT GRIEGO (Planning Director): Mr. Chair, Commissioners, thank you for your comments regarding my 20 years here at the County and it has been a pleasure working here at the County during this time

The next two items on the agenda are TDR agreements. The TDR agreements were established through our Sustainable Growth Management Plan and our Sustainable Land Development Code. I'd like to take a step back and provide the Board with a brief background of what the TDR program is, if I can.

COMMISSIONER GARCIA: Also, Mr. Chair, really quick. Daniel, can you put on the information of what's on the agenda. And then just really quick, Mr. Chair, my internet is going off and on and I just wanted to let you all know, thank you, Mr. Chair.

MR. GRIEGO: I have a brief presentation with some background that Daniel is beginning to share, so thank you, Daniel.

The Transfer of Development Rights Program was identified in the Sustainable Growth Management Plan to serve a couple of purposes. To incentivize the protection and conservation of open space areas in the county and agriculture land and other sensitive areas. These areas are identified as sending areas in the county. The TDR program is a voluntary incentive-based program. I'm not sure if Daniel is able to bring the slides up we've got some photos that I want to bring up – but the program again is voluntary. It's a market-based approach preserving this agriculture, open space land while encouraging development of designated county growth areas. These areas are identified as sending areas. The areas which are identified as receiving areas are the areas where we would be directing growth to. These areas were identified in the SGMP and SLDC as SGA 1 areas with adequate public facilities and services. This includes our mixed-use zoning districts, our industrial zones, our commercial general and our planned development districts.

The way that the program works is that the SLDC identifies a base density and dimension standards. If within the receiving areas if a developer purchases TDRs and the area is a receiving area they would allow additional density for these zoning districts with the acquisition of TDRs in accordance with the SLDC.

There's a process that we go through. The first step in that process is to develop a TDR qualification report. The qualification report identifies whether there's any encumbrances on the property, if there's any existing deficiencies on the property, whether the property has any residential units. We determine how many development rights are eligible on that property through the TDR qualification report. Once a property owner determines that they want to move forward with creating a TDR receiving area. The County works with the applicant to create a TDR agreement and TDR receiving area plat. The TDR agreement, which we'll be discussing today, identifies the number of TDRs to be severed from the property and identifies the TDR sending area plat.

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As part of this process, a TDR certificate is issued. The TDR certificate will allow the owner to sell TDRs to receive financial compensation without having to fully sell or develop their land. They still maintain full ownership of their land they just cannot build any residential structures. Developers in receiving areas then can increase the density of a project through the acquisition of TDRs.

The properties that we would be looking at today are identified in the far eastern part of county. As you can see in that photo there, the area in blue is for the two properties that we will be discussing today: the two TDRs sending areas. The Santa Fe County boundary is the black line that goes straight across there. This is basically completely surrounded by Santa Fe National Forest Service land.

The two properties are identified on this slide. Lot 13 is the property to the south and this is the first TDR agreement with Dependable Property Solutions. This is a vacant property and the entire property will be a TDR sending area. Next slide, please. The property as we stated, we first issue a TDR qualification report and this TDR qualification report was 2020-2 with Dependable Property Solutions. The property qualifies for TDR in accordance with the SLDC based on sensitive environmental lands, riparian habitats, endangered or threatened species habitat or archaeological sites, lands providing open space, scenic vistas, natural features and areas of special concerns. As I stated, the property is vacant and it's within the residential community zoning district. This property is qualified for one transferrable development right. This is reflected in the TDR agreement before you today. Next slide please.

This is a photo of the area in the back where you can see that there is a riparian area that runs by the creek that runs back in that area. That's Dalton Creek. This is in Dalton Canyon area. There are no structures or roads on the property and the TDR sending area for this property is composed of the entire property which is approximately .48 acres. Next slide please. This is another photo of the property. Next slide. And this is another photo of the area that shows Dalton Creek running back behind. So with this, the TDR Agreement is in your packet. The TDR sending area plat and TDR agreement are permanent and the restrictions are permanent and restricts future development in accordance with SLDC Section 12.14.4 and 12.14.6. The County will issue the property owner one Certificate of Development Rights from the TDR Agreement and TDR Sending Area Plat are executed and recorded with the County Clerk in accordance with the SLDC. Staff recommends approval of the severance of the transferable development rights and land use restriction agreement, TDR Agreement, between Dependable Property Solutions and Santa Fe County. I stand for questions from the Board.

CHAIR ROYBAL: Thank you, Mr. Griego. I'll go to questions from the Board? Commissioner Hansen.

COMMISSIONER HANSEN: I'm sure this is in the packet, Robert, but how much land does one need to have to have one transferable development right?

MR. GRIEGO: Mr. Chair, Commissioner Hansen, it depends on the property and which zoning district it is within. So for instance, within this zoning district it is residential community. The zoning density is one dwelling unit per acre in this area. However, the property is eligible for one TDR on this property based on the fact that you can build one residential development on the property.

COMMISSIONER HANSEN: Thank you and congratulations, again.

MR. GRIEGO: Thank you very much, Commissioner, I appreciate that.

CHAIR ROYBAL: Okay, thank you, Commissioner Hansen.

Commissioner Garcia and then I'll go to Commissioner Hamilton.

COMMISSIONER GARCIA: Mr. Chair, thank you very much. Once again, Robert, congratulations, once again I see Paul Olafson there and Paul has many, many years there as well.

So this is vacant property. Why is it vacant property is one of my questions. Is it because it's under foreclosure or it's not worth anything? And, also, who makes the determination as into what property the County actually acquires for TDRs? Is it staff? Is it a committee? That's my second question. And another question I have is how many properties do we actually have that we've done TDRs and what is the valuation of those properties that we have in a TDR bank? Those are the few questions that I have. Thank you, Robert.

MR. GRIEGO: Okay, thank you, Commissioner. I may need to come back to you to make sure I have captured all of the questions. I think one of the questions that you asked is – I think that the property owner here had purchased the property and I think they wanted to preserve the property. If we can go back to one of the slides. The property owner – there is a property owner who owns an adjacent property and they also purchased these other two properties. One is is Dependable Property Solutions and the other one is through the next item on our agenda. The property owner who owns this property, I think wanted to preserve the property from development. I believe the property owner is on the phone if you want to ask him directly the question in regard to the purpose. I think the last question – or the second question had to do with who determines how the properties qualify for TDR. So this is a program that is eligible in accordance with the criteria established in the Sustainable Land Development Code. Any property owner can come to the County and request to do a TDR qualification report on their property. That's the work that we do when we go out on site and we identify whether the property qualifies, what the number of development rights are. At that point, the property owner has the ability to request to do a TDR certification and a TDR sending area plat. Once that process is done, you sever the development rights to the property and you can no longer build on that property. This is basically a conservation easement and you'll never be able to reverse that. Once this agreement is made there will never be a residential unit on those properties.

And I think your final question was how many has the County done. I believe the County has certified nine TDRs and the market for the development rights, again it is a market-based approach, so the value for the TDRs when we established the TDR program we did do a basic study to identify the potential value of TDRs. The County has also established a TDR bank but currently we don't have any development rights in there so we don't have a set price for the TDRs. It is a complete voluntary, market-based approach.

Did I answer all your questions, Commissioner?

COMMISSIONER GARCIA: Really quick, Commissioner Chair. So thank you, Robert, I appreciate that. So who actually, who from staff determines we're going to go buy this property from Cañoncito? We're going to go buy this property in La

Cienega? So what if an individual has a piece of property there that's vacant and nobody wants to buy that piece of property – whatever, it's not worth anything. So who from staff determines what that property is worth and so the County goes and takes this property over and says okay, it's a four-acre piece of property, got it? Nobody wants to live there. It's in the County or wherever it is and nobody even wants to live there – so once we take that piece of property and under the County's arm what is that property valued at if they haven't sold it for 3, 5, 10 years? What are we getting out of that because that person that owes that property gets to transfer those rights somewhere else – La Cienega, La Bajada, Pojoaque and La Cieneguilla – what staff determines that we're going to get that piece of property? That we want that property? I understand how it works as to an easement and acequia and everything else but who from staff determines and brings the recommendation to the County Commission and if they can't sell their property for 10 or 15 years why are we acquiring it?

MR. GRIEGO: Mr. Chairman, Commissioner Garcia, the purpose of the TDR program is for the landowner – the landowner will maintain ownership of the property. They can still use their property. They just can't build a home on it. The TDR sending area will restrict them from building a home but the property owner – we never own the property. All we do is issue a TDR Certificate. The TDR Certificate, again, is a commodity in a value which can be sold for development but the property owner who decides to sever their development rights from the property maintains ownership of the property and can still use – free use of the their property with the exception of being able to build on it.

COMMISSIONER GARCIA: Thank you. So who from staff determines what property we are going to go buy? You have ten property owners and these say we want to sever our rights to development – so I have 10 acres in the traditional community and the other has five acres or whatever it is say in Chupadero; how does staff determine how these 10 individual property owners of which three they are going to bring forward? [connectivity difficulties]

MR. GRIEGO: I'm sorry, let me try to clarify it again. The County never acquires the property. The County doesn't have anything to do with it. The property owners do it. There is a plat that gets created which a TDR plat that restricts development on it. So it's like a conservation easement. Like if somebody wanted to do a conservation easement on their property they restricts development from it but the County doesn't have any ownership of it at all.

Any property owner that meets the criteria in the SLDC can come forward and based on the criteria in the code and the zoning district that they're in and how many acres there are, that is how the transfer of development rights is established. But the County has nothing to do with the property once the development rights are severed.

COMMISSIONER GARCIA: Mr. Chairman, so there's 10 properties, who determines which three or four we're going to buy?

MR. GRIEGO: Mr. Chairman, we don't purchase the properties. We don't buy any properties. Basically, we issue a TDR Certificate. That's what the property owner gets when they go through this process. So, again, we've issued nine TDR Certificates. Those certificates that are out there can be sold to somebody else to purchase within our receiving areas to do additional development. So in our code right

now that is again there is a base density for area, receiving areas, and then there's a density for TDRs.

COMMISSIONER GARCIA: So, Mr. Chair, Robert, if I have let's just say five acres in La Cienega and I have one house on my five acres, I can transfer those development rights to the County and I'll never build – there's a ¾ acre minimum and I will never build anything on those other four acres and I'm going to put those in the bank and the developer comes and buys them from the County so who is making money off of that; the developer or the guy that used to own those rights or the County?

MR. GRIEGO: The County doesn't have anything to do with it other than issuing the certificates. So in your scenario, the property owner would benefit and that's the purpose of that. The sale of the TDRs allows the qualifying landowners to receive financial compensation without having to sell the property or fully develop their land and maintain ownership of it. So they sell it. They receive funding for that. They receive from the developer whatever they negotiate for the sale of that and then they can use that TDR to build in the receiving area.

COMMISSIONER GARCIA: Let's try a different scenario. I'm not saying [connectivity failure] – somebody from Glorieta, Pojoaque, somebody from Edgewood says, we want more density and more approvals on our piece of property; right? So County I want to buy those TDRs from Cieneguilla, five from there, five from Pojoaque, five from Glorieta and I want to buy those 15 TDRs to build more homes in Glorieta and so – right, is that how it works?

MR. GRIEGO: No, Commissioner, and I see another Commissioner's hand up. The only areas that are eligible to receive development rights are designated receiving areas which are County growth areas. Those areas are already established for higher density.

COMMISSIONER GARCIA: I got it. So I got it. It's SDL-1, which is Rancho Viejo basically and I know it out there by the Public Works – those are the only areas that can buy TDRs from La Cienega, Pojoaque and where else for those SDL areas.

MR. GRIEGO: Yes, Commissioner, these are areas that are required to have adequate public facilities and services –

COMMISSIONER GARCIA: Okay, thank you. And, also, who from staff determines what TDRs we buy? Is it La Cienega, Pojoaque, Glorieta, Agua Fria whenever they submit – who says we're going to buy this? Who does that?

MR. GRIEGO: We haven't purchased any TDRs, Commissioner. All the TDRs, again, the property owners it's a market-based approach. The County has not purchased any TDRs at this time.

COMMISSIONER GARCIA: Okay, thank you, Mr. Chair. Thank you, Robert and once again congratulations on your years of service to the County.

MR. GRIEGO: Thank you, Commissioner.

CHAIR ROYBAL: Thank you, Commissioner Garcia. And I did see Commissioner Hamilton's hand up and I did want to say that from what Mr. Griego has stated, the County doesn't have any TDRs at this point but I think Commissioner Garcia was wondering when they submit an application to sell their TDRs I would assume that staff probably goes through those and makes a determination if they qualify to sell their TDRs. I was just curious, if somebody sells their land development rights and then they

sell that property to somebody, is there something that they have to disclose that it is undevelopable unless they purchase a TDR from the County or somebody else?

MR. GRIEGO: Commissioner, the TDR sending area agreement will be recorded with the County Clerk along with the TDR sending area plat. That restricts development from future developments so there again, once a TDR sending area is established no development can occur within that sending area.

CHAIR ROYBAL: Okay, so even if somebody bought a TDR from the County later and wanted to develop it they still can; is that correct?

MR. GRIEGO: That's correct. They are not out [inaudible] you're not able to go back [inaudible] restricted development.

CHAIR ROYBAL: Perfect, thank you for that answer, sir. Commissioner Hamilton, I did see your hand up earlier.

COMMISSIONER HAMILTON: Yes, I just wanted to mention that I am frankly very pleased to see that the program is being used. It's a good market mechanism for the County to encourage conservation in areas where development is less desirable because of lack of concentration of people or areas desirable for conservation, we have less utilities and things like that, and encouraging in areas where those amenities are available. The County just sets up the program and defines the criteria. All of the market activity occurs between interested conservation – people who want to conserve their land and interested developers who need to purchase TDRs so that they can increase their development capabilities in designated areas.

Actually these particular applications are in District 4, in my district and I'd like to move to approve this.

CHAIR ROYBAL: Okay, we have a motion from Commissioner Hamilton. And I would agree I've seen developers that are just on the outskirts of the city where the requirements are $\frac{3}{4}$ of an acre but they can easily tie into City water and City sewer and it would be a choice place to put a development where more housing could be built and serve our constituents better. So I've seen that. I've seen where this could be a great program. So I would agree. Thank you for those comments. Commissioner Hansen.

COMMISSIONER HANSEN: I just want to second the motion.

CHAIR ROYBAL: We have a motion and a second. Commissioner Hughes, under discussion.

COMMISSIONER HUGHES: Yes, I just had one quick question and most of them got answered. But I just wonder what the market is like? Will these be snatched up right away once we approve them or does it take people awhile to sell their TDRs?

MR. GRIEGO: Mr. Chairman, Commissioner Hughes, it does depend on the market. Right now my understanding is that there is – we do receive calls for requests for TDRs and again I think there's a process in place and depending on as development comes in within the areas that are designated receiving areas if they need more development rights then that's when the market opens up and right now we have seen some activity but we have not sold any at this time.

COMMISSIONER HUGHES: Okay, thank you.

MR. GRIEGO: You're welcome.

CHAIR ROYBAL: Thank you, Commissioner Hughes. Commissioner Garcia, did you have an additional question?

COMMISSIONER GARCIA: No, I'm okay for this. But this is the only question I have, is the receiving area is SDL-1 which is Rancho Viejo and the other side of our Public Works Department. There's seven and ten owners of those properties in SDL-1 and they're our Public Works that can only purchase these TDRs. I get it. I understand that. I know how it works and I see it. What's really concerning to me and confusing is that we, with all respect Commissioner Hughes, across the Lone Butte these guys, these people they want water and they don't have water rights. So yes, right outside my house here there's 10 acres. I'm going to sell 9 acres of that and I will never develop it and sure, put a plat together and never development it and I'm going to sell those rights but the only people that can buy those rights are people that live in the – the seven to 10 developers that own in the Rancho Viejo area and they actually own the property by our Public Works plant. Those are the two only receiving areas in this County because the County Commission passed the SDLC, I get it. I understand that. I was just wondering when people sell their 10 acres here and say we'll put them in the bank but the only people that can buy them are those seven to 10 people that own that property in the Rancho Viejo area as well next to Public Works. I understand. I get it. But I just wanted to put that in the record. But I'm okay with it and I see how it works. But I just want everybody in the public to see it and make it clear that only seven to 10 developers that live in that area can only buys these rights; yes. And now I'm here in La Cienega can never develop it but we'll put a plat together and we'll put an easement on it, give our rights away so those seven to 10 developers can buy those rights. I get it. I understand that. And so I just want to put that on the record. Thank you, Mr. Chair. I appreciate you coming back to me.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Okay, I'll go to a roll call vote.

COMMISSIONER GARCIA: I will hesitantly on the record vote yes.

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

4. D. Request Approval of Permanent Severance of Transferable Development Rights and Land Use Restriction Agreement (TDR Agreement) Between Robin Reindle and Stephen Nelson (Owners) and Santa Fe County

MR. GRIEGO: Thank you, Mr. Chair. Mr. Chair, Commissioners, this item is again as I showed you earlier adjacent to the other company that was discussed. Here is where the property is. It is adjacent to the homeowners who own the adjacent property also own this property. Next slide, please. This property was based on TDR qualifications for 2020-1. The property qualifies for TDR based on the environment lands, open space – the property is also vacant and is within the residential community zoning district and the property qualifies for one development right. Next slide please.

This property has an intermittent pond on it. The property has wildlife present. It's adjacent to the Santa Fe National Forest and it has again all of the wildlife present on

the property include spotted owl, gray horned owl, the peregrine falcon, golden eagle – all of these wildlife have been seen in the area and on the property. Next slide please.

These are photos of the property. So this is similar to the last TDR sending plat and agreement are permanent and enforceable on future developments in accordance with the SLDC. The County will issue the property owner one certificate of development rights when the TDR Agreement and TDR sending area plat are executed. Staff recommends approval of this item and I stand for questions.

COMMISSIONER GARCIA: Mr. Chair, this is Rudy. I move for approval.

COMMISSIONER HUGHES: I'll second.

[Chairman Roybal's connectivity was temporarily lost.]

COMMISSIONER HANSEN: I heard that we had a motion from Commissioner Garcia and a second from Commissioner Hughes.

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

CHAIR ROYBAL: Thank you, Mr. Griego for your presentation and answering all the questions of the Commission. We appreciate that.

MR. GRIEGO: Thank you.

4. E. Resolution 2020-101, a Resolution Adopting Community Development Block Grant (CDBG) Federal Certifications and Commitments for Project Number 19-C-NR-I-01-G-17

JACOB STOCK (Growth Management): Thank you, Mr. Chair, Commissioners. Earlier this year the Board accepted a Community Development Block Grant, a CDBG grant, in the amount of \$750,000 to construct a new well in coordination with the Greater Glorieta Mutual Domestic Water Consumers Association. For the record that CDBG project number 19-C-NR-I-01G-17. This project will replace the existing well with a deep water supply well. It will serve as a long-term water source for the Village of Glorieta and Glorieta Estates and Glorieta East. It will also address the public health risk posed by elevated radium levels in the existing water supply.

In compliance with the federal requirement section of the CDBG Implementation Manual, this item will begin with a presentation summarizing the federal requirements for administering a CDBG grant. I will conclude the presentation by requesting action on a resolution adopting required CDBG federal certifications and commitments.

CHAIR ROYBAL: Okay, thank you, Mr. Stock.

MR. STOCK: And I will also request the County Manager submit the CDBG Implementation Manual and that is Exhibit B in your packet. I'll also summarize the contents of Exhibit 1-Z in my presentation.

So let's get started with the presentation. Daniel, could you pull that up for me please. The title is Community Development Block Grant. I believe the file is presentation – CDBG federal requirements.

DANIEL FRESQUEZ (Media Coordinator): Jacob, it doesn't look I have the presentation. Could you email it to me or if you have it, do you mind displaying your

screen?

MR. STOCK: I can display my screen. That's probably easier. Okay, so you'll have to bear with me because I had my notes in the presentation. We'll just go with what we have.

Part of the requirements for the Community Development Block Grant is the federal requirement section which includes Exhibit 1-Z and I'm required to summarize Exhibit 1-Z for the Commission and to include that in your packets. Exhibit 1-Z is included as Exhibit B in your packet if you'd like to follow along with the presentation. Just a little bit of background on the project. The County received a grant for \$750,000 to construct a community well in Glorieta, New Mexico. The existing well at the site is contaminated with radium so this is a very important project for the community and the new well will access a deeper aquifer and provide a safe drinking water source for those communities. The grant was executed on October 22, 2020 and it expires in two years, October 22, 2022.

The federal requirement section of the CDBG Implementation Manual has two key components. The first is a resolution adopting a required community development block grant federal certifications and commitments. So we're going to do that today and we're also going to review Exhibit 1-Z which goes into further detail of those federal requirements. So the resolution that the Board will consider during this item includes certification and commitments for citizen participation, fair housing, residential anti-displacement and relocation assistance. Section 3 which is the hiring of low-income residents, and procurement code. So this resolution must be adopted to comply with our grant agreement, and it also must be reviewed every year during the life of the grant.

So Exhibit 1-Z just goes into further detail about the CDBG federal requirements adopted by the resolution. We're required to provide the Commissioners with a copy of the 1-Z document, as I noted, and we're also required to review the details of the 1-Z during this meeting, and that's what I'm doing now.

So the required elements included in the 1-Z are again, citizen participation, fair housing, residential anti-displacement and relocation assistance, and Section 3 or the hiring of low-income residents. I'm going to go into detail about each of those sections. The citizen participation section includes elements that encourage participation with an emphasis on low and moderate income residents, provide reasonable and timely access to local meetings, information and records, requires that the County provide assistance to groups representing low and moderate income residents in developing proposals, and that the County hold a minimum of two public meetings to consider those proposals. And just as a note, those last two pieces of the citizen participation section were already completed during our application for this grant. So we've already satisfied those requirements.

And it also requires that County staff provide timely answers to written complaints and grievances regarding the CDBG process.

Next, the fair housing element requires that the County publicize a prohibition on housing discrimination. It also requires program signature, equal opportunity in housing, and that the County post and distribute fliers to advertise those programs. And it also requires that the County complete a fair housing self-assessment later in the grant administration process, and the requirements of that self-assessment will be provided by the Local Government Division of the Department of Finance and Administration who

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are helping to administer this grant.

The residential displacement and relocation assistance element [connection lost momentarily] dwelling units lost in connection with the location assistance for all low income people displaced as a direct result of the grant assisted activity. It requires that the County make all efforts to minimize displacement, and just as a note, there is no displacement involved in the administration of this grant. So just as a note to Commissioners on that.

So the Section 3 element, or the requirement to consider low-income residents. This element requires that the County encourages the use of small local businesses and the hiring of low-income residents. It appoints Paul Olafson to monitor compliance with Section 3. I apologize; this is my note documents, some notes from me embedded. It prescribes hiring, contracting and training practices, includes language specifically for proposals and contracts, [connection lost momentarily] workforce analysis.

The County does not anticipate hiring new staff to administer this grant. However, at the end of the grant administration process we will be required to provide a Section 3 workforce analysis which again, we will be giving the documentation to complete that analysis.

So there's plenty of information and details in the Exhibit 1-Z [connection lost momentarily] in your packet. I am also available to answer questions as is Paul Olafson who's a real expert on that CDBG stuff. So with that, I and my colleagues will stand for questions.

CHAIR ROYBAL: Thank you, Mr. Stock. So I'm going to go to Commissioners for questions. I'll look for a show of hands. Do we have questions from the Commission? Okay, Commissioner Hamilton.

COMMISSIONER HAMILTON: Not exactly a question. This is in my district. This is something we talked about and approved and it seems like it's quite a bit of time, because obviously when it was first brought up and we decided – we selected projects to apply for CDBG in the first place. I'm always freshly amazed at the requirements, the hoops to jump through for doing this. Nevertheless – and I see Commissioner Hansen smiling – it's like a love-hate relationship because it's a good opportunity to bring needed money into the County for projects we need to do, but you pay for it to some extent, and the project proponents pay, but to a big extent the County staff pays and I really, really appreciate the level of work Paul and Jacob and no doubt other staff have had to do to get to this point. It's amazing how long it takes.

But I truly, truly appreciate the effort that you have gone to to carry this forward. This is a hugely important and valuable project to the greater Glorieta community. They've been working on it for quite a while. And while I know I'm sure other Commissioners have questions I'd like to move to approve this.

CHAIR ROYBAL: Okay. Thank you, Commissioner Hamilton. I'm going to go to Commissioner Hansen for a question as well.

COMMISSIONER HANSEN: I want to second the motion and I recognize the burdensome nature of this grant but this just part of what is required and what we have to do to take federal and state money. So I second it and thank you.

CHAIR ROYBAL: Okay. Thank you, Commissioner Hansen. So we have a motion and a second. Under discussion, Commissioner Hughes, did you have anything

under discussion?

COMMISSIONER HUGHES: No. Thank you, Mr. Chair.

CHAIR ROYBAL: Commissioner Garcia.

COMMISSIONER GARCIA: Yes, really quick. But what is this project for for CDBG again, and how much are we applying for?

MR. STOCK: Mr. Chair, Commissioner Garcia, the project has been applied for and it's been awarded. We've been awarded \$715,000 to construct a new deep water well for the Village of Glorieta and Glorieta Estates.

COMMISSIONER GARCIA: Interesting. Okay. I get it. So I thought CDBG money, Community Development Block Grant money was only up to \$500,000, so how are we getting \$700,000 for this?

MR. OLAFSON: You can apply for \$500,000 and up to \$750,000 for infrastructure.

COMMISSIONER GARCIA: Okay. Thank you. I appreciate that, Mr. Chair. I appreciate Commissioner Hamilton. I don't know if she's still on the board for the water system, but she actually was very instrumental back in the days as into getting our first phase done for the Glorieta water system, which was CDB money, what Tony and I worked on. And the second phase was where we got the tank, and now this is the third phase of that, so I appreciate her actually being not just Commissioner and I appreciate her being very instrumental as in getting a lot of work done for that community water system because, as you know, Commissioner Hamilton, we worked on this when Glorieta was just – when we connected the Glorieta South, going east, going west, it became one mutual domestic and we made it one BAR.

And then we got the water system moving. So I think this is the third and last phase to move the Glorieta water system forward. And this is the last thing that they have to actually drill a deep, deep, deep well that is what is needed for this community system to be complete. So as an individual that actually worked on this for many years, before being a Commissioner; this a great project. Yes, I think this is a great project for the Village of Glorieta. Thank you Mr. Chair.

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

COMMISSIONER HAMILTON: Just in response to that, I have to recognize Commissioner Garcia because frankly, all those years ago – these things take a long time to develop and before I was a Commissioner and when I was on the Glorieta Water Board, there is interactions with the County that were largely with now Commissioner Garcia and Tony Flores, and eventually with Manager Miller. But let me say how incredibly pro-active and beneficial – those don't seem like quite the right words – the County is to its constituents. How much help they provide, how motivated they are to assist in any way they can to help find funding to support constituents and community needs. It's very impressive and it's part of what we need to continue and move on to doing, to being a Commissioner. But thank you for all that past work, Commissioner Garcia, and for the comments.

COMMISSIONER GARCIA: Just really quick, Mr. Chair, if I may also just as the Commissioner just mentioned, CDBG is the Community Development Block Grant, federal dollars that go to the Department of Finance and Administration, and the

County – in your district, Mr. Chair, the teen center, that's CDBG funding. The Nancy Rodriguez Community Center – CDBG funding. And there are two or three others – and you don't have to answer the question, but Paul, you've been there. I've been there. We've done that. CDBG is very important to the community as the federal government appropriates millions of dollars to the state of New Mexico, and the staff – they jump, because whenever you have federal funding, it's so pain in the – to administer it and to audit it and so on and so forth. The Commissioner is smiling because it's hard. Paul, you know. We've been there. We've done many grants, and it's very time consuming on staff for federal dollars, whether they're doing a BLM project or it's CDBG funding. So I commend staff for moving forward, saying let's apply for this grant or let's administer this grant, because as Commissioner Hamilton smiles, it's a little pain in the you know what. But I would just like to thank staff for moving forward on this because, Jacob, you're a young guy, and when you figure this stuff out – Paul's just shaking his head, like, he's right.

So it's something that staff – it's a good, interesting thing. Play with it. Figure it out, because it's a very important thing for every community in our nation as into for funding like that because it's there. Apply for it, and I'm very appreciate that you guys applied for this and moving forward. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Any other comments? Commissioner Hughes, did you have a comment, sir?

COMMISSIONER HUGHES: No. Thank you, Mr. Chair. I think this is a great project and I'm all for it.

CHAIR ROYBAL: Okay, so thank you guys. I'm going to go ahead and we have a motion and a second. So I'll go to a roll call vote.

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

MR. OLAFSON: Thank you, Mr. Chair and Commissioners. I just wanted to give a special shout-out to Jacob Stock. This will be Jacob's last meeting with us. He's moving on in his professional journey and we've really appreciated working with him. He's been a super supportive coworker. We've really enjoyed him. He's been super helpful on this project. I'm going to really, really miss him and he knows that. But he's done great work. He's really been a great asset for the County and for the community and the constituents in the county and I just wanted to give him that recognition and let you all know that he has done really a whole bunch of great work for us, and his legacy will continue on with projects as we move forward. So we'll keep him in our hearts and we'll keep him in our back pocket for when we can't figure things out and we have to call him.

Other than that, Jacob, happy trails. Good luck, and we really appreciate everything you've done for us. And that's it, Mr. Chair.

CHAIR ROYBAL: Thank you, Mr. Olafson, and thank you for recognizing that. We do appreciate Mr. Stock's being at Santa Fe County. Commissioner Hamilton.

COMMISSIONER HAMILTON: A big congratulations. We're so grateful for the work you have done on this but I feel a tremendous loss. I assume you're going to something good, if you'd care to share, but I'm not at all surprised. With your talents and

motivation and what you've contributed here, that you'd have wonderful opportunities out in the wide, wide world. So sorry to be losing you but congratulations and thanks for all your efforts.

CHAIR ROYBAL: Okay. Thank you, Commissioner Hamilton.

MR. STOCK: Commissioner Hamilton and Paul, I'm going to miss you too, Paul. And just to let you know, Commissioner Hamilton, I'll be working for a small planning firm in Albuquerque, Site Southwest. So I'm still alive, and you guys can always call me.

COMMISSIONER GARCIA: Mr. Chair, really quick, if I may. Since we're on this note.

CHAIR ROYBAL: Go ahead, Commissioner Garcia.

COMMISSIONER GARCIA: Three, four years ago, when you first started, I said, who's this young guy? What is he going to do? Well, he's working in the Planning Department. Okay. But you actually have taken the initiative to – you took the ball and said, I'm going to score. I'm going to move. And you've done – in the last three or four years I've seen your and like Paul said, you've done an excellent job as a young man, and you have the ability to move, move, move. Like that guy from Kawa said, feed me. Feed me. Give me some more and you've done an excellent job and I'm sad that we're going to lose you, because you have the ability to – you have the ability to move, move, move. So as Paul said, good luck. You've got to do what you've got to do. And you better get a haircut also because I hear it's getting a little long. But good luck, my friend. We're going to miss you.

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

COMMISSIONER HANSEN: Thank you, Jacob. I will definitely miss you. I am sorry to hear that you are leaving. You do not need a haircut. Speaking from somebody from the '60s. But anyhow, I will definitely miss you and congratulations and good luck in your future.

CHAIR ROYBAL: Thank you, Commissioner Hansen. With that note, I give free haircuts. Congratulations again, Mr. Stock and we wish you the very best. And you're always welcome back.

MR. STOCK: Thank you, Mr. Chair.

4. F. Request (1) Authorization to Redistribute CARES Act Funds to Espanola Pathways Shelter for Acquisition of a Facility to Promote COVID Safety Measures Along with Housing Security During the Pandemic and (2) the Delegation of Authority to the County Manager to Negotiate and Execute All Required Documents, Including Contracts, Contract Amendments, and Purchase Orders, Relating to Such Acquisition

MR. OLAFSON: Mr. Chair, Commissioners, before you today we have a request to authorize additional funding for the Pathways Shelter, and this is to buy a hotel facility to provide Covid relief for individuals who are housing challenged who may have been either diagnosed with Covid or have come in contact and need to be quarantined.

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They have to be quarantined either way. There is a facility we have identified. We have entered discussions with Pathways and the facility owner.

This project will need to exceed the signature authority for the full amount of the purchase. Right now it's estimated at \$420,000. That may change. We are getting an appraisal and inspections this week, and so we'll be massaging that. But the short answer is that the CARES funding is available for this project. The project does serve an immediate need in the northern county and it does provide specific Covid as well as long-term housing opportunities for housing challenged individuals in the north end of the county.

The request is again that we allocate additional funds, approximately \$420,000. That's not an exact number, above what is currently in the contract, and also that the County Manager is authorized to have signature authority for all aspects of the purchase. With that I would stand for any questions or ask any of my colleagues to add any information or details that need to be added.

MANAGER MILLER: Mr. Chair.

CHAIR ROYBAL: Manager Miller.

MANAGER MILLER: I wanted to add to this. This was something we had looked at initially but we actually didn't realize that the shelter's not really able to operate up in the Española area in the building that the lease because they are in a congregate setting. This allows them to – and so they've been trying to utilize the motel across the street to keep individuals separated.

The owners of the motel are selling the motel. We didn't want to have it sold out from under the Pathways so that they didn't have a place to separate homeless individuals for housing, particularly through the winter. The CARES Act money is allowable for providing shelter for individuals under these types of circumstances to try to prevent the spread of Covid-19. Fortunately, the owners of the motel have been very willing to try to work with us and we've been able to, on relatively short notice, figure out – and I want to compliment Paul Olafson, Rachel O'Connor and Joseph Montoya as well as our Legal Department and Finance for trying to figure out a way to assist Pathways as the only provider of housing for the homeless in the northern part of the county, and help find a way to see if we can secure this facility for them to deal with the need to separate those individuals during Covid-19.

CHAIR ROYBAL: Thank you, Manager Miller. And I just want to commend staff and the hard work that went forward. I met several times with the Pathways Shelter and I know the need is huge throughout the state, throughout America. And it's something that we're working on trying to combat a lot of issues with behavioral health and opioid addition and homelessness, and it's just something that's going to be a huge impact for this area of Santa Fe County. I just want to thank staff for working with Pathways and I think it's going to be something that is going to really help the communities as a whole. And so I just really want to commend staff for working with the Pathways Shelter folks and bringing this forward and getting this done for the community. So thank you very much. Questions and comments from other Commissioners?

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: Commissioner Garcia, then I'll go to Commissioner

Hamilton.

COMMISSIONER GARCIA: I think in your part of the district and throughout our county and the new Commissioner knows. Homeless – it's hard. It's sad. And as a matter of fact I was talking to a teacher yesterday and he said, you know, Rudy, there's kids, they're homeless. He said they come and they say, Mr. So-and-so – we don't know where to go. It's said. We don't have anywhere to go. He said, Rudy, go to Wal-Mart in the morning. You'll see kids there that are laying down with their blanket over them and they come to school and use us. It's said. It's messed up. It's not cool. And I said, this is very coincidental as into what we're talking about. And great project. And staff, whoever else, thank you.

As Commissioner Hughes knows, this is sad. I just wanted to bring that forward because it's a coincidence that I was talking to a teacher yesterday and he said, Rudy, you know what? It's sad. I said, Mr. So-and-so. We have nowhere to go. We're out there. And one of the other CDBG projects that we did is the homeless shelter out there for the youth there on the end of Agua Fria. Great projects. Manager Miller said this where the money can be used for and let's do it. This is great. But it's just hard out there in the community these days. You go out there and you see kids – well. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia, and I do want to make a motion for approval of this item. This is in my district in the most northern part of Santa Fe County so I do want to make a motion. But I want to go to Commissioner Hamilton next.

COMMISSIONER HAMILTON: I'd be happy to second the motion. I just wanted to add my voice to how happy I am and impressed with our Manager and Rachel and Paul and Joseph for seeing this need and for responding to it so creatively. This fills an immediate need and it also gives Pathways and that area a longer-term option for addressing this kind of need. I remember when Pathways came and gave us a presentation. It was either earlier this year or late last year. It was in person. That's all I remember, so it was pre-Covid. I was so impressed with what they do and I think everybody seemed very motivated after that to try to find ways to – to help them fill the need that they do. So this is wonderful that you guys acted so quickly on this. I really want to thank you for such foresight and motivation to do this. And I did second it.

CHAIR ROYBAL: Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: I just also want to add my voice that I think this is really important. Whatever we can do to help people who are homeless and who are suffering in our community. As Commissioner Garcia said, we have people on the south side of Santa Fe who are also suffering and if there's anything else we can find to do to help people who are in this situation I hope that we can use more of the CARES money along the way. So thank you.

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

COMMISSIONER HUGHES: I just need to note for the record that I need to recuse myself from this vote as my organization, the New Mexico Coalition to End Homelessness is the fiscal agent for Española Pathways. Thank you.

CHAIR ROYBAL: Okay. Thank you, Commissioner Hughes, and thank you for your hard work on that board. Okay, so I'm going to go ahead to a roll call vote.

The motion passed by unanimous [4-0] roll call vote. [Commissioner Hughes recused himself from this action.]

CHAIR ROYBAL: Once again, I want to really thank staff for working on this and making this actually happen and come to fruition. So this is going to be a great opportunity for Pathways Shelter to serve their community and provide more services. So thank you very much for that.

5. PRESENTATIONS

A. Presentation of Strategic Planning Performance Measure Results of Third and Fourth Quarters FY2020 and First Quarter FY2021

JOEY ROWE (Budget Administrator): Good afternoon. Thank you, Chair Roybal, Commissioners. On June 26, 2018 the Santa Fe County Board of County Commissioners adopted a five-year strategic plan that includes performance measures that are to be reported quarterly. The most recent presentation covered the quarter ending December 31, 2019 with the next update scheduled for spring of 2020. However, as we know, during that time Covid-19 pandemic and the resulting financial crisis really took a lot of our resources to work on financial and programmatic planning and therefore we did not get back to you. We didn't have an opportunity until now to get back to you with the performance measure results.

So each department has reported their updates, progress in achieving the action items and performance measures for the previous three quarters, and during the previous update that we presented to you, we highlighted just a few of the action items on – this is a 43-page document, so I'm just going to highlight in four quick slides some of the different things that the departments and divisions have reported on. So I'm following that same format.

And I also wanted to note, before I get started in looking at the performance measures, prior to doing the FY 2022 budget kickoff that will happen late winter/early spring, we are going to, if it pleases the Board, we would like to schedule a workshop to go over the current priorities, goals and strategies that we have for the County to determine if there are any that need to be adjusted, reviewed, or if there's any other goals that you would like to focus on in the upcoming year's next budget. So we will be scheduling that with you if that pleases the Board.

And so I would like to start with just a few of the highlights, and I've picked, out of the four population goals, I've picked three different areas out of each goal. So first slide, Daniel, if you would please. Thank you. To provide a safe community I picked out a few things. The first is in the enhanced fire protections program area, our performance measure is the number of private properties that have been assessed, and each of these have a target. And this particular target was for 50 properties per quarter. However, due to Covid-19, many of our objectives and strategies in this presentation are limited, and so therefore there've only been an average of eight per quarter. And I wanted to highlight that, just so you can see. If you go through all the 45 pages of all the responses from the divisions you can see that some of our objectives and strategies have definitely been

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limited due to Covid-19. Different work priorities have taken precedence so that's another reason why we would like to get with you during a workshop to discuss where we're moving from here post-Covid.

The second on this population goal is to provide high quality first responder services, and the strategy in this one was to install the new RECC computer aided dispatch system, the new CAD, and the performance measure was to install and configure the CAD hardware and software. The target was to complete the action and the result is the project is almost 100 percent complete, and we're only awaiting data conversion to be completed, I believe. And I did receive some notes from Penny Ellis-Green of Growth Management, and Vanessa Marquez of RECC and Erle Wright from GIS, and their notes were the implementation of the new One Solution CAD system for RECC was a major intergovernmental and interdepartmental project running from the project kickoff on June 28, 2018 to the go-live date on June 16, 2020. During this two-year period GIS Division was at many points all hands on deck. And this is from Erle and Penny, this was a multi-governmental and departmental project that took a lot of work from many different areas. They did go on to say that although work continues on fine-tuning this new CAD system, the County successfully completed a major upgrade to a critical public safety component, and I just wanted to highlight that, because I think that that's important that that project is almost 100 percent complete.

The final on the provide a safe community is to provide public safety prevention, education and intervention services. The strategy is to create a youth services division within the Community Services Department. This particular performance measure is the number of youth served by SFC Youth Programs, and I want to comment the Community Services Department on this one. The target is for 2,400 or more per quarter, and even during Covid, the average number of youth that have been served over the last three quarters has been 4,503 per quarter. So personally, I think that they've done a wonderful job. The numbers show that they have.

So the next slide, our population goal is to promote a sustainable community, and the first one is provide affordable housing. The strategy is to maintain and enhance existing affordable housing stock. The performance measure was to develop and maintain five-year housing capital and maintenance plans for current assets. The result in the note section of the large 43-page spreadsheet that I believe was provided on BoardDocs for your review was that the five-year plan was approved and the maintenance plan was approved and being implemented. So good news there.

The next one is address threats associated with climate change. The strategy was to develop additional backup water supply and the action was to secure water supply with water rights, infrastructure and wet water with regional partners. The result in the notes on the spreadsheet were that BDD shared pool agreement was approved by the BCC on November 10, 2020, and the agreement is scheduled for a City Council meeting in January of 2021.

The next one on promote a sustainable community is to ensure the County's long-term financial stability. The strategy was to maintain County roads, facilities, vehicles and equipment to maximize service life. The action is for the Countywide pavement miles repaired, resurfaced, chip-sealed and fog-sealed, we were looking at a target of 24 or more miles per year. The number of miles that have been reported during those

quarters that we're reporting on is greater than the 24 target at 26.72. So roads is out there still working and getting the job done. So that's good news.

And the next population goal is to support a healthy community. The first one is to connect residents with services needed for health and wellbeing. The strategy is implement Accountable Health Community. The performance measure is the number of people navigated to resources needed for health and wellbeing. The target being 200 or more per quarter, and again, due to the pandemic, despite the pandemic, they have really gone above and beyond the average number of people navigated per quarter is 498. And that's just an average per quarter. The numbers do vary across each of these three quarters that we're reporting on today. But I think that that's fabulous. It's 2 ½ times the amount that they're targeting originally in this plan.

The next one is to combat DWI through public awareness and enforcement. And the number of DWI saturation patrols conducted, the target was five or more per quarter, the average number conducted was 13 per quarter. Again, that's an average. I know during the second quarter that we're presenting on they weren't able to do any. However, they were able to do more during the first quarter reporting and this third quarter reporting, so on average, they're again, 2 ½ times what their target was.

The next item is the serve healthy delivered and congregate meals through senior centers. The number of home delivered meals – went ahead and combined. There were two targets, two activities; I combined the congregate and home delivered meals because we can't provide meals currently through the senior centers so the combined target is 25,800 combined per quarter, and they've been able to do 30,427 congregate meals and home delivered means due to the pandemic. So on average they've done over 30,000 meals. Again, I commend them. They've done a fantastic job with their reporting on what they've been out there doing for our community and for your constituents.

So the final population goal is to be a proficient transparent, and accessible government, recruit and retain highly qualified employees, as it was noted at the beginning of this BCC meeting Human Resources has been filling positions. Departments, divisions have been able to continue to fill positions that haven't been frozen. So this one is to recruit and retain highly qualified employees. The strategy is to provide well-rounded, consistent, market-relevant employee compensation. The action is Countywide turnover rate in the first year of employment, they wanted ten percent or less of turnover within the first year of employment. The result has been two percent. So I think over the last three quarters we've been able to attract, hire and maintain the employees, because only two percent have had a turnover.

The next one is to use technology and business processes wisely, provide, again, exceptional human resources services. The average number of business days to fill a position from date advertised, they wanted to do 30 business days or less, and they have been filling those positions on an average of 19 days. So that has been – their target has been definitely successfully met there with 19 average days.

Prioritize work to focus on essential functions is the last one and this is due to closing of the Bokum lease. Our square footage of leased office space for County operations was the action and the target is for the County to be leasing less than 20,000 square feet for departments' and divisions' use. The result is with the termination, the County is now down to 3,436, down from 19,016. So you can see the Bokum lease there,

there was a lot of square footage there that we were leasing, and now we're back in this wonderful building here. So thank you.

And I think with that, as far as this presentation goes, of the third and fourth quarters of fiscal year 2020 and this first quarter of fiscal year 2021, that was all that I had to highlight. Again, the spreadsheet that was returned by the divisions and the departments, and it was compiled by Regina Mascarenas, so thank you to all the divisions and departments and Regina for all of your hard work in turning in this data. I think it's important that we continue to provide you with updates more frequently than just every three quarters, because it really gives us a sense of where we are and where we're going in the County, and so I look forward to the workshop to review this with you, sometime soon, probably late January or early February. And with that, I stand for any questions.

CHAIR ROYBAL: Okay. Thank you, Ms. Rowe. Do we have questions? Commissioner Hamilton, I'll go to your first, then I'll go to Commissioner Hansen.

COMMISSIONER HAMILTON: I just wanted to thank you for doing this. I think the numbers are impressive so it's an impressive indication of the tie that all the departments are still making to achieving strategic planning goals, even under really difficult circumstances of the pandemic and other stresses. These have not just been thrown out the window. And given the effort that was put into the original strategic planning and then into the revisions that have been done each year, coming up to where we are now, the goals are at least reasonable and aligned with what's needed. And given that to continue it that way, I feel it's so important to continue this rolling strategic planning effort. I want to thank you very much for requesting the workshop early in the year and I want to support the idea of doing that. So thank you, Mr. Chair.

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

COMMISSIONER HANSEN: Thank you, Joey, very much, for your concise report and also thank you very much for providing this with the Santa Fe County strategic plan and showing all the boxes and what people have been doing and all the notes. I'm grateful to have all that additional information, and I really also agree. I think we need another workshop. It might not be until February but hopefully we'll be able to do it soon and I just really appreciate all the work on it. So thank you once again.

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

COMMISSIONER HUGHES: Thank you, Mr. Chair. I just wanted to say I looked over the whole document before the meeting here and it's very impressive. I'm glad we're doing this kind of detailed strategic planning and I just look forward to the workshop. Thank you.

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

COMMISSIONER GARCIA: Yes. Just really good. I agree with my colleagues 100 percent. Yes, I agree, anywhere from the RECC, youth, housing, GIS, water supply, financial stability, health community, safety, public safety, transparent government. Manager Miller has always been on that transparent government. We'll show you our books. We'll open our books and show you what we have and where it's at and I totally appreciate that because that's very important to the taxpayer. When we ask

questions about the County, I'll just throw this in, but I just appreciate the presentation and I won't get into detail, but thank you, Ms. Rowe, and I appreciate you and your staff as well. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Yes, and I just want to reiterate what my fellow Commissioners have said. Great presentation. A lot of information and we look forward to another strategic planning meeting here, maybe around February, March. So thank you very much, Ms. Rowe.

MS. ROWE: Thank you.

5. B. Presentation and Request for Direction Regarding the New Mexico Construction Industries Commission Adoption of the 2018 Residential and Commercial International Energy Conservation Codes and Required SLDC Changes

PENNY ELLIS-GREEN (Growth Management Director): Hi, Commissioners. Thank you. Both Joseph and Jacqueline I believe are on the line as well. They can assist with any technical questions that you have. In August of this year Construction Industries approved including the 2018 International Energy Conservation Code into the statewide building codes. This is going to take effect on March 24, 2021.

For residential development the new code has three main pathways: a prescriptive pathway, a HERS or ERI-61 pathway, and a performance modeling pathway. Our code currently requires a HERS 70 or an equivalent. So this says you could either remain the same, because prescriptive or performance state pathways would not get you to a HERS 70 but it would get you a portion of the way to a HERS 70, so it wouldn't conflict. You wouldn't have to do something completely different for those two pathways than you would for our code. Or, we could go to a HERS 61 as the state has, and that means we would be consistent with the state.

For commercial, they also have three pathways: an ASHRAE pathway, a prescriptive and a performance modeling. Looking at the pathways that the state has, our current code requires Energy Star, so there is going to be a conflict. And looking at the three state pathways, the current code is considered probably closest to the ASHRAE pathway for the state.

Both multi-family and mixed use have a slightly different definition in the state code so we would want our code to be able to match their definitions so there's not a problem with people understanding which section they need to follow.

I did present this to the Board on November 10th and we were asked to look at a number of different things related to cost, type of improvements, and financial assistance programs as well. A lot of the discussion on November 10th revolved around the use of solar in order to reach a HERS 61 rating, but there are a lot of ways to get to a HERS 61 rating that do not include solar. Speaking to several HERS raters, both of them seemed to say that if they needed to get to a 61 it would not automatically go to solar.

Related to the cost, we did speak to a HERS rater and because there are so many different things that you can do to get to a HERS 61 it's really difficult to say this is the cost difference for a 61 rather than a 70. But one example we were given was that in order to get to our current HERS 70 rating you would need either a high efficiency water

tank or a high efficiency furnace. And in order to get to a 61 you would need both. And the cost difference of that is about \$1,200 to \$1,500. So that gives us an understanding that that is just one way that you can probably jump from a 70 to a 61.

Solar is one of the other options but of course it is a lot more expensive and there are a lot of other things that you can do in order to get to a 61 without using solar. Related to the financial assistance programs, Joseph has reviewed a lot of these and basically the state tax credit is for active solar components on housing units to assist in capitalizing and installation of solar technologies. It's designed to assist the solar industry in general. A key component of assisting homeowners by adding solar infrastructure to housing units is fairly limited for most low to moderate income households, because they can't actually take advantage of tax credits as their incomes don't necessarily qualify them for those tax credits.

There are single-family rehab loans. Several financial institutions offer loan programs for homeowners to rehabilitate their homes. That could be making upgrades to heating, cooling, roofing, window replacement, stucco work – so a lot of different energy efficiency upgrades. Loans usually take the form of a second mortgage, or the most recent trend is to refinance the mortgage as current interest rates are historically low. Again, these financial products have a limited value for most low and moderate income households unless there's a significant increase in overall housing expenditures, including energy use for current homeowners.

My report also includes a table that shows you by Commission district the number of stick-built or modular homes that have been constructed or been permitted since January of 2018. Those are clumped together because we classify them the same. They meet Construction Industry codes. The manufactured homes are not included in this table. We did split it up by the smaller homes, under 1,500 square foot; middle-sized homes, 1,500 to 2,500; and then larger homes, 2,500 square foot and larger.

So currently, the code does not require modular homes to meet the HERS 70 rating. Modular homes are factory built and an upgrade can be incredibly expensive. The initial code did require modular homes to meet the HERS 70 but a year after the SLDC came in effect we rewrote it in December 2016 and we took that out because we had had a lot of objections by the modular home industry, and lower income homeowners who found that the modifications required for a modular home just made them unaffordable for them.

So we would ask direction from you so we can start drafting language and bring it back to you with some possible options. We recommend for multi-family and mixed use changing the definitions and making it consistent with the state codes. We recommend for non-residential that we would require rather than the Energy Star the same as the state's, the ASHRAE 90.1 requirement.

And for residential options, we have two options in front of us. One is leave the HERS 70 rating in the code, and the second one would be to go to a HERS 61 rating. If we do make that change we would recommend again that modular homes not be included. Modular homes are already going to have to meet one of the state pathways. They will probably meet the prescriptive pathways, but that is something that they would need to do through the state code. And another option for the Board would be that you could base the rating on home size. For example, HERS 61 would be for homes over

2,500 square foot of heated floor area.

The state code also applies to remodels, and from what we've understood from the state, that is almost any kind of remodel. And so we would recommend again that we not include remodels in our code and therefore they would just need to meet one of the state pathways, and they could choose which one for that. So our current code doesn't include remodels, and doesn't include modulars, and we would recommend that we do the same in any changes that we've got. And Mr. Chair, I would stand for questions.

CHAIR ROYBAL: Okay. Thank you, Ms. Green. I'm going to go to the Commissioners for questions and comments. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Penny for your presentation. I want to let the Commissioners know that Commissioner Hughes and I met with staff on Friday morning and we discussed a number of these issues. Out of our discussion, we would like to recommend that we go with the requirement for residential to meet the HERS rating of 61. Then we are consistent with the state, and then we have inspection. And the other item that I would see as a benefit is we could start collecting data about what we're getting in the HERS 61.

Ultimately we would like to see solar on every home, but that means even a lower HERS rating, and we would also like to look into possibly looking into these larger homes having a lower HERS rating than 61 sometime in the future, because building these homes in the new style these days with the larger homes is that there are a lot of glass homes. They have a tremendous amount of glass. So therefore they have to do even more to meet the HERS rating. And I think that if every residential home had to meet a HERS rating of 61 it seems that a very simple pathway is that they can put in an energy efficient heater and water heater, and therefore they are saving money over the long run in their utilities costs and it is incredibly beneficial to them in paying their mortgage when you're talking about \$1,200 to \$1,500 on a mortgage.

So I think that we are moving in this direction so that we can get to the goals that was a 2006 resolution that the County passed supporting the 2030 Mayors Conference. One of our constituents sent that to me. So we do have a goal to meet the pledge of meeting 2030. And there are a number of people on this call. I see Miles. I don't know if I see anybody else who wants to speak, but I know that Miles has requested to speak in favor of this. He is the executive director of the Santa Fe Area Homebuilders Association. So I think that he is an important person to have speak about this issue. Also, I want to let the other Commissioners speak also before we go to members from the public. Thank you. All say that for right now and I'll come back but maybe Commissioner Hughes would like to say something also.

CHAIR ROYBAL: Thank you, Commissioner Hansen, and as far as going to the public, we would probably go to the public during public comment, which is going to be one item after this one. So Commissioner Hughes, did you have a comment as well?

COMMISSIONER HUGHES: Yes. Thank you, Mr. Chair. Commissioner Hansen and I did meet with staff last week. I think Commissioner Hansen summarized what we came up with pretty well, to go along with the staff recommendations for commercial and multi-family to line everything up with the state. I think we were all in agreement to exempt modular homes from anything in our code so that they would just follow the state code. And we would want to go with the HERS 61 for all residential

development and I think – it seems like that might be as far as we can go for now. That seems like a good first step, but I do want to emphasize that I think that homes above 2,500 square feet could mostly do much better than a HERS 61 rating. Already, it makes so much sense to put solar on your roof and especially if you're building a new home. So I think we want to keep looking at that and figure out how to encourage that, require it, whatever we can do to make that really desirable within the county.

The other thing is, and as Penny noted, there's not much financial help for people who are lower income who want to weatherize their homes or put solar panels on, so I think we also need to look at funding our affordable housing trust fund or some other funds, either with us or with the community foundations to give people the opportunity to take advantage of the lower utility costs that come with energy efficiency. For people of lower income the lower utility costs are pretty important. So that's all my comments for the moment, Mr. Chair. Thank you.

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

COMMISSIONER HAMILTON: Thank you, Mr. Chair. I'm completely supportive of those recommendations as was Penny suggested with the support of going to HERS 61. I think everything we can do to improve energy efficiency and all the benefits of reducing HERS to the point of being consistent with the state so that we maximize our efficiency with what we have to do to achieve those gains.

I want to pitch that the concept of getting solar on every home in Santa Fe County is exactly where we want to go, but I sincerely do not believe that continued lowering of HERS is the most efficient way to do it. I've been really pushing to do incentive programs, for everybody, but especially those that can target low and middle income. Penny did a good summary of the programs that are currently available. They're great programs but they're not necessarily truly available to lower and middle income people. There is some legislation that was passed last year, I believe, that I think I've mentioned before, that last year the state legislature authorized a program that can be adopted through the Assessor's Office that can give an additional mechanism for people to afford to do solar. I'm looking into that. I'll talk to staff and get help looking at that.

But there are other ideas for incentive programs that I think the County can consider. We want to make it a priority, because it benefits the 99 percent, as opposed to the one percent, not meaning that in any kind of derogatory way. We want to get 99 percent of our homes with solar. That's not so easy to achieve but it would be an incredible benefit, not just outwardly to the environment and to achieving our environmental responsibilities but to each individual in terms of monetary savings.

And so that's the pathway I would like to take. I'm very supportive of this revision as Commissioners Hansen and Hughes have suggested and really going to HERS 61. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. I do have some concerns relative to some of the things that we heard. If we went to HERS 61 I agree with how Penny had described about leaving the modular homes out of the equation, but I do have some concerns that if we have constituents that are wanting to build where we put a situation where they can't afford it, it just puts it right outside of their price range to do these updates. I know in the long run that a lot of these efficient stoves and water heaters

and furnaces, that they can purchase and it will save them money in the long run but sometimes the upfront cost – what can they afford at that point?

So I'm a little bit concerned with that and also the fact that also it would be easier to just buy a mobile home. In the long run, when you look at it, and I don't know if there's anybody here from the Assessor's Office but in the long run, 15 years from now, that mobile home won't have any value and so the County won't receive any taxes from that mobile home, especially if it's put on blocks and it's on a permanent foundation. So in the long run, if it's not a stick-built home then the County will not get any more revenue based off of real estate because a mobile home won't be considered real estate at that point after a certain time.

And so those are some concerns. So I do feel that we need to get additional information, but that's just what I have to add at this point. But I'm going to go to Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair, and I appreciate all my colleagues and everybody moving forward. Yes, we all need to get there to protecting the environment. I get it. I understand. I've been watching YouTube for the last seven days about the environment and I understand. Penny and your staff, thank you for looking into this stuff. Obviously, I have to meet with staff myself because I need to get to understand what HERS 61 and 70 is. What is that?

Because my grandma doesn't know – my cousin doesn't know what HERS 61, 70 is, and yet the County Commission is actually going to approve, let's go from 61 to 70 or 70 to 61. My aunt doesn't know anything about that. So how do we educate the people, the individuals out there as to what does that mean? And is it all about solar, because the environment is not just about solar, putting a solar panel on every single house. What about the water? What about paving? What about sewage? Environment is not about solar.

We don't need to put a solar panel on every single home that is out there. Let's just educate people as into, like I said, what about water? What about paving the driveway? There's a lot more other stuff that the environment is looking at other than solar. Let's just solarize everything. I get where we're going, what you guys want to do with it and I appreciate that.

Some other stuff I have is you have here the legislation passed for tax credits. You know what? Okay, so what happens with the tax credit? What about if I own a single-wide, is that a modular or is that a mobile home? Or what is that? Is it on permanent foundation? Not on a permanent foundation? What does that mean, modular home? I don't know. But we will look into that as we move forward.

So enforcement. You know, Penny, with all due respect, who's going to enforce all this stuff? Who's going to make sure that that solar panel is the right size of solar panel for this size of a modular home? These are questions I have. In regards to, like I said, what is a manufacture home. Is it a single-wide? Is it something that's on a permanent foundation? Is it a two by six walls? What's a manufactured home? So these are things that I actually have questions about.

Like I said, who's going to enforce this stuff? When you talk about an individual that goes out there and says, you know, we're getting a loan on this double-wide or this single wide, and we're all secured out. And we spent our whole check here on this

double-wide here, or manufactured home, and then what happens in regards to, well, you can go get a loan to get solar panels. You can get a loan. No, they can't get a loan. Because I'm already loaned out. I can't get a loan. So that's just some of the questions I have.

You talked about tax credit. We can all say we create a tax credit, tax credit, but tax credit means you have to go get a loan for it, and so if I'm already loaned out on my single-wide then I can't get a loan. I can't get a tax credit.

In regards to legislation passed, yes, we can pass legislation all day long in regards to get a loan, get a tax credit, a tax credit. It doesn't work like that for people in my district. And like I said, my aunt, my cousin. I can ask my grandma. What is HERS 61 to 70 mean? You have to have more solar panels? Less solar panels? And in order to park your double-wide or your single-wide, your manufactured or to build a house larger than 2,500 square feet, how are we going to educate these people, these individuals?

I can tell my grandma, before you do an addition to your house, if you have a modular home, you're going to do an addition to your modular home, she's not going to know what HERS 61 or 70 is. But yet we're actually moving forward and saying, yes, let's approve this. Let's approve 61. Then when my grandma goes and gets a permit, she's stuck.

So I think we should move forward in looking at all this stuff but I'm just concerned in my district, as in Commissioner Hansen's district, Agua Fria Village, there's many people that have single-wides, double wides, and they do additions to their house, their double-wides. So nobody realizes that – go get a permit. And they say we're going to get a permit for an addition to our double-wide. Oh, well, shoot. Now, you have to do a HERS 61 or 70 – what does that mean? Well, you have to put solar panels on your house now. Really? That's going to cost me almost – I don't know. Go get a loan for it.

So those are just the concerns I have for the consumers that live in our districts, Hansen and Roybal and my district and other districts. So these are just the concerns I have. Once again, I understand the environment as into solar, solar, solar, but it's not just about solar. What about water. Environmental stuff is not solar. It's water, it's pavement, it's look at that concrete. How do we say that? So it's a larger priority thing with Santa Fe County is where I'm going to, and I understand it. So those are the concerns I have, Mr. Chair. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia. I'm going to go to Commissioner Hansen. But really quick, I want to ask one question that I heard Penny make a comment that she stated. I just want a little bit more definition. You talk about prescriptive or HERS 61, can you talk a little bit more in regards to that? What it means?

MS. ELLIS-GREEN: Sure, Commissioner.

COMMISSIONER GARCIA: Mr. Chair, Sorry to interrupt. Also, so the state passed a mandate and says you have to have so-and-so rating, whatever else. So this is probably for Greg Shaffer. Does the County have to adopt that? Or can we be more restrictive or less restrictive? On that note. Thank you, Mr. Chair. Good question.

CHAIR ROYBAL: Okay, Greg, if you can answer that after Penny answers the question that I asked.

MS. ELLIS-GREEN: Mr. Chair, Commissioners, so the state has three different pathways. There's a prescriptive that says you must do certain things like

insulation. There's a test for how well your house is sealed. A few other things like that. So that's the prescriptive pathway. Then the second pathway is the performance one, which you're basically showing that you can get to that same kind of level by doing maybe something else other than the prescriptive. And then there's the HERS or ERI 61. So they give you three options.

From what we can understand the prescriptive and the performance are not going to get you as energy efficient as our current code is. Maybe get you to about a 74. And the lower the number the more energy efficient your house is. So they have three options. In our experience, a lot of people that really can't afford to do a HERS 61 would usually go to do one of the other options. I did want to just make one point for Commissioner Garcia, is that manufactured homes are not covered by the state rules. They meet HUD standards. They don't meet CID standards. But modular homes do. They are constructed to CID standards.

And then related to whether or not we can be more restrictive or less restrictive, I will let Greg get that, but we don't issue a building permit; we issue a development permit. So it's the state's rules that actually regulate the actual building permit. So I believe that we could be more restrictive but not less restrictive. But I'll let Greg get that.

CHAIR ROYBAL: Okay. Thank you, Ms. Green, and just really quick, I'm wondering if this is making it harder on people and also, the prescriptive is in lieu of 61? Is that correct?

MS. ELLIS-GREEN: Mr. Chair, the state has three possible paths. So it would be one of those three that you would take. So we don't recommend just removing our regulations because we've already for four years had a HERS 70. So we recommend staying at the HERS 70 or if the Commission wants, to move it to be more energy efficient at a 61.

CHAIR ROYBAL: Okay. Then is the prescriptive easement, the performance based already less restrictive than our HERS 70?

MS. ELLIS-GREEN: Mr. Chair, no. They wouldn't get you to a HERS 70. Speaking to two HERS raters, they're thinking that would get you to about a 74, maybe 75. Around about that area. So it wouldn't be as energy efficient as we currently require in the code.

CHAIR ROYBAL: Okay. Greg, did you have the answer for Commissioner Garcia?

GREG SHAFFER (County Attorney): Yes, Mr. Chair, Commissioner. Generally speaking in this area we could be more restrictive or have a higher energy efficiency standard than the state imposes. And in particular, unless I'm mistaken, as Ms. Ellis-Green alluded to, that has been the case for several years now, where our energy efficiency standards have been more robust, as I understand it, than what the state has generally required.

CHAIR ROYBAL: Okay. Thank you. Does that answer your question, Commissioner Garcia?

COMMISSIONER GARCIA: Mr. Chair, yes, thank you. I appreciate that.

CHAIR ROYBAL: Yes, sir. Thank you, Commissioner Garcia. I'm going to go to Commissioner Hansen. She's been patiently waiting and I know I went through all the Commissioners first and then I'm going to go back to Commissioner Hamilton.

COMMISSIONER HANSEN: Thank you, Mr. Chair. So first of all, I want to make it clear that a 61 can be done through good insulation and upfront heating choices. So we need to meet one of these pathways. I have heard already tonight, there are three Commissioners who have said that they believe that they want to go towards the HERS 61, and I also want to say that for the commercial, I believe that we would go through the ASHRAE 90, which is what Penny recommended. And Mr. Chair, the reason I requested that the people, the gentlemen from the public be able to speak is because they're speaking to this issue. But I respect your position. If they were speaking to something else then I would say, yes, they could wait until Matters of Public Concern but they are here to speak to this issue. So they might have some very valuable information for people to understand. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. It's just at this point this isn't a public hearing, but there will be a public hearing when the ordinance is proposed, so I just want to make sure that we're following the correct guidelines that we don't deviate.

COMMISSIONER HANSEN: Okay. So Matters of Public Concern is after this so they can speak then.

CHAIR ROYBAL: Yes, ma'am. Correct. Okay, so Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you, Mr. Chair. So I actually wanted to ask something you've been asking in a little more specific way and that has to do with when we start passing this threshold with requirements you put it through this pathway, as opposed to a pathway of incentives would push people who are at the margin of being able to build a home over the threshold to where they can no longer build a home and would choose to do something like a mobile home.

Do we have any information? You provided a cost estimate for the additional cost of going down to a 61 based on the ability to achieve it in multiple ways, by using energy efficient water heaters, both that and the other thing. Something in the ballpark of \$1,200. Is there any data or information that you have that could indicate whether that would push people – many people – how many people that would push to the edge, where they could no longer build their home? I'm trying to get some sort of – I know that sounds like a very quantitative question. I recognize that sometimes the best you can do is a qualitative answer, but I'm trying to actually get some direct discussion about what the economic impact of this is. Because I honestly – I so strongly believe in the principles but I really believe that for constituents in these circumstances, incentives and County-sponsored, or even state-sponsored programs that provide assistance in achieving these greater energy efficiencies and doing solar are far preferable. So do we have any way to address that economic impact question at this point?

MS. ELLIS-GREEN: Mr. Chair, Commissioners, I think it's a very difficult question. We had a hard time when we were working with the HERS raters to really get a figure as to what it will take to go from a 70 to a 61. So what was in the report was the \$1,200, \$1,500 in order to both the higher energy efficiency furnace and water heater. That was the one that they said well, you could concretely say this is the difference in the price and this is what will help you get there. But there are many things you can do including building orientation, the size of your windows, the type of your

windows. So all of those things will play into the cost.

And it is very difficult to make the decision for the lower income and probably smaller homes. To ask the question, does that then mean that you cannot afford to build a stick-built house, and you would go to a manufactured house instead? Because the lower income probably get more of the benefit or need more of the benefit of the energy efficiency to reduce their utility bills.

So you're kind of weighing those two things up when you're making a decision like this. You want to give the benefit of the energy efficiency and the low utility bills, but at the same time, who is that going to mean that that extra \$1,500 means that you can't build a stick-built house? It may be that you're building a smaller stick-built house than you had proposed to do. Whereas, when you get into the larger houses that kind of dollar figure may not be significant to the person that is building it.

COMMISSIONER HAMILTON: Thank you. So Joseph, can I go to you? Are there any rules of thumb or standards that you can think of? For instance is there some – not a square footage but a dollar value? That we could apply this to anything more than a \$200,000 home or a \$179,200 home? Are there any rules of thumb you can think of that would give us information that we could go on?

MR. MONTROYA: Mr. Chair, Commissioner, you asked I think a very good question but a very complicated one to be able to answer. So I think we can extrapolate certain issues to try to get down to what we're trying to achieve here. Just overall, just to be clear, what we're trying to achieve here today is only to come into compliance with what's going to be the state code. So just to be clear about that, we're just trying to be able to get in compliance with what will be a state mandate anyway.

So first of all, almost all studies clearly indicate that when you're buying a new home and the capitalization of that new home is based on a mortgage, the return on investment is very clear in favor of the owner. Right? The new owner. So when you're talking about new homes, and in this case we're talking about single-family residential homes, the evidence is overwhelmingly clear that it's an economic benefit to the owner of a new home.

The studies start falling completely apart when you're talking about rehabilitation, though, right? So one of the concerns here, and I think it's a legitimate concern, is what is the cost if you have a home and you're rehabilitating that home? Penny's come up with a very good way of trying to address that already in terms of making our presentation silent when it comes to rehabilitation and allowing the state to do what it has to do anyway, right? We would not impose anything other than what the state is trying to impose anyway. Just to be clear.

Now, so the question becomes a little more complicated when you're talking about a site-built home or a modular home or what's considered a mobile home. So there's three different things. Just to be clear. Site-built homes are built on Construction Industry standards. Modular homes are built to Construction Industry standards. And those are regulated at the state if they're built in New Mexico or regulated at the point of construction for the standards they're looking at. A lot of people own what we call mobile homes, right? Those have a federal standard, a HUD federal standard, and there's no code for rehabilitating those. So that's why you see Mr. Garcia and many of his neighbors who have some older mobile homes around and maybe they'll build a little

extension here and there, put a little roof on it. You might even plaster it, things of that nature. There is no code for that.

So legally, you can do what you want because there's no rehabilitation code for those kinds of unit. Staff just – I did want you to know we went round and round on this internally with experts in many different fields to be able come up with a program that we thought was an assistance to lower and moderate income people as they can be, but at the same time really try to get in compliance with the new state law that's coming up anyway.

And then, have some future direction, let's have this discussion that talks about providing higher energy efficiency for high-end homes which may or may not be low income people. So there is a lot of people who have larger homes that are old adobe homes, that could be negatively impacted. But for this particular issue, that part of the conversation, because there's going to be a state standard no matter what we have. So it's nothing that we would be able to change one way or another anyway.

So I think we're aware of your concerns. And I could say personally that I am highly aware of those concerns especially as they relate to low and moderate income people. Which is why, as you have directed us to at the Housing meeting to have energy efficiency units throughout and all new infrastructure and solar on all the units.

COMMISSIONER HAMILTON: So your answer – I really appreciate that answer and your answer gives me some confidence that this action, if we follow Penny's – the staff recommendations, even going to 61 for residential we're still minimizing negative economic impacts to our constituents.

MR. MONTOYA: Yes. That's our analysis.

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

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

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

COMMISSIONER GARCIA: Just really quick, those are the things that I want to talk about because the state has its regulations. Carson Homes, Mr. Cooke owns Carson Homes in Albuquerque. They build homes that are probably worth than some of the houses and then you have Clayton and homes out of Waco. You have all these manufactured homes that are delivering homes to New Mexico. Katherine knows this. Manager Miller. What about Mark Duran? We talked to Mark Duran. Mark Duran is actually the manufactured housing lobbyist. And because he has a lot of insight in that governor's office as into what they're going to allow, not allow. So when you bring in a modular home, single-wide, double-wide, modular home, Karsten, Clayton, whatever, all those manufacturers that come out of Texas or Albuquerque. So I just want to make sure that we actually look and see what the state's going to allow and not allow because it seems like it's very unclear right now, what 61 is, what 71 is and so, if somebody goes and signs a loan note for whatever, \$120,000, \$100,000, and then they say, oh, you can't deliver that home like those tiny homes that we deal with -- and so does Vicki and so does Penny.

Those homes that – Joseph, great job – those homes are not regulated by public manufactured housing because they're not built to standards. I just want to make sure wherever we go down this road, and I'm okay with having staff moving forward as in

let's keep looking into this because when somebody goes and gets stuck with that loan – I just don't want them to get stuck with a loan and then go to the County and say we want a permit. So those are just where I'm at, Mr. Chair. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia. And really quick, Joseph, the state has adopted three different ways as far as dealing with this, prescriptive, HERS 61 and performance based. If we adopt this, would we – the property owners would have to use the HERS 61, is that correct?

MR. MONTROYA: Mr. Chair, it depends on the particular circumstance, right. So what we're saying – what we're proposing to you right now is that let's take the state, where we are where the state is right now. Let's upgrade our energy standards to that point as we spoke about earlier from an administrative standpoint and I know Mr. Garcia has asked us – it's actually the state that is the one who actually is the one who makes sure that comes into compliance. And in those other areas by which there may be conflict, what we're saying is let's be silent on that. So we were having this discussion just today in terms of rehabilitation or what major rehabilitation is and how the state defines that.

So Penny's come up I think with a very good, positive solution in terms of how to deal with those kinds of things, especially when it comes to compliance with multi-family issues and commercial. Does that answer your question?

CHAIR ROYBAL: It does. So are you saying that the state is already at this point?

MR. MONTROYA: Mr. Chair, I said the state will be at that point and all we're asking now is that because of the process it takes to change ordinances, the length of time that it takes to change ordinances, that then we need to be able to make sure when the state does completely adopt that that we're well aware of the state regulations and from one sense we've heightened our ability to have more energy efficiency which is important for affordability, right? It really is important for affordability, and important for our environment.

And at the same time that we're trying to minimize those negative effects that we have very little control over the very lowest income populations. And so the direction give to us is let's find ways to increase energy efficiency where we can, and then let's make sure affordability isn't affected and we have programs in place if we're going to go even more in depth than this that negates the negative aspects of the capitalization of new stock for very low income people. Because as you've mentioned, if you don't have the bucks, you don't have the bucks. You just can't do it. And it doesn't matter that ten years down the lane you're going to get your money back. It doesn't matter.

So we have to negate that if we're going to go farther than this particular thing that we're asking for right now. This is kind of the particular direction that we're looking for right now. And that's the direction I think that was provided for us by Manager Miller and Director Ellis-Green.

CHAIR ROYBAL: Okay. So I'm going to go to Manager Miller, but I think that prescriptive and performance based or HERS rating at 74, but I'm going to go to Manager Miller.

MANAGER MILLER: Mr. Chair, I think you're bringing up a very good point because we kind of need to weigh in on this. The state's code does have three ways.

Right now our code says a minimum of 70 for everything. If you took the prescriptive route using the state's alternative you could potentially be at a HERS 74, 75, and not get to 61. I think what Commissioner Hansen and Commissioner Hughes wanted to do was say you only have through the County's code that option of 61 and it would leave those other avenues out. I think this is – and correct me if I'm wrong, Penny – but that was kind of what our discussion was last week, and I think that's where the Board needs to make a decision.

Obviously, because I think is it 61 for everything? Every stick-built single-family residential? Or is it new? Because it's true; there are several gaps in the state code that doesn't address remodels. It doesn't address manufactured or modular, and this is what we were saying. Okay, if we just mirror the state then the state deals with that, or if you go beyond the state and say, for stick-built, single-family, you have to be a 61, you're taking away those other two avenues. Is that correct, Penny?

MS. ELLIS-GREEN: Yes. That is correct. So if we went to a 61, then that means that everyone would make a submittal to us with a 61. That would then be passed over to the state, and the state would then enforce that HERS 61. You wouldn't be able to use one of the other two paths for a single-family, stick-built house. So, yes. And that's what our code does right now. Our code says you have to meet a HERS 70, and that means everyone does that and even though the state has a lesser requirement, you can't then meet the state requirement; you have to meet our requirement.

CHAIR ROYBAL: Thank you. Commissioner Hamilton.

COMMISSIONER HAMILTON: So Penny, if we – so right now, even at 70, we're in that same situation. They don't have the three choices. It's just the numbers aren't as far apart. If we went – it's just interesting that the state is going to something that provides three choices. One of them is more restrictive, 61 compared to prescriptive. Is there any information on would anyone choose to go HERS 61? And the reason I'm asking – I mean it sounds like an unanswerable question, but I'm wondering about mirroring the state entirely, including in the three choices, what we would gain in terms of consistency and what we might lose in terms of what we're trying to achieve in energy efficiency. Or Joseph.

MS. ELLIS-GREEN: Mr. Chair, Commissioners, let's say somebody that was very energy conscious had not got a concern about finances, were building a larger home, wanted to reduce their energy efficiency [sic], absolutely, someone may well go with a HERS 61. In general, when you give people three options they will choose the easiest route, the lesser route. So that is less than our current code has. So if the Commission were to say we just want to do exactly what the state has done, then at that point we don't need an energy efficiency section of our code, if you're giving all the options that the state has.

The energy efficiency section of our code was done in 2015 in order to have stick-built homes meet a HERS 70 rating. And then also the non-residential as well meeting the Energy Star. So the question is now is if you want to stay with our HERS 70, which means that for the state requirement any HERS rater is going to see what you've got as requirements to the state and what you've got for the County. So they would make sure the first things you have to do to meet a HERS 70 would be the proscriptive path of the state. So they'd make sure you do all of those things first. And then they would add some

more things in to meet the HERS 70. Because the state's only going to get you to about a 74. You need to get a bit lower for the County requirements.

If you were to go to a 61, then all of the documentation comes into the County from the HERS rater saying this is a 61 and that is all passed over to the state and then the state is the one that would then enforce that and inspect that. That permit would go over saying we're meeting the 61, not one of the other pathways.

CHAIR ROYBAL: Okay. Thank you, Penny. Did that answer your question? I'm going to go to Commissioner Hansen, who has her hand up, and then I'll go to Commissioner Hughes.

COMMISSIONER HAMILTON: I'm sorry. I thought Joseph Montoya wanted to answer part of my question.

CHAIR ROYBAL: Okay. Mr. Montoya.

MR. MONTOYA: Mr. Chair, members, part of the analysis is the marketplace itself. What is the relative marketplace for not only HERS rating, because that's a very well know, stable kind of way of looking at units and we have lots of people who are doing that who have expertise in it. But because our marketplace is in a lot of ways based on Santa Fe's urban area, we would be actually below what the City of Santa Fe is putting up right now within their code. So I just want to be clear that it's very common to be able to reach a 61 within the City of Santa Fe. It happens all the time, every day. That's just what they do. And so in terms of both individuals and production unit builders, that's the standard and that's our marketplace. So I did want to say that I'm concerned if we go too far above what the City is doing, we'd put ourselves away from the market. But in this particular case we're not doing that. We're actually staying within the marketplace of energy efficiency.

CHAIR ROYBAL: Okay. Thank you, Mr. Montoya. Commissioner Hansen.

COMMISSIONER HANSEN: So do I need to make a motion, or is this just direction?

CHAIR ROYBAL: This is just a presentation.

COMMISSIONER HANSEN: No, they're asking for direction.

CHAIR ROYBAL: Yes, direction, not a motion.

COMMISSIONER HANSEN: Okay. So what I have heard so far, and maybe I'm wrong, but I have heard that there are three Commissioners who support the HERS 61. I also want to say that the City code is HERS 60. It is actually lower than what we wish to be going to. And if we go to the HERS 61 we have the state to inspect. And once again, as Commissioner Hamilton likes, I like, is data. And once we have that HERS 61 and we can start collecting data by the inspections that the state is doing, we can gain some knowledge.

Also, if you look at the square footage of the houses, we can find out if somebody comes in and wants to build a 1,500 square foot house and if this is too difficult for them, we'll start finding that out really quickly. And if it's not, we'll also know that, because we'll have some data. But again, we have passed resolution after resolution to support the climate change. We are facing serious, serious issues. The previous Board in 2006 pledged to meet the 2030 zero energy standard in 2006. We have passed numerous resolutions on this Board to start moving us towards a more sustainable world. We are

not even going as far as I would really like to go. This is a compromise to me.

I would like to see us at HERS 50 or 40 or even – and I would like to see bigger houses have a HERS of zero, so that they have to do all of the energy efficiency they need to do. But I am compromising because I recognize that we need to use the state to inspect and if we can meet the state code, the same thing that everybody else is doing, we're not any exception, we're not creating something different. The HERS 61 we are meeting what our constituents, what my constituents certainly continually ask to do is to reduce the climate, reduce the carbon, and make progress towards those things.

And I know that it involves Commissioner Garcia's district and Commissioner Roybal's district. People are also concerned about the climate. We are not punishing people. By going to HERS 61 we are not making everybody put solar on their house. It is a simple, simple situation. They do a little bit of insulation and they get a good heater. And maybe that costs them \$1,000 more. I think we're being very reasonable.

So that is what I heard. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Commissioner Hughes, you have your hand up as well.

COMMISSIONER HUGHES: Yes. Thank you, Mr. Chair. I just wanted to add one other thought here because I think we're all sort of envisioning someone who builds a house but most people don't live in a house that they've built themselves. Either a builder has it built it before or the previous owner or a developer. And I think the HERS 61 protects people buying houses from buying a house that's not as efficient as it should be. Because what we're really doing is holding the developers and builders to the 61, and then people won't be stuck with huge utility bills when they buy a house. That's all I wanted to add. Thank you.

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

COMMISSIONER GARCIA: This is just a presentation, so the question for the Commission, do we move forward with this? Yes. I think Director Ellis-Green has gotten her direction as into let's move forward. We asked some questions so let's move forward. This isn't an action item; this is a presentation. So thank you, Penny and my colleagues.

CHAIR ROYBAL: Thank you, Commissioner Garcia. And I still have the same concerns that I had initially but I'm okay with looking at what this would mean. So does that give you direction, Ms. Green?

MS. ELLIS-GREEN: Mr. Chair, Commissioners, yes, that does. Just so you know the procedure, we would come back in front of you to ask to publish title and general summary of the change, and then we would have to go to the Planning Commission for a public hearing, and then come back to the Board for a public hearing. Once it is adopted it takes 30 days to go into effect. So we would hope to move on this at the beginning of next year. Thank you.

CHAIR ROYBAL: It looks like we had – the Commissioners all agree, but I would have been okay with staying with where we were at with the HERS rating and also looking at the three alternatives that the state has. But okay. We have direction. Thank you.

5. C. Presentation on Impact Fees Study and Proposed Schedule for Considering Impact Fees

ROBERT GRIEGO (Planning Manager): Good afternoon, Mr. Chair, Commissioners. This item, County staff is working with our consultants, Economic and Planning Systems to study the possibility and effectiveness of using impact fees as a tool to support new infrastructure development in the county. This is an informational item and will include a presentation on impact fees and the proposed schedule for considering impact fees. The presentation will be done by our consultants from EPS, Daniel Guimond and Brian Duffany.

In your packet was a memo which provided some background information in regard to the policy framework for establishing the impact fees in addition to the Sustainable Land Development Code which has identified impact fees. County staff has currently developed an infrastructure build-out analysis, a capital improvement plan and a revenue study to help identify the capital requirements needed for future growth and the fiscal resources available to pay for infrastructure needs including impact fees.

The current study with EPS will provide a development fee study including specific recommendations on adopting impact fees. As part of this process, we've been following the Development Fees Act. We are also coordinating internally with our Public Works Department, our Utilities staff, the Sheriff's Office and the Fire Department to review the levels of service and service areas outlined in the SLDC. Staff has identified potential changes that needed to be made to the SLDC, to the LOS and service areas, and we have also proposed a schedule and next steps for moving forward. So with that I'd like to turn it over to our consultants, Brian and Dan.

BRIAN DUFFANY: Thank you, Robert. Thanks for the introduction. So we are at the beginning of this impact fee study and we'll show you a slide at the end of this of where we are in the process and where we go from here. The purpose of this is to introduce the concept of impact fees, provide some basic definitions, and we'll continue with questions.

So first is definitions. Impact fees are charges on new development that recover the costs of building infrastructures and other facilities that serve new development. So impact fees are a type of fee designed to mitigate the impacts of new development or core growth. Impact fees can be spent on growth-related infrastructure and facilities, so capacity expansions of facilities – trails, parks, open space, fire, public safety facilities, recreation facilities, roads, major facilities and infrastructure, generally.

It's important to distinguish they are not – impact fees cannot be used as sort of general fund revenues for operation and maintenance expenses; they're only for capacity-type projects, serving growth and maintaining the level of service that the County provides.

So the County code, the Sustainable Land Use Development Code identifies a number of areas where the County tries to maintain a level of service. These are the categories that we're looking at developing impact fees for. So roads, water and wastewater – but that's covered separately under a separate study. It's treating them with utility expansion charges. We'll talk about that separately. Law enforcement, fire and

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rescue, and then open space, trails, parks and trailheads, and those will likely be combined into one fee category.

So there are several legal requirements that need to be followed in implementing the impact fees and in doing a fee study. So first, the New Mexico Development Fees Act details the process that one has to follow in doing an impact fee study and adopting and implementing impact fees, and then it has some specific requirements that need to be addressed in the fee study. So we are of course following the law in doing the study and the process, and then more broadly, there are a number of Supreme Court rulings and other state court rulings that set up kind of a framework for establishing impact fees. That's what's known as the nexus and proportionality tasks or requirements.

So through the impact study, through a series of analyses and calculations, what we need to show is nexus and proportionality. So the nexus piece is demonstrating the direct impact on facilities that is caused by new development. So for example, new development generates additional traffic which requires capacity enhancements to transportation systems. That's the nexus piece. Then the study will also calculate and impact fee that is then designed to recover or mitigate only as much of that cost as is directly caused by new development. So that's proportionality.

So the fee study is going to calculate what we're going to call the maximum supportable fee that's supported by all the analysis and the study. However, it's at the Commission's discretion to adopt something lower than that and many communities will consider looking at fees below that maximum, for a variety of reasons, whether it's economic development competitiveness, the impact on development housing costs. You were on discussion of that just a few minutes ago. Just general kind of market competition. Many communities want to be kind of in line with what their surrounding neighbors and peer communities are charging, so we're going to look at – that's a specific piece of our work plan is to look at what other communities are charging, if you decide to adopt them, to determine what level is appropriate for the County.

Of course there's a trade off. If one adopts a lower fee than is supported by the study then of course you would not recover as much of the cost that's caused by new development. I'm going to pass this over to Dan now who's going to talk about the County's funding structure and the role of impact fees as a supplemental revenue source.

DANIEL GUIMOND: Again, I'm Daniel Guimond with Economic and Planning Systems. As Robert mentioned earlier, we were involved a couple of years ago with the infrastructure build-out analysis and with the capital impact fee study at that point. We looked conceptually at whether impact fees were a reasonable thing for the County to pursue a study as a supplemental funding source.

This slide from that study just shows what the County's existing capital funding is for capital facilities. Basically there are three major funding sources – the capital outlay gross receipts tax, that's basically a quarter cent GRT for capital projects. A portion of property taxes that is also allocated to capital improvements. That can vary from year to year, because it is coming out of the general fund property tax, as well as a portion of it is paying off debt service for capital improvements. And then the third source is the hold harmless gross receipts tax, which is a one-eighth cent GRT that also goes to capital improvements.

So the FY 2017 budget shows existing capital funding of around – a little less

than \$24 million for capital improvements. And through that capital improvement plan study it became very clear that the capital needs of the County are growing at a much faster rate than the revenue sources for paying for those improvements, and so that's the reason for considering implementing impact fees as a potential additional supplement funding source.

So why consider impact fees? As Robert mentioned earlier, the SLDC sets level of service standards that are what we are providing to current citizens and we want to continue to provide it going in the future on new development. And as I mentioned, the County has infrastructure needs going forward that are detailed in that capital improvement plan study. And the County, like every other jurisdiction is having trouble maintaining or generating additional funding for those projects.

So as Brian mentioned earlier impact fees are a way for new growth to pay its own way, as a policy that's basically growth paying its own way is the policy, and what it does, what impact fees do is new development is taxed to pay for a portion of its impact on infrastructure and other capital facilities needs. It's important to note that impact fees are not going to cover all of the costs of new development. Our initial feasibility analysis indicated we're looking at something in the general range of three to five percent of additional funding that could be potentially generated by impact fees but that's basically what the impact fee nexus study will determine. However, whatever we are able to generate will reduce the impact on other funding sources that can be used for other capital projects.

So Brian mentioned that the Utility Department has done a study of utility expansion charges – UECs – for water and wastewater. These are a very similar charge to impact fees except they are governed by a separate section of the New Mexico Statutes and it allows utilities to basically charge a connection fee to water and sewer system to pay for a proportionate share of their capital costs. It's our experience and recommendation that UECs are better suited to utilities and impact fees that have less limitations upon them, in terms of how the money is spent, and as I did mention, the Utilities Department in 2019 conducted a comprehensive analysis of water and wastewater fees and so they've already basically studied that part of the fee structure through that study, and they presented a number of different options that were presented to, I think, the Commission some time ago, in terms of fees for water that ranged from basically \$2,750 per unit to \$8,200 per unit and for sewer from \$960 per unit to \$10,000 per unit. So again, quite a big range, but as Brian mentioned, there is not an expectation necessarily that the County would be adopting the highest rate that was allowed by the nexus study.

So as I mentioned, these UECs are recommended for water and sewer, and that impact fees be studied for the remaining fee categories that were listed including roads, parks and open space, fire, and law enforcement, and that what would happen is that at the completion of our study in the spring that the fee study for the impact fees would be brought forth to the Commission along with the UEC findings and then the Commission would be in a position both look at each of these fees individually, as well as to look at what the collective burden that they are willing to adopt at that point in time.

So I'm going to turn it back over to Robert here in terms of talking about what the internal steps are within the County for adopting – for doing the impact fee study and

then the changes to the SLDC and land development code that need to be made over this process. I would just say from our perspective as a consultant, we expect to be completing the impact fee study in the next three months so in late spring we will have those findings and that it will fall within this schedule, this larger schedule of changes that need to be made in the County's ordinances. So Robert, back to you on that.

MR. GRIEGO: Thank you, again, Commissioners. So as we discussed, the proposed next steps are in your brand new packet and what's identified on the screen now. One of the next steps would be to appoint a capital improvements advisory committee. This is a requirement of the Development Fees Act and this body would review both the land use assumptions and the CIP.

Then, we would also be needing – we would be identifying through this process the proposed changes to the SLDC, so we would intend to move forward with an ordinance, publishing title and general summary for an ordinance, possibly in the spring. We would then, in accordance with the Development Fees Act we would need to go through a public hearing to consider the land use assumptions in adoption by resolution, and in spring/summer bring forward public hearings to consider adoptions of an ordinance to amend the SLDC and then also it was discussed – the UECs were discussed as part of the impact fees and UECs. We would be discussing bringing these forward to you collectively in order for the Board to consider impact fees as the CIP and by ordinance a resolution in accordance with the Development Fees Act.

So again, with this proposed schedule, we could bring this forward to the Board for adoption in December of 2021. That concludes our presentation but we do stand for questions from the Commission.

CHAIR ROYBAL: Thank you, Mr. Griego. I'm going to go to the Board. Do I see hands? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. So I totally appreciate the presentation. I think it is really important for us to start considering the impact fees and moving forward with this. I have a question about this board, the new Capital Improvement Advisory Committee. Is that something that you would advertise like you did for the Planning Commission, and in so doing, would you contact those people who did apply for the Planning Commission to ask them to apply for this? Or is this a different kind of board? I don't know exactly what kind of board. That's one of my first questions.

MR. GRIEGO: Mr. Chair, Commissioner Hansen, yes. We would certainly consider the applicants who had submitted. The Development Fees Act does require specific requirements for this board. I don't have them in front of me right now but there are specific requirements that we have established a Capital Improvements Advisory Committee for the fire impact fees and Paul Olafson is here. He can provide some background on that as well.

MR. OLAFSON: Mr. Chair and Commissioners. The Capital Advisory Committee does have different requirements based on the New Mexico State Statutes on the Development Fees Act and they have to have representatives of the development community and other specific representatives. It has to have a minimum of five members. In the past we have advertised just like we would for another committee, but it's a standalone committee and it's not part of the Planning Commission. Eventually the

information they generate would probably come in front of the Planning Commission. So they are two separate bodies. They do have statutory requirements and we would advertise that and of course share that through all of our media options – through the website, the newspaper, through our various email lists maintained through the County.

COMMISSIONER HANSEN: I recognize, Paul, that they are two separate committees. I am just asking as those people who applied for the Planning Commission would be applicable and would you at least say in the email that there is a new committee that they could apply for also, because there were some very interesting, qualified people on that list. I recognize that the Planning Commission and this is two completely separate boards.

So I am completely in favor of impact fees. I think that it is important. I also wanted to ask John Dupuis, are you going to be bringing your impact fees for the water and sewer on the same schedule as this?

MR. DUPUIS: Mr. Chair, Commissioner Hansen, that is correct. We intent to bring the proposed fees on the same schedule and in coordination with the others.

COMMISSIONER HANSEN: Okay. So we'll have a nice big package that we can tie up in a bow, so to speak. Okay. That sounds good. Thank you very much, Mr. Chair. That's it for right now.

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

COMMISSIONER HAMILTON: Thank you. That was actually one of my questions. The other one about the committee. Does it become a standing committee that gives regular review or advice to the County and the BCC? Or is this a committee that is only required for the duration of establishing the Impact Fee Ordinance, and then they're disbanded?

MR. OLAFSON: Mr. Chair, Commissioners, I have to review the statute but I believe they are a standing committee that does a periodic review. And I can't remember the exact timeframe for that, but it would be empowered and moving forward. Also the Development Fees Act does require – I believe it's a five-year review and update at a minimum. So that would mean a longer active committee. I think I just from Dan that that's correct.

COMMISSIONER HAMILTON: I understand. Thank you.

CHAIR ROYBAL: Okay. Was that it, Commissioner Hamilton?

COMMISSIONER HAMILTON: Yes. Thank you.

CHAIR ROYBAL: Absolutely. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair. I just wondered what size developments this would affect. Does it affect just building one house or is there a size at which this kicks in, usually?

MR. DUFFANY: It would apply to all new development. One house, ten houses, 100 houses. The fee is typically collected at building permit.

COMMISSIONER HUGHES: Okay. And then has anybody analyzed the impact that this would have on development in Santa Fe County? Would this tend to slow things down? Or because we would be able to pay for things, would this speed it up? I'm just curious about that too.

MR. DUFFANY: We looked at that in the early study where we looked at the impact fee structure review a couple of years ago. I think it was our conclusion at that time that all of the competitive communities with the market there are already charging impact fees, and in fact Santa Fe County is perhaps at a competitive disadvantage in terms of paying for its infrastructure compared to Rio Rancho, Albuquerque, the county's metro area.

COMMISSIONER HUGHES: Okay. Thank you, Mr. Chair. Those are all my questions.

MR. GRIEGO: Mr. Chair, Commissioner Hughes, I also want to add that this would apply to non-residential development as well.

COMMISSIONER HUGHES: Okay. Thanks. Of course.

CHAIR ROYBAL: Thank you, Commissioner Hughes. Commissioner Garcia. Do you have any questions?

COMMISSIONER GARCIA: No, I don't. Thank you.

CHAIR ROYBAL: Okay. Any other additional questions from the Board. I did want to ask, these are for all developments. Does this include like the fire impact fees as well, correct?

MR. GUIMOND: That's correct.

CHAIR ROYBAL: I had a question, and it's something that I've asked about for the last few years. I know at one point we had carports that are already pre-fab that we had questions in regards to – it was a really expensive fee at one point, almost half of what the carport cost. And since then we've kind of changed the way is and it's more affordable. But I know we still do a fire impact fee on some of these carports and some of these carports aren't even attached to the home or near a home. So my question was, can we re-look at and re-evaluate whether fire impact fees need to be assessed to carports or just standalone carports that are just metal structures, because I don't think they would really start on fire, but it would be more the vehicle parked inside of it, which the vehicle can start on fire and you can locate it anywhere in the yard. But I know that I asked at one point to look at that, so I don't know if that's something that can be looked at.

MR. DUFFANY: Yes. We can take a look at it. Different communities implement fees in different ways and so that sounds like a case where you're adding square footage to something and a fee applies. Some communities do that; some don't. Some just charge just on net new on a new structure but not on additions. So we can take a look.

CHAIR ROYBAL: Okay. Thank you. Any other additional questions? Okay. So this is a presentation. Do we need direction? Do you guys need direction at this point from the Commission?

MR. GRIEGO: Mr. Chair, Commissioners, again, basically we are moving forward in accordance with that schedule. The consultants will continue to do their development fee study and we'll be bringing some information to the Board as we progress.

CHAIR ROYBAL: Okay. Well, thank you guys for your hard work. I appreciate it.

MR. DUFFANY: Thank you. We look forward to speaking with you.

6. MATTERS OF PUBLIC CONCERN

CHAIR ROYBAL: Tessa, do we have people that have signed up for Matters of Public Concern, to address the Commission?

TESSA JO MASCARENAS (Operations Manager): Yes, Mr. Chair. We have three members of the public who have signed up to make public comment. Just heads up to those who have signed up, you will be allotted four minutes to speak. We will place a timer on the screen for you, just so you're aware of where you're at. And our first speaker is Miles Conway.

CHAIR ROYBAL: Okay, before we go on, Tessa, really quickly, I want to unmute everybody and just ask one time for the public record, is there anybody in addition to the three speakers that would like to address the Commission? If you can unmute just for a moment.

MS. MASCARENAS: I've allowed everyone to unmute should they decide they want to speak. For those on the phone you would need to enter star 6 in order to unmute yourselves.

CHAIR ROYBAL: Okay, so once again I'm going to ask, is there anybody from the public that would like to address the Commission today? If you would just state your name for the record.

CHRISTIAN CASILLAS: Christian Casillas.

CHAIR ROYBAL: Okay, so we have Christian Casillas. Is there anybody else? Okay, hearing no others, I'm going to go ahead and close public comment.

CARL TRUJILLO: So, I had already put my name down. Do I need to still state that? This is Carl Trujillo.

CHAIR ROYBAL: No, sir. They've already got your name. Thank you. Ms. Mascarenas, that is correct, right? Mr. Trujillo is already added to the list?

MS. MASCARENAS: Yes. And Mr. Casillas was already on the list as well.

CHAIR ROYBAL: Okay. Perfect. So it is still just three. Is that correct?

MS. MASCARENAS: Yes, sir.

CHAIR ROYBAL: Okay. So let's go ahead and start.

MILES CONWAY: Thank you, Commissioners, Mr. Chair. My name's Miles Conway. I'm in 87574, 87506. You never quite know what zip code you're in when you live up in Rio en Medio. But, yes. I really appreciate the work you're doing on the Zoom and the challenges you're all facing, so thanks a lot for your service and hanging in for a nice, long evening here.

I just wanted to briefly add my voice to the discussion around these impact – or not only the impact fee codes, but the HERS rating. But a small aside on the impact fees and reassessing them and creating them. I believe in state law there is an allowable three percent that the County can glean out of those impact fees to use for your administrative costs and bolster up the budgets of your Land Use Department. So we in the building community – I'm the executive officer of the Santa Fe Area Homebuilders Association. We're all for that, so that we can get those permits stamped more quickly and get to work.

And I just want to share a few thoughts with you about this HERS rating. You know, the HERS rating, it doesn't have to be really mysterious. Essentially, a HERS rating, it just means the envelope of the home that you're building. It's nice and tight. It doesn't let a lot of air go in and out. You put some good insulation on the roof. You put good insulation in the walls. Those are low cost solutions for even moderate or low income homebuilding projects, smaller homes. Then you can attain that low HERS rating. That's just something to know.

We know that Santa Fe County, and I've been to some of your meetings, you guys have passed numerous resolutions being responsive to the climate emergency. Really the climate emergency was in the driver's seat before the pandemic hit and I think that this HERS rating and these codes, this abides by the principles, to lower them, to get the score better, which is lower. Those lower HERS rating scores really abide by all the principles that this County has set forth in being responsive to the climate emergency, as is the building community.

The consistent codes, we know this, are a good thing. If the County goes to what the state does, goes to what the City does, very close to that, that just makes things more simple for builders and we like that. So that's a good thing. We, the members of this association have been building homes that have been hitting the 50's in the HERS ratings in Santa Fe for quite a while now, and that's easy to do on really a smaller envelope home. You're talking a small home that a working family is building. As long as you're not putting floor to ceiling glass in and you're insulating the house fairly well, you can reach that HERS rating. And not only have you – yes, the cost of the home might go up a little bit, \$1,025, but you're putting that into a mortgage. It's a good thing. You're also increasing the value of a home over the long run and helping that family to build equity in its home.

When you get into trouble are those big homes with the floor to ceiling glass, they're just going to have to put solar panels on the roof if they want to meet that HERS rating, and that's just a fact and that's where we're going in this country, and again, we're getting pretty good at doing it.

Lastly, the urban built environment, we are 75 percent of the greenhouse harming gases – those are coming from the built out environment. And 39 percent of those emissions are coming from our buildings. So it's part of the puzzle that we have to solve. Your area, the Santa Fe Area Homebuilders Association builders and professional contractors are up to the challenge. And thanks for your time.

CHAIR ROYBAL: Thank you for your comments, Mr. Conway. We appreciate that. Tessa, can we get our next speaker?

MS. MASCARENAS: Yes, Mr. Chair. Our next speaker is Christian Casillas.

MR. CASILLAS: Thank you, Mr. Chair, Commissioners. My name is Christian Casillas. I'm the director of research and policy development for the Coalition of Sustainable Communities New Mexico. We're a member organization and we work to develop sustainable solutions for the cities of Albuquerque, Santa Fe, Las Cruces, and Santa Fe County. I want to express my appreciation for that conversation that was had earlier this evening, for all of the questions from the Commissioners and the presentations from staff, and I want to reiterate some of the points that Miles just shared as well.

I think there's clearly a lot of financial benefit for homeowners to update the code to match the City's requiring HERS rating. And just in case people aren't aware, so a HERS index of 100 represents energy use of an American standard building. So a HERS of 70 means that that building will utilize about 70 percent of energy of the standard building. A 60 will utilize about 60 percent. If that adds a little bit more clarification to what those numbers mean so that the lower you get the more efficient.

There were a couple questions from Commissioners wondering about studies or research about the economic costs and benefit. There was a study by the Pacific Northwest National Laboratory that was done for the State of New Mexico. I'm looking at the cost to builders and the benefits to occupants for updating to the 2018 IECC code from the 2009 code, which is where New Mexico was prior to this forthcoming adoption. In that study, on average across the state, saw an incremental cost of about \$2,000 to implement the new updated 2018 codes.

For reference, this is about one percent of the statewide median sales price for a new family home in 2018, and these energy efficiency measures would result in an annual energy savings of about \$400, having a payback of about five years, resulting in lifecycle cost savings of over \$6,000. Again, this \$2,000 as Miles mentioned is going to be folded into a mortgage so that potential upfront cost is greatly reduced to utilize more efficient appliances.

Another study from the Southwest Energy Efficiency project looked at the economic benefits of cold climate heat pumps. They found about a 14 percent economic savings, 31 percent reduction in energy use in the City of Denver, which is a colder climate than here.

So something else to keep in mind is that about 55 percent of the greenhouse gas emissions from residences in the county come from natural gas, and so part of this process will be moving to more efficient appliances and relying more on electrification, as opposed to natural gas. Thank you very much.

CHAIR ROYBAL: Thank you, Mr. Casillas. We appreciate your comments, sir, and the statistics you provided. Appreciate you, sir. Okay, can we have our next speaker, Tessa?

MS. MASCARENAS: Yes. Mr. Chair, our next speaker is Representative Carl Trujillo.

REP. TRUJILLO: Thank you, Commissioners and Mr. Chair. I want to comment on these HERS ratings in New Mexico. As a builder here, it literally comes down to the price of what somebody can afford. So I have gotten HERS ratings. I've had to go to the HERS rater. I've had to build homes for families here in northern New Mexico and I just want to share some of these prices with you.

Four of the last homes that I built – they were a HERS rating that we had to get, required by the County of 70. I got 68, 69, and 69. Now this is with high efficiency furnaces, tankless water heaters, high efficiency appliances, R-49 in the ceiling, R-29 in the walls, two by eight construction, so the cost that I have to charge these families is not \$1,200. It's on the order of about ten percent of the total cost of building the project. I know you charge your fire impact fees which are very important, but the bottom line is that when I go into the County, and for one of these homes, the fees are between \$2,500 and \$3,100 for a family of four, for a 2,500 square foot home, then I have to tell them that

we have to get a HERS rating. It's going to cost between \$500 and \$1,000 in addition, this is where they start to make decisions whether they can afford this or not or just go out and buy a modular home.

And what I want to share with you is when people put more mobile homes it affects the property values of the surrounding homes, and the County relies on property tax mainly, so it's in everybody's best interest that we keep property values up and that we keep the jobs here, building stick-built homes instead of forcing people to go out and buy manufactured homes. And what I've heard here today is many staff basically saying that the state has – they've given three options here. So you still have the more restrictive option here, because when an inspector goes out and inspects, they go out and inspect to the IBC code; they're not inspecting to the County code. And so I don't think by you adopting a HERS rating of 60 they're going to inspect your HERS rating of 61. I don't believe that. I can call the inspectors tomorrow and do that, because that's not currently what they do now.

And so I've heard a lot – I'm trying to get a lot out here in a little bit of time, and I've heard about solar panels. Now, you're talking to a guy that does have solar panels. I put solar panels on my last two homes and I completely believe in them, but I've taken advantage of the solar tax credit. And we're going down this path now where, I don't know if you're aware of this but the federal tax credit, this year, at the federal level went from 30 percent down to 26 percent, and next year, in 2021, it goes down to 22 percent, and it goes completely away in the year 2022.

So the incentive for people, when you want to incentivize a behavior you give a tax credit. When you want to de-incentivize a behavior, you tax it higher. And so I can afford to go put solar panels on my home, but many people can't, and without those tax credits, there's certainly going to be a heck of a lot more people that can't afford to get this done as well.

And so as stated in this meeting, the state has the prescriptive, the HERS 61 and the performance based, and I truly believe that through the Construction Industries and the way that they are going out and inspecting, all these are going to be through the prescriptive and the performance based methods. And I will double-check with that and I would like to share these HERS ratings with you of the 68, 69 and 69, so that you can see it is going to take an extra leap and a lot more cost to get to 61.

CHAIR ROYBAL: Thank you, Representative Trujillo. So I believe that was it for our public comment. Is that correct, Tessa Jo?

MS. MASCARENAS: Mr. Chair, it was.

CHAIR ROYBAL: Okay.

COMMISSIONER GARCIA: Mr. Chair, real quick. I would like to thank the individuals and Representative Trujillo, Chairman Trujillo, thank you for still being involved. Appreciate that. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia.

6. MATTERS FROM THE COUNTY MANAGER
A. Miscellaneous and COVID-19 Updates.

MANAGER MILLER: Mr. Chair, Commissioners, thank you. So as you know, we received a total of about \$14 million in CARES Act money just four months ago, and that's meant that staff has been working feverishly on getting that funding out. We have \$3.8 million in funding for business grants. We've had another a little over \$10 million in other programs, and they have been working overtime, weekends – whatever it takes to try to make sure we get as much of that funding distributed out into the community. Hopefully we will not turn any of that back to the state; that is our goal. That's why earlier we asked you to redirect some funding to the shelter and we've been doing that pretty much on a daily basis, looking at where we can – if we have a vendor who is not going to spend their entire contract amount, to pull that back and re-allocate it to something that we can get reimbursed for.

So I just want to once again compliment the team that's been working on all of this in Penny's shop and in Rachel's shop and in Yvonne's shop in Finance. They really have been pulling double duty and still getting their regular work done as much as possible in moving all of this out. It's rather Herculean, I might add.

So that's on the CARES Act, which is one of the parts of our Covid update. So I just wanted to let you know it's a constantly moving target. We're trying to maximize how we can best help those members in the community. One of the biggest challenges I think we've run into in any of these grants or housing assistance or even CONNECT is per the state's requirements we need documentation. We need documentation to make sure that we don't spend any money out of compliance with the federal guidelines, and the state has asked for quite a bit of documentation, particularly on the business grants.

And what we've found – this has been very difficult for people to submit their applications fully complete where we don't have a whole lot of hands-on working with applicants getting an appropriate application with all the proper documentation and cut a check. That said, I am still confident that we will get there. We will find a way to make it happen. We're being creative, and I don't mean in the way of doing creative accounting. I mean in the way of okay, if this method isn't working, how can we redirect our resources to better move this paperwork along and assist with making sure that we have what we need in the way of documentation, but also making sure that we get money into the community, instead of returning it to the federal government.

As you know, because I don't think you can turn on a TV, open a newspaper, do anything without hearing about the vaccine. And New Mexico has received 17,500 doses of the vaccine so far. The state estimated there are 160,000 healthcare workers in New Mexico. So the amount we've received so far is only going to address about ten percent of the healthcare workers. But we are trying to make sure that we can assist in getting any vaccinations out that the state would enable us to do that or allow us to do that.

So we've recovered the mobile health van that we had leased to the state. We got it back and it's at the Fire Department with Martin Vigil who is beginning to work on it to prepare it for vaccinations so we might be able to go out into the county, to nursing homes or to wherever, whatever rural areas, and as we get more vaccination doses

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distributed to the state, how we could best utilize the healthcare van and how we could best assist the state in getting everybody vaccinated. So Martin is working with a group that includes the City and County, Christus St. Vincent's, and the Northeast Regional Public Health Offices in order to work out the details for this first wave of those people being vaccinated.

The first group to get the vaccine in New Mexico is the first line healthcare workers and high risk individuals in nursing homes. CDC guidelines and then state's plan is what determines what is eligible for the vaccines and so if there are any Santa Fe County staff that would be able to get some of them it's likely to be our front line healthcare workers that are considered first responders and that would be specifically our EMS providers. As more doses come, obviously, we will try to get as many County employees vaccinated that are eligible in each tier or each phase.

Also, Santa Fe County still remains in the red zone with a positivity rate of 15.5 percent. We would actually need to get to five percent to move to the yellow zone. I don't think that will be happening any time soon, particularly with Christmas holidays right around the corner. Even if we see a dip, I have a feeling we will see an increase after Christmas and New Years.

That said, we're not getting discouraged. We're looking for ways that we might be able to help move that needle, ways that the County would work with the state to move that needle and so we're still pushing out our public awareness campaigns. We've been – we took the initial ones that we've had. We've modified and we've added to that. We are working on one that targets women and mask wearing and mask use as well as social distancing. We'll probably use a social distancing campaign with our staff first and then start to push it out into the community.

Also we are doing as much as we can to continue with our 442 navigators. I think last week they assisted 104 new individuals and followed up with 71 others. We have received 2,233 self-initiated assistance requests submitted through our CONNECT hub. It just qualifies somebody. It takes quite a bit of time to go through each application and qualify them so staff has been working evenings and weekends to do that.

Also, we are still pushing out as much food assistance as we can into the county. We have done over 6,900 grocery boxes that have been distributed to individuals across the city and county of Santa Fe. Of those, almost 1,100 boxes were delivered to households for home-bound individuals.

Also last week, we served 2,910 meals to seniors. Those were delivered, hot and frozen meals. We had a little bit of extra frozen meals delivered in anticipation of the storms that we had this week, and we did have to cancel one route, partially, in Cerrillos and Madrid last Thursday due to ice on the road.

Also the weekly food distributions from the Food Depot last week, 163 bags were delivered to seniors and those bags include canned food, non-perishable items. An extra box of fresh produce was also provided for each senior. And then we are still continuing to average about seven trips per day on our high risk medical appointments. We did 35 trips last week.

We also continued to have limited hours at 100 Catron, 10:00 to 12:00, by appointment only. We have a screening process for walk-ins. I have been asked, do we have more employees that have Covid, and obviously, more percentage of population on

the whole has Covid and so we have had more incidents within County staff, although I will say, in most cases, if not almost all cases, since the beginning of the pandemic this has not been where somebody contracted Covid at work but rather contracted it through somebody in their personal life, either at home, that had gotten it from their work environment, but not from a spread of it in County facilities. Also I would like to say it's very few employees. We don't put a number up every day, because we don't want people to get concerned. We do address every case that we have in accordance with the Environment Department and the Department of Health and what we need to do relative to testing, isolating, quarantining.

We've had more staff that have been exposed in other environments and they've had to quarantine. That has put a strain on our workforce for sure, because not only have we had a reduced hiring process we also have people out who are – by the Department of Health direction – quarantining. So instead of just having vacancies we have also people who have to quarantine for two weeks, and that's put a great deal of stress on those who are working and covering their shifts.

Anybody that has to quarantine who can work from home, or even if somebody is sick but can work from home and wants to work from home, we do allow them to work as many hours from home as they can.

So I just wanted to make sure that you knew, yes, we do have a few more incidents but we also have worked hard to keep reminding staff to make sure they social distance when they're at work. They have to wear their masks. We do a lot of additional cleaning, and every employee that can work from home is authorized to work from home and is provided the computer to do so.

So that's all I have on the Covid updates. Do you have any questions on that item?

CHAIR ROYBAL: Thank you, Manager Miller, for that update. Are there any questions from Commissioners? I'll look for a show of hands. I do appreciate though the update and thank you for the hard work. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. I thank you also, Manager Miller, for all the hard work and thank the staff for everything they're doing in this difficult undertaking. I just wanted to recognize you and the staff. So thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Any other comments from Commissioners? Okay. Manager Miller, do we want to go on to our next item?

6. B. Revenue Update

MANAGER MILLER: Yes, Mr. Chair. One of the things that we did, in order to try to combat the economic effects of Covid, as you know, we cut our budget pretty significantly while also having a reduced capital assets package. We also had a hiring freeze, about, I want to say, it's 85 positions. And when I say hiring freeze, what we did is we took – I want to say it's 85. It's roughly in that range. We took about 85 vacancies that we actually pulled the funding for those vacancies for a six-month timeframe and we set aside the funding for those positions for the second six months of the year with the intent that we would look at where we are financially at mid-year and

determine whether we felt like we could move or free up those positions and free up that funding for those frozen positions, or utilize savings that we had for the first six months of the year to fund those positions for the second half of the year.

So that was the fiscal approach we took to this pandemic and the economic impact it's had on the County's revenues and expenditures. So wanted Joey to kind of give an update. It's not all bad news and it's not great, but it's not all bad news. It's kind of like the state found out their revenues weren't quite as bad as they thought they were going to be when they first estimated the impact of the pandemic. So with that I want to have Joey give you a really short presentation. Then I just want to follow up on what I think our next steps will be.

CHAIR ROYBAL: Okay. Ms. Rowe.

MS. ROWE: Good evening, Chair Roybal, Commissioners. I just wanted to give you a brief update on how we are doing with our recurring revenues and recurring expenditures. As Manager Miller just stated, it's not as bad as we thought it was going to be, so far. So with that, Daniel, first slide please.

As we were just speaking about, recurring revenues and recurring expenditures is what this presentation will be about. What that means is we know that you had adopted the overall budget of over \$300 million and that budget included capital and debt service and contingencies and transfers and things like that. The recurring does not include that but it does include grants. So the CARES grant is included in here and that was a significant increase to our adopted budget, so you'll see that number in the adjusted budget.

We did institute a new form for fixed assets so even though there were fixed assets that were approved in departments' budgets by the Board at the beginning of the fiscal year we have asked them if they feel like they really need that for their operation, they really need that asset and they can't wait, then we've been asking them to fill out a form that goes through several different levels and then it's reviewed by the County Manager to make sure that we do have funding available for that item and that it is mission-critical and necessary for that department to be able to purchase that at this time. So we do still have a lot of those fixed assets on hold.

And then the frozen positions are still frozen at this time and we have reviewed the revenues and the expenditures and so we're very hopeful that after this presentation perhaps we'll have a little more idea about where we are as far as financially, if we can release those as we had hoped we could in January.

Gross receipts tax – we had budgeted overall in gross receipts tax, I had budgeted a decrease – all gross receipts tax. That includes capital, hold harmless, first one-eighth, all of the gross receipts tax, I had budgeted about a 38 percent decrease. And as you can see by the percent change column all the way on the right there, we have not been experiencing that high of a decrease. As of the end of November when I pulled the reports from the Tax & Revenue website, we were at about negative 13.88 percent. What that means from the previous year during these months we've lost about \$5.6, \$5.7 million over what we got in 2019.

Now we did receive the latest report from the disbursement for December, which is for the October receipts. The December disbursement was about 10.58 percent less than the previous year. So now, overall, that number has changed. It's gotten a little bit

better. Instead of the negative 13.88 percent, we are now at about negative 13.47 percent. So we're doing much better than the possible anticipated decrease of 38 percent. We did have the one month there as you can see from September, from 2019 we had received over \$7 million in that one month on overall GRT and the current year we only received \$5.2 million. So that was about 25, 26 percent decrease.

I'm not sure why that anomaly there. You can see the month before was only about a nine percent decrease and now it's gone back to 12 and 13 percent decrease. So hopefully we won't see any more of those. So our GRTs are definitely coming in better than anticipated, which is great news.

So here's our recurring revenue by source. The very first one that you see there, ambulance charges, as you can see, our adopted budget of \$1.2 million, in that line, we have already received almost a million dollars, and that is most likely attributed to the new contract that fire has gotten in place now and they are looking at receiving revenues from obviously the current EMS ambulance bills but also from past bills. So it is possible that some of that revenue should be back in fiscal year 2020, because we do have quite a large receivable from fiscal year 20 in that category. But that's great news that they're coming up on reaching their budget already and that's just five months into the year. So if we look at the target percentage at the end of November, that would have been about 42 percent target percentage of how much revenue if all months were equal. And we're at 82 percent already in that one line. So that's fantastic.

Care of prisoners, the next line down, we've received about \$1.3 million and that's at 44 percent of what was budgeted, so they're also right there with the net, that target range. Grants, because most of them are reimbursable and because most of this actually belongs – well, not most of it, about half of it belongs to the CARES grant – and that's current the time that we've pulled this we hadn't received a lot or any revenue at that time. So they're only running at about 18 percent now rather than the 42 percent target. But that's normal with grants because, like I said, they're reimbursable and a big chunk of that is this new grant that we just got that we're trying to spend down as quickly as possible.

As you can see, our recurring GRTs, we budget almost \$30 million and we've already received \$20 million in the first five months. So that is about 68 percent of what we had budgeted. Hold harmless GRT, we've received almost \$864,000, and from what was budgeted that's 74 percent. The investment income, that we typically do budget that lower. As you can see by what we had received in the first column there, the fiscal year 2019 actual revenues, we received \$5.6 million and then last year actual revenues in 2020. The next column over we received over \$5 million. So we're kind of in line with how we had received them in previous years, but we tend to budget a little bit lower on that line.

JPA's, that's actually over budget. That's at 185 percent received, and that is due to the agreement with the City of Santa Fe. I know Legal was able to work with them and we were able to realize that revenue for the CAD, the capital project for the radios, so that again is attributable to prior year accounts receivables.

Other taxes, we are already at 44 percent, so that's right there in line with what the target is. Permits and fees at \$1.567 million, that's at 32 percent. Property tax and the valuation fund, the last one, those are a little below the 42 percent target because those

aren't on average month is equal. So we won't start seeing those revenues coming in until this month and next month and then later on in the fiscal year more towards June. So that looks normal to me as far as how the revenue is coming in on those lines.

Self-insurance is coming in at about 30 percent and that's usually a few, like about a month behind, so that's about correct. That one, utility charges are at 56 percent, so those are up higher than the 42 percent that was budgeted.

So overall, we're doing rather well as far as how we budgeted for them, and again, keeping in mind that we did budget lower on some of these lines, particularly the GRTS. Yes, they're coming in higher than budgeted but again, on that previous slide, you saw that we're millions of dollars less coming in from what we had received in the previous year. So we're about \$6.3 million less over the last eight months, just in the GRTs alone from what they had been in the previous year.

So we still need to be very cautious. It's still unknown, but as far as the first five months of the year I think the revenues were looking a little better than I had thought they would at the beginning of this budgeting process for this current year.

Here's our recurring expenditures, and when I looked at overall our recurring expenditures everyone is well on target with where they should be with their spending. Because of time I'm not going to go through every line like I did with the revenue unless you would like me to, but everyone is coming in under spent. I looked at the overtime accounts, those are all pretty well in line with what we budgeted for. The Clerk and Treasurer's budgets are within the 50 percent of what they need to be for the six-month timeframe. Statutorily, we can't spend more than six months' worth of the budget until the new elected officials come on in January, so they're still within their target.

So other than that, I don't think I wanted to point out anything on expenditure side. And I think that is it, but I stand for questions and I have my spreadsheets open and ready if I have any specific questions.

CHAIR ROYBAL: Thank you Ms. Rowe. Do we have questions from the Commission? Looking for a show of hands. Okay, I don't see any. Manager Miller.

MANAGER MILLER: So Mr. Chair, I think one of the big question marks for us will be how property tax comes in. It's always hard to predict that right now because the payment due date is December 10th and that figure – so we don't have December's numbers and we also get distribution a month later. Also, last year's numbers were really skewed by the fact that the state gave us authorization to delay collection due to a mess up with the consolidated elections with the school districts. So we didn't – we can't really compare this year to last year because they gave an extra month to make the payments last year, but what I do know is we'll get a fairly good distribution of about \$12 million for November, which would be on par with last year, but last year had an extension. The year before that at this point we had something like \$23 million.

So it's right at the point – \$10 million is significant, it's just the one thing that we have to really watch. Additionally, as Joey mentioned, some of those revenues that look like they're way above – that are 50 percent, is because we're finally collecting for some things that we were well below what we should have received last year. So like the ambulance billing, we were about \$600,000 below what we should have had and they're

catching up once we got that contractor on board. So we haven't analyzed how much of that is attributable to last year's receivables versus this year's current billing.

But that said, what it shows is that GRT, hold harmless distributions, utility revenues, some of those others, are not only on target, they're better than what we had anticipated. And then that also doesn't show that we received the CARES Act money. Our original budget and revenue estimates did not include CARES Act money. So we did receive CARES Act money that we are able to get some reimbursement for our public safety salaries. So that's another factor that gives us a little bit of cushion.

All that said, we still used cash to balance the FY 2021 budget. So at the end of the day we may dip into our savings account in order to make sure that we get through fiscal year 2021. However, I believe, that based upon where we are, based upon the way the departments have been operating and how they've been prudent in their spending, and the fact that we've been able to use some CARES Act money for some of the things that we would have ended up using our funding for had we not received that grant, as well as in elections, being able to utilize the grant that the Clerk and her staff obtained to offset some of those increased costs that we had in running the election, I think we're in a position where we could lift the hiring freeze, which I think is critical for the departments and elected offices.

As I said, we've been struggling not only with having vacancies but layer on top of the fact that we have had more than our normal percentage of vacancies, now we've also had people out on administrative leave for quarantine for Covid-related issues, the staff that have been working have been working really hard, and we need to beef up our offices and get employees in there. I think with now a vaccine coming out that we can see the light at the end of the tunnel as far as we can see that at some point, probably at the middle of 2021, we'll be able to start having a more normal economy if what the experts say about how quickly the vaccine will get out and how it will get to the general public, and how we might see things going back to normal that we could start to rebuild our workforce by lifting the freeze, and then after we get a little better handle on the property tax revenues, when I have that number, I will look at freeing up the capital assets purchases.

So I just wanted to let you know that's where we are and I think we're going to be able to start to fill some of those positions that were not funded through December 31st as well as those positions that were funded but hopefully we can recruit more people. So with that I would stand for any questions and if there aren't any, we can talk about legislative stuff.

CHAIR ROYBAL: Okay. Thank you, Manager Miller. I don't have any questions but I just want to thank you for that update. You're right. It wasn't all bad, so that was good. Thank you. Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you very much for the analysis. I think you've drawn really good conclusions. It's a really thorough analysis. When I was thinking about this before the meeting, you've addressed some of this to some extent – this is very encouraging, the revenues, but I tend to think there's a bit of a lag in the negative impacts that we still haven't seen, especially if there isn't any additional federal stimulus package that's done, to individuals as well, not necessarily directly to local governments. But potentially, both things considered, because it's been so long and I

think the lag has to do with seeing a bigger bolus of failures, business failures and you've seen so many – the County's been serving so many people in daily needs of food and what not, but the strain is on individuals as well as on businesses.

So I kind of expect a little bit of a lag in that, and that would leave me to think we should continue to be a little bit conservative. I wonder what you think about that. I also think there's going to be a little bit of lag in economic recovery. As enthusiastic as everybody is on the vaccines, and rightfully so; it will improve things, but I don't think in May we're going to all of a sudden be free and clear, even if there is really, really good performance on getting vaccines out there, and then confidence – there's this confidence issue on when the economy will recover.

So I just wonder. The simple answer is probably yes, but I was just throwing that out to see what would be best in terms of how you're looking at where we are and when we can start bringing things up.

MANAGER MILLER: So we did look at that and talk about that and one of the things, first of all, as Joey showed you, expenditures year-to-date, even if you took it all the way up to today or estimated out to December 31st, we're not going to be at 50 percent expended. So there's a buffer currently in our year-to-date expenditures. Secondly, it takes a long time to hire people, so lifting the hiring freeze doesn't mean everybody will start on January 1 and all of a sudden absorb all of our budget for the second half of the year.

Third, I agree. The economy is not going to bounce all the way back to what it was. It will probably – we estimate that will take a few years. But we budgeted pretty conservatively on top of the fact, even though we used cash, we also had other cash for taking us out an 18-month to 24-month period. So that's a third factor.

And we had also discussed, in addition to the fact that property values and home sales and properties, well, yes, you've had some people have struggled and likely lost their home, what you've found as an industry and a sector across the country is home prices have continued to rise. Home sales have continued to grow, so I think that our property values, while we estimated a lower revenue, and that might be that people don't pay, but it just means they're putting it off till they can pay but not that our property value and our tax base has dropped.

And then the fifth factor was that when we made this budget, we did not anticipate getting any CARES Act money, and when we did it gave us another few million dollars in buffer on expenditures. So I think all of those things combined, we're still being cautious. We're just saying at this point – because I think we froze about 85 positions, which meant we didn't put the money in the budget for those for six months. But we've been carrying more of an average of 150 vacancies. So we have had double that in the way of salary savings. So that's why you see that only \$33 million in expenditures when if you looked at half of our budget it would be something – that's more like a third of the budget versus half of the budget.

So I think all of those factors we did consider as what we need now is to staff up in those critical areas. It becomes unsustainable for us to continue to provide services at this level with the staff that we have.

COMMISSIONER HAMILTON: I quite agree with that. I really appreciate that level of analysis and I fully agree with the conclusions.

CHAIR ROYBAL: Okay. Thank you, Commissioner Hamilton, Manager Miller. Are there any other questions or comments from staff? Okay, once again, I want to thank you for these updates.

6. C. **First Session of the 55th Legislature: Updates to 2021-2025 ICIP, Interim Committee Activities, and Request for Direction on Pre-Filed Legislation and Legislation that May be Introduced, Including, but Not Limited to, Legislation to Legalize Recreational Cannabis**

CHAIR ROYBAL: Is this going to be Mr. Hvtce Miller?

MANAGER MILLER: Mr. Chair, it will be, but what I'd like to do before we go to individual pieces of legislation or groups of legislation, I also want I think Jacob is on and we also have in the – I'd like Hvtce to go first, and then I'd like Jacob or Paul to give you an overview of the updated and final ICIP because we did have a few projects that needed to be ranked and scored and added to our ICIP before we finalized it to send to our legislators, but I wanted to make sure that you saw that. So I'd like Hvtce to do his presentation, then I'd like Jacob or Paul to show you the ICIP. Then I'd also like to show you all the list of the legislation we have supported in the past. I think we uploaded that so that you had an idea of what we would kind of continue to lobby for, and then I'd like to take direction from the Board on any additional legislation you would like us to support or oppose.

CHAIR ROYBAL: Okay.

HVTCE MILLER (County Manager's Office): Good evening, Mr. Chair, Commissioners. Daniel is bringing up the two-page report which has been provided to you and I can go over this briefly. Carrying on with what Joey and – in the report, what I have starting off with is the dates for the 2021 legislative session. The pre-filing for legislation isn't going to start until next year on the 4th, and then from there all the subsequent dates for the session will take place. Opening day on the 19th and the closing on March 20th.

The next item there is the Consensus Revenue Outlook Report Estimates. And this is just going off of what Joey and Katherine were talking about. They were talking about the County but this is talking about the state picture, and so the LFC met with the Consensus Revenue group last week and what they informed the legislature was that the predictions of the pandemic financial impact wasn't as great as it was first predicted. So what that means is that the legislature isn't necessarily going to be looking at making cuts to state agencies, and so what they've recommended is that the state agencies go ahead and keep their budgets flat.

Actually, there is \$169 million dollars in what is called new money for fiscal year 2022 and that means there could be new projects, new services and additions added on to state agency budgets, whereas, earlier in the year, back in June, it was predicted that the legislature was going to have to come into session in January and start cutting budgets. With that, the Chairwoman, Representative Patty Lundstrom, has said that in the upcoming fiscal year education, healthcare and small businesses are the priority of the House side anyway, and they'll be looking at those items and trying to expand those items to help out where the pandemic has impacted the state in those related fields.

Like I was saying, with the budget not being the big item to have to consider for the whole 60-day period it will free up the legislature to take a look at other items that has been previously on the plate of the governor and also of legislators coming into the 2021 session.

We can talk about the capital outlay expectations. I had last week sent some information to the Commission regarding the report given to the Legislative Finance Committee regarding capital outlay. And so what it looked like was that there was going to be \$353 million for the state for capital outlay projects. That includes the state agencies, higher education, and local governments as well. So taking out the state agencies and higher education, they were recommending \$200 million to use for those capital outlay projects and that would leave \$153 millions in capital outlay for local governments. So that includes all 33 counties and also the municipalities within the state.

So it's good that they're still money going to be available this year but it's not going to be a whole lot of money. So projects which localities will be asking funding for are going to be more of these smaller projects that could be finished off with a smaller capital outlay allocation.

In addition to the reporting of what money was available, Chairwomen Lundstrom also directed LFC staff to take a look at putting together a bill already that would pull back projects which hadn't been spending their capital outlay allocations and so in June, looking for money, the state had already done this, looked at state agencies and local governments to see where capital outlay allocations hadn't been spent yet. And there are still those types of projects which are still on the books at the state right now. In all reality, they're probably going to do another sweep coming this next 60-day session.

And the last item here at the bottom of page 2 and on to page 3 is talking about the legislature logistics. And the most recent news was from the Legislative Council Committee yesterday, Monday, the House members were looking at limiting the amount of legislation that House members could introduce. They were looking at anywhere between two and seven legislative items per House member that they could introduce. They haven't come to any agreement on that but they were putting it out there right now to the members to let them know that this was a possibility.

And the reason for that is that they were trying to limit the amount of actual human interaction between staff, staff to staff member and staff to legislator so that they could just focus on a few high priority legislative items and not endanger staff with any sort of social distancing requirements. So that was for the House side. And the Senate, they did not discuss any limitations on amounts of legislation that Senate members could introduce.

Lastly, there hasn't been any agreement, either not using the Santa Fe Convention Center to host any committee meetings during the regular session. It's still a possibility, an option that's open to the legislature but they haven't committed to anything yet so far. So most likely it's going to look like they're going to be using the virtual meeting capabilities. I think they're using Webex at the legislature right now as well. And so they'll be using that to host the committee meetings and also the chamber meetings. With that, those are my highlights from my report.

CHAIR ROYBAL: Thank you, Mr. Miller. We appreciate the report, the update. I'm going to go to Commissioner Hamilton for questions.

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COMMISSIONER HAMILTON: So, Hvtce, thank you so much for that. It's really informative. With regard to the plan to sweep money, I get the principle of not letting money sit around unused for projects that have never gotten off the ground, but have they set any criteria for what they would sweep, and does the County have exposure to that? What kind of liabilities? Have we assessed what kind of exposure the County might have to that?

MR. MILLER: Mr. Chair, Commissioner Hamilton, to my knowledge I don't believe that the County itself has any outstanding projects that have been long lingering and haven't used its capital outlay allocations. I believe the criteria they were using was 2016 and later, and so it's items that have been out there for a while and they really haven't moved at all. So that's what they're trying to pull back. And so anything that we've had we've already – anything that's an old allocation like that, we've already had re-authorized and so we're in good standing right now.

COMMISSIONER HAMILTON: Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. Any other comments or questions from Commissioners? Okay. Seeing none, thank you for that update, Mr. Miller. Katherine, did you have anything additional?

MANAGER MILLER: Yes, Mr. Chair. The next thing is the updated ICIP and I think Jacob or Paul is going to do that.

MR. OLAFSON: Yes, good evening, Commissioners. I'm here with Jacob Stock. We're going to have a very brief presentation. Daniel Fresquez, if you could scroll down to page 5, the last four items on page 5. After the Board had passed the ICIP and we submitted it to the Department of Finance and Administration, we did receive some additional projects. And per our capital planning process, we assembled those projects, put a scope of work to them to refine them and define them more clearly, and then we held a meeting of the Capital Planning Committee, which is a committee of staff experts in the different areas of construction or project implementation to review these projects using an evaluation tool – and then have a discussion as to whether we should update them in the ICIP process.

So the last three projects here, I'm going to ask Jacob to speak to these. These were the three projects that were evaluated and recommended for addition into the ICIP and we wanted to do this before the legislature met so that we could meet that final deadline and have an updated list before the County presented this to its legislative delegation and to allow for the process to move forward. So we're kind of at the end of the window for this and I ask Jacob to discuss these projects.

MR. STOCK: Thanks, Paul. Like Paul mentioned, we had a meeting with our Capital Improvements Staff Advisory Committee to review some projects that were submitted. The committee recommended that four of the projects that we reviewed be add to this year's ICIP, and so those four projects are on the screen in front of you right now. The first two are roads projects that were deemed to be basic needs. They're responding to public safety concerns around flooding on a couple of roads in District 1. The first would be a realignment on Arroyo Alamo East to address flooding concerns on that road which is currently built in an arroyo.

The other would be an all-weather crossing at Arroyo del Rancho. Both of those, as I said, were considered by the committee to be basic needs for the County and scored a

42.4 and 40.2 respectively.

The next project would be the Española Pathways Shelter, so you all heard about that from Paul earlier in the meeting. This money would go towards one of the two buildings that they're considering purchasing and it would include office space and space for dormitories and for shelter services. That project was not considered a basic need by the committee but it did receive a relatively high score of 38.2 in its evaluation.

Finally, the fourth project that was recommended to be added was a water master plan for the Village of La Cienega. Anjali Bean with the Utilities Division worked with community members in La Cienega to develop the scope for this project. It will develop a master plan and PER for water infrastructure for water in the Village of La Cienega to respond to water insecurity in that community.

So those are the four projects that were recommended and I'll hand it back to the County Manager.

MANAGER MILLER: So, Mr. Chair, Commissioners, we just wanted to make sure you knew this was our final version of the ICIP. When we send a packet, like we had discussed at the last meeting, we were going to put together the packet like we normally do when we have a dinner with the legislators. We put a letter. We put a copy – they always ask for a copy of our ICIP and it's also what we reference or requesting capital from them. It was good news since the last time we talked about this we thought, well, there won't be any capital but it looks like there may be some capital. I know it hasn't been determined yet, but what we then do is send letters to each of the legislators about Countywide capital requests that are on our ICIP or top five priorities, as well as those capital projects that are in their legislative districts so they know which projects we have on our ICIP that are specifically in their legislative district that we could utilize funding because it is on our ICIP and we actually know what the project is and what we need to do, versus something that's not on our ICIP that we haven't evaluated that we don't have a scope of work for or any preliminary idea of what they are.

So we just wanted to make sure you had a copy of this and if you have any questions.

CHAIR ROYBAL: Okay. So I'm going to go to the Commissioners. I just want to say thank you for your hard work. Great job. I appreciate it. I appreciate the update. Commissioners, are there any Commissioners that have questions? Okay. Mr. Olafson, go ahead, sir.

MR. OLAFSON: Just one quick update. One of the projects that is on the list and has been for quite some time is the Madrid fire suppression system. We did get some additional information on that. And so we're looking at refining those numbers. We haven't made a final decision but I just wanted to update the Board that those numbers might be slightly tweaked as we move forward. Aside from that, I think this is the list in good standing for this year's session.

MANAGER MILLER: And Paul, just to add to that, we've also already received a couple of appropriations for that. So it might be that we need additional funding but I think he just wanted to let you know that there might be a change in the actual item itself as to whether the budget has changed or the estimated cost of the project has changed.

MR. OLAFSON: That's exactly correct.

CHAIR ROYBAL: Okay. Great.

MANAGER MILLER: So Mr. Chair, with that, if there are no questions on the ICIP, I'd like to move to the next attachment. Daniel, I think they were in order in there. So this – Hvtce put this together. This is a list of all of the resolutions that the BCC has passed in support of different piece of legislation. He included some comments, if we had passed a resolution and then legislation passed. So what we've done in the past is we've continued to carry forward resolutions that the Board has passed, but I wanted, one, Commissioner Hughes, has not had the opportunity to see what's been passed in the last three years. So this list is in there so you know what resolutions we've passed in support of different legislation, what legislation has passed so we don't necessarily need those resolutions anymore, and then if there's anything in here that you would like to remove support for, or if you'd like us to potentially revise some of these.

So I just wanted to make sure you had this. I don't know that you have to go through it all now, but what we could do – I just wanted to make sure you had it and we can either update all of them and say okay, we're going to wipe out ones and just kind of pass a list, a consolidated list of old ones that re update. I'm thinking that might be the best thing to do, after I get some feedback from all of you. And then the other, and I believe we loaded it up, was the list of the Sustainable Communities that we belong to had also a list of a bunch of bills, and what I thought might be good to do with this is make more of one resolution that stated we supported different types of legislation. We uploaded the Las Cruces one, I believe, that kind of gave you an idea of what type of resolution we could bring forward in January.

If we go down further on this you can see they basically passed a resolution that encompassed – that they support legislation that would authorize the development of the community solar program, options for consumers to choose cleaner sources of energy, that accelerate the adoption of technology and practices that will result in one or more of the following: decrease emissions from transportation, etc.

So my thought – rather than going over every individual piece of legislation that the Sustainable Communities have adopted, that they're tracking, is that we make something more generic so that if other bills that are similar to those specific bills we would have direction to support. So I would recommend on January 12th that we bring you two resolutions, one that's similar to this about kind of a summary of legislation that deals with sustainability, and that we bring you a resolution that's a summary of support or opposition for all the things that we have kind of done in the past. And then we get kind of an updated one for those pieces of legislation, as well as any other resolutions or suggestions for support of certain types of legislation.

CHAIR ROYBAL: Okay. Do you have any questions or comments?
Commissioner Hansen, go ahead.

COMMISSIONER HANSEN: Thank you, Manager Miller. I appreciate this overview. I think that doing an overview resolution such as Las Cruces has done is a good idea, especially for all of the things that have come from the Coalition of Sustainable Communities New Mexico, that we're a member of. And then also doing a summary of – somehow, they're fairly diverse, but I think there is a repeat of resolutions opposing legislation that affects Santa Fe County's programs and services. I think that we want to continue to protect ourselves, of course, but I think we could kind of condense it

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so it's more succinct, as you suggested.

MANAGER MILLER: Mr. Chair, I was kind of thinking of doing it something like Commissioner Hansen said, something like how we've done it with New Mexico Counties. They'll give a list of seven or eight priorities and we just adopt one resolution that lists those seven or eight priorities, and that might be the way to capture that, even if they're diverse, we just say these are priorities. Like we adopt a resolution that says the County supports – just lists out each one of those things, and do one resolution, and then if you have any others that you would like today for us to add to it, we could do that and that way you have one piece of paper with the list of the things that we're directed to support or oppose.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Go ahead, Commissioner Hansen.

COMMISSIONER HANSEN: So I think that might be a good way. It makes it easier for Hvtce to track things also for us, possibly, and Tessa Jo, if they're seeing bills, then, okay, this resolution supports that bill, even though it might not be the exact words, it's closer enough that we would – there's a succinct pathway. Does that make sense to you, Manager Miller?

MANAGER MILLER: Yes. I'm just trying to, Mr. Chair, Commissioner Hansen, I was trying to come up with a way to simplify it. Instead of saying, okay, and anything that we ever passed in the last two or three years. I was trying to kind of come up with a summary of priority pieces of legislation that the County would support or oppose, and that we would pass a resolution that maybe had a list of what those priorities are.

COMMISSIONER HANSEN: I think that that is good and I think the same thing, a bill summary, from the Coalition of Sustainable Communities. I know this Board has supported community solar in the past. We've supported a local choice act, I believe. We've supported a number of these initiatives already. The one that I would continue support, I continually support of course is electrical vehicle tax credit. I don't know if the Board has ever worked on a public bank issue. Like that is the one item that I think might have some discussion. There's also discussion at the Coalition about a green bank to fund green projects. And I don't know what kind – and they say they have sponsors for a public bank so that might be a discussion that we need to have. But I think this food omnibus bill kind of goes along with our idea of helping to get food out and distribute food. So I think there's a lot of cross-over of things that we've already passed.

I don't know whether you want me to make a motion for the item I want to bring forward but I'll leave it there for the moment.

MANAGER MILLER: Mr. Chair, Commissioner Hansen, I think after we kind of decide if you'd like me to try to do a kind of consolidated resolution that says these are Santa Fe County's priority legislation that we would be supporting or opposing. We'll work on how that looks with all the statements that we've had in the past, the resolutions that we've had in the past that I know that you continue to support based on all of our discussions over the last four years, for that matter. And then, if you'd like to make some additional motions, if any of you want to make some, then we could add those to the list. And so I would just say if everyone's okay with that idea of me trying to do that. It doesn't mean you can't add things later either. It just gives us at least a starting

point, because we have so many past resolutions where legislation hasn't been passed yet and we're still supportive of that. I thought I would try to capture that in kind of a summary resolution, and then add anything that you would like to make an additional priority.

And I was going to say, Mr. Chair, that I know Commissioner Hamilton and I also worked on the public bank issue and I think she had a comment about that in particular.

CHAIR ROYBAL: Okay. I know that Commissioner Hughes had his hand up earlier so I'm going to go to him first and then I'll go to Commissioner Hamilton. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair. I was also going to add public bank to the list. I like the idea of maybe doing one resolution with all the things that we're supporting now, because that can be sort of updated up to what we think is important this year. I think that gives everybody a clear direction. In addition to the public banking, there are a couple of housing-related issues I think are important. One would be – which comes from our Housing staff, to exclude second homes from the three percent cap on the increase in property tax, which could be a possible funding source for our affordable housing trust fund.

And the other thing is I think that Representative Romero and Representative Rubio are going to propose a bill with some renter protections that we've seen really lacking this year. People having trouble, even if there's an eviction moratorium in place they can still get evicted when their lease is up for renewal and it would prevent people getting evicted at that point and a couple other things that would prevent landlords from discriminating against people based on where their income came from. So that's another one that I will research but I'd like to at least consider including that one as well. And of course, community solar, I think we probably all support that.

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

COMMISSIONER HAMILTON: Yes. To be perfectly honest, between Commissioner Hansen and Commissioner Hughes, the additional things they've mentioned cover most of what I was going to comment on at this point. I do like the idea of consolidating things as a start, knowing we can add stuff. But certainly public banking, community solar, some of the other sustainability things. And I was going to mention specifically as Commissioner Hughes did, things having to do with housing and protections, especially under the current pandemic-driven economic crisis.

One question I have is, Manager Miller, you mentioned what the New Mexico Association of Counties put out, every year they put out a list they're going to support. Have we seen that? Because I'd like to look at it before we say just yes, yes, we're going to support it because they support it. They're usually – I'm not sure I can think of past years where we've had substantial disagreements but I'd certainly like to be able to look at it.

MANAGER MILLER: Mr. Chair, Commissioner Hamilton, they did not do one this year. They had one broad statement, which I think Tessa presented maybe a month ago.

COMMISSIONER HAMILTON: Sorry, Tessa.

MANAGER MILLER: Typically we have a pretty long discussion about it

but this year they have legislation that they're supporting but they did not put a list of priority legislation. So Tessa, was it – it was just a general policy statement and they didn't even ask us to take it to our Boards for support.

COMMISSIONER HAMILTON: I frankly, in addition to those things, I really would like to support legalization of cannabis. I think it's really important for the state diversification – economic diversification and what not. But I gather from the agenda we're going to have a further discussion on that.

MANAGER MILLER: Mr. Chair, I believe that Commissioner Hansen actually has a proposed policy statement for the Board to consider as to whether you would support that and now might be a great time to do that.

COMMISSIONER HAMILTON: Great. Thank you.

COMMISSIONER HANSEN: So Mr. Chair, what I have done – I have done a little bit of research on what other states are doing with cannabis in regard to allowing people to grow their own plants. Because that is something I think you all have heard me ask every single legislator about when we've interviewed them. And so I have a motion that Santa Fe County supports legislation to legalize the use of recreational cannabis to allow individual residents to grow up to 12 cannabis plants in their private residence for personal use only, and that New Mexico retain all medical cannabis laws that are currently in place.

And I felt like that kind of covered a very kind of broad situation. I feel very strongly about the fact that people need to be able to grow their own, so I reached out to people, commissioners in Colorado, which is 12 plants, and I reached out to commissioners in Arizona and its 12 plants. So we would be in the same bucket, so to speak, and that was what I was trying to do. Commissioner Hamilton.

COMMISSIONER HAMILTON: I have a question on that. So that sounds great. Pertaining to medical cannabis is fine. You're not excluding stuff in the middle. Legalizing recreational cannabis is just legalizing recreational cannabis, right? It would open the door for selling it commercially. You're also adding individual growing. I assume that's the case.

COMMISSIONER HANSEN: I'm not excluding anything but that seems to be one of the sticking points that has been happening at the legislature the last couple of years, that point, and maybe Hvtce could help me. I'm sure he's heard the discussion.

COMMISSIONER HAMILTON: Thank you.

MR. MILLER: I just wanted to add about the growing of plants for personal consumption was a sticking point. I think what a lot of the legislators were trying to avoid was big companies coming in and taking over and exploring locations other than New Mexico. So that was part of the reason. The market was trying to be kept either for personal home use or at least smaller businesses that were wholly contained within the state.

COMMISSIONER HAMILTON: Great. Thanks.

COMMISSIONER HANSEN: And I'm more than happy to amend this resolution but I did send all my ideas to the Manager and Greg condensed my comments into this statement. So I think it's pretty succinct. If somebody would like to give me a second I would be happy about that.

COMMISSIONER HAMILTON: Second.

COMMISSIONER HANSEN: Thank you.

CHAIR ROYBAL: Okay, so we have a motion and a second. Correct me if I'm wrong, Commissioner Hansen. This is in support of this letter supporting the legalization of cannabis?

COMMISSIONER HANSEN: Yes. Recreational cannabis. Do you want me to read the motion again?

CHAIR ROYBAL: No, I heard it when you read it. I just wanted to make sure it was in reference to that. So we do have a motion and a second but I just do want to say for the record that I'm an employee for Los Alamos National Laboratory and this is something that I don't know if it's a conflict for me to vote on so I'm going to recuse myself from voting for this, based off of whether or not it would actually – since it's not something that's passed federally it would still be illegal for any employee of Los Alamos National Laboratory to indulge in this type of recreational use according to the regulations of the federal government, so I would recuse myself. Commissioner Hansen, did you have a question or a comment?

COMMISSIONER HANSEN: I just wanted to say that hopefully, with the new administration in Washington, and that has been mentioned and it is in the Democratic platform that cannabis will be taken off the Schedule 2 and made available. I don't know what kind of bills are available but I completely respect your position because that is the position of the federal government right now at this moment.

CHAIR ROYBAL: Okay. Thank you, Commissioner Hansen. So we have a motion from Commissioner Hansen and a second from Commissioner Hamilton. I'm going to go to a roll call vote. I believe that Commissioner Garcia had to get off of the meeting as well as he had something that he had to do and so he asked to be excused. So we only have three other Commissioners that are on this meeting right now.

The motion passed by unanimous [3-0] roll call vote. [Commissioner Garcia was not present for this action and Chair Roybal recused himself.]

COMMISSIONER HANSEN: Did you want any more direction, Manager Miller?

MANAGER MILLER: Mr. Chair, Commissioner Hansen, I think we can come up with something for you. We may even do just a whole separate one for housing. I'll see how this looks when we put kind of the overall – we'll do one definitely for sustainability, we'll do one to kind of summarize priorities in the past, to include the one you just voted on, and then I'll take a look at housing and whether I can capture housing in that overall one or whether you might need to do a separate one. Because if you'll notice, what we did in the past, we said we support all of them, the same priorities. I don't know if that captures it. So it might – I'll talk to Joseph and look at also what you mentioned, Commissioner Hughes, because that might be something that we need to vote on separately and kind of just have a discussion on the housing stuff. But I could at least get our sustainability one, and an overall priorities one together.

COMMISSIONER HAMILTON: Public banking.

MANAGER MILLER: Oh, and I'd add public banking to the overall one, because it looks like we have support for public banking. A state public bank, I might

add. Whether that's a green state bank or a other public bank, but at the state level, is what I'm hearing. Okay. I think we've got enough to put something that's pretty comprehensive and well thought out in front of you. Obviously, I'll shoot it out to you if there's something that I missed, but I'll send it out before we finalize the agenda on the 12th but I think we can get something together for you that lists the County's priorities.

COMMISSIONER HUGHES: Mr. Chair, if I could just clarify then, anything about housing them I should send ideas to the Manager and you'll put together a resolution with the staff?

MANAGER MILLER: Yes. I think that would be really helpful, Commissioner Hughes.

COMMISSIONER HUGHES: Okay. Thank you.

CHAIR ROYBAL: Okay. Great. Manager Miller, was that it?

MANAGER MILLER: I think I am done talking. Thank you so much.

CHAIR ROYBAL: Thank you. Awesome job.

8. 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: I'm going to go to each Commissioner. Commissioner Hansen.

COMMISSIONER HANSEN: I wanted to give a little bit of update on the MPO. We had a very, very interesting meeting on Thursday with the City and a number of our staff from the County, and started talking about priorities. And one of them were interesting things that dawned on me about the MPO that seems to me lost sometimes is that the MPO is a federal agency with the state and the County and the City. So therefore, with the state and the feds, how much money we get being brought into roads and you've all heard me say how much I love roads, it really depends on what we can do in Santa Fe County on who is the governor, who is the Secretary of Transportation, and what kind of relationship we have with them.

Under the eight years of Governor Martinez the MPO was really hand-tied and unable to do some of the projects that needed to be done. One clear example of that is almost the moment I had been for years, every Commissioner from District 2 had been talking about Via Veteranos and needing an overpass or needing that intersection fixed and completed, and almost immediately, as soon as Lujan Grisham got into office and we got a new Secretary of Transportation, we started getting money and they finished and completed that intersection.

So it was a very interesting discussion about projects with County staff and with City staff. One of the discussions was West Alameda, and I brought it to the attention of the City, which it seemed to be unknown to them, that that was part of the agreement from annexation and that in order for us to move forward with West Alameda we need to finish annexation. Staff was like, well, we need to go back and talk about this. So it was an interesting discussing and especially having County staff and City staff and DOT, and

having the District 5 engineer there, who is really important to us to get money and one of the clear instances is in Commissioner Hughes's district is the southeast-northeast connector.

Clearly, under the Martinez administration, they swept away over \$3 million worth of money for that road and now that we have a different situation there is even a possibility of getting some of that money back. So I found it really beneficial and I wanted to share it with everybody how important I personally believe the MPO is. I am grateful to be chair of that organization. I think that they have – that is a way for us to get stimulus money, because it is a County and City and Tribal organization. And with this new administration and with the stimulus package, the more projects we, as a county, could get on the TIP and the STIP, I think the more money we could bring in from the stimulus.

So I wanted to share that with people because I think that what has happened with the MPO in the past when we had only – we had to deal with the Martinez administration, we were never able to get anything done. And that was a clear example of how elections matter and how it affects our ability to do roads, which I already have a number of ideas of projects of roads I am proposing to the District 5 engineer so that I can get money for Santa Fe County to do those roads that are not on our ICIP but can come from DOT, especially projects along 599, which is really important and is your district also, Commissioner Roybal, and we need overpasses there. We need intersection relief.

So it was an exciting meeting to me and I wanted to share that with everybody because I think the Martinez administration really did damage to the MPO. And ditched it, so to speak. I'll be happy to share the project list that we're working on, which is quite extensive, and I've also been working with Brett, who has also stepped up to be the chair of the technical working group for MPO, Brett Clavio, our transportation manager, and Ryan Ward attends the technical working group and Paul Kavanaugh. So we have a good staff on the technical working group for the MPO that can really help us start getting more projects on the TIP and on the STIP, which is how it has to work.

Part of the reason I'm sharing this is because I have had 15 years of experience working with the MPO because the only way I got the money for the northeast-southeast connector and to do that federal highway right-of-way was that I had to get involved with the MPO, and I had to understand how they worked. And so every time I start working on a project on roads, and it's when I discovered how much I love roads, I just wanted to share what I think is something exciting that is happening at MPO since we have a new administration. If we were back still under the Martinez administration I would not be excited about the MPO in any way, because she was very unkind to us in Santa Fe County.

So beside attending BIPPO and NACo meetings and seeing all of you on line, which I'm happy to see you. At least it is a connection. I want to wish everyone happy holidays and I have my little Santa hat on here, so I can wish you Merry Christmas and thank you all for all the hard work that we are all doing together. Because I think Santa Fe County is doing really good work and it's because of the kind of Board that we have that works together and recognizes the benefit that we can all do to provide for each other and the district, and our constituents. So thank you.

CHAIR ROYBAL: Okay. Thank you, Commissioner Hansen.

Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you, Mr. Chair. Well said, Commissioner Hansen. Thank you for that. I actually wanted to mention, I think we still have – I hope we still have – our Fire Chief, Eric Litzenberg on the meeting, and I'm pretty sure today is probably his last BCC meeting. I just had to say, first of all, I can't image what Chief Litzenberg is going to do with his Tuesday nights after this. More than that, I actually – it seems like a relatively short time. I believe Chief Litzenberg has had a tremendous positive impact on our Fire Department and therefore on the county. I really wanted to thank him for that. We had a chief with incredible intelligence, incredibly good ideas, real motivation to share and to communicate well. Incredible and infectious enthusiasm, and I could keep going on. It was such a delight to have him and so encouraging to everybody who participated in the professional staff and the volunteer staff. So I just wanted to recognize him in this last meeting and thank him for what he contributed to the County and to wish him the best going forward. So thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. I would echo those sentiments. I'm glad to have been able to work with Chief Litzenberg and have wished that it would have been for longer, but we really appreciate all your hard work here at Santa Fe County. Okay, Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair, and I'll add a third to that. We're going to miss Chief Litzenberg. Even though I've only been here a while I've worked with him for a long time in various capacities and he's a great guy, so all the best with whatever comes next.

I was just going to mention a couple things that we haven't talked about yet. One is we had a townhall meeting for my district and it went very well. I was surprised – not necessarily too surprised – but a lot of people just keep bringing up various environmental concerns, not just around the climate but around air pollution from forest fires and all sorts of things, which I think is very interesting and of course people know that I'm interested in that so that's probably part of it, but it sort of gives me some ideas of things to work on more in the future.

We had a very nice meeting with the County staff and Eldorado Recycles – or I guess it's called 285 recycles; it's not just Eldorado. They are very interested in having the reuse part of the transfer station reopened. I think the staff did a very good job of explaining why everybody wants it to reopen but we can't really do it right now during Covid. I really appreciate staff attending that meeting and being very clear about what some of the problems are in terms of the risk to people running the transfer station and people using it. So that was good.

Next week, again, Public Works is going to meet with us and the ECIA Road Committee I think, in Eldorado, and the idea I think would be to make sure we get Eldorado on the same page with the County staff as to what money we're going to ask for at the state legislature, and other places for roads out in this part of the world. I understand that's not always been very well coordinated. So hopefully we'll be coordinated this year with that. I know we have some very good people in the community working on road issues so I'm sure they have some good ideas to share with us.

And I would have gotten my Santa hat if I'd known we were going to wear Santa

hats, Commissioner Hansen, so just pretend. Because I even have the white beard, so I'm the perfect Santa. But I just want to wish everyone happy holidays and stay safe. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hughes, and I would express those sentiments as well, that I heard from a couple Commissioners. I want to send a shout-out to staff for the great work that we've done in 2020. Thank you all for being resilient and making changes to keep things going at Santa Fe County. It's been a tough year with the pandemic that we've been dealing with since March. It's just been incredible to see how we have evolved to make sure that we serve our constituents and work hard for each and every one of them. So with that being said I just want to thank all of staff once again.

Manager Miller and her staff, Tessa Jo, Sara, Olivia, Tina – you guys all do a great job supporting the Commissioners. I know we didn't fill one of the liaison positions, so with the four liaisons, you guys have done a great job and staff has just done a wonderful job throughout the year. So I just want to thank you guys. I know it's been a tough year and things are going to get better in 2021. So I think that we'll build the strength in our future together. So I appreciate the Board and how we work together. Commissioner Hughes, I know you're fairly new to the Board but I really feel that you're going to be a great asset and have a great impact on the Board and provide a lot of knowledge. Everybody has their own special expertise and areas they can contribute.

I just want to say, have a blessed holiday season and enjoy yourselves and family. So with that being said, I agree with all the Commissioners. We've gone through everybody.

8. 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 believe we have a couple of elected officials on line right now. I'm going to go to Clerk Salazar first.

CLERK SALAZAR: Good evening, Chair Roybal and County Commissioners. It's been an incredible year, a year of adapting to rapid changes. It's been incredible. I think all of us have experienced the consequences sometimes, of what Covid has brought to our community and our work. And I personally have had close encounters and I've been very fortunate to have not caught this, because I cannot separate myself 100 percent from the responsibilities, the duties of the County Clerk. So I have to be in areas that require my attention, and sometimes closely. At the warehouse, the last portion of our election, ensuring that we could get the audit that was directed by the CPA that the Secretary of State hires to ensure that the election is free, fair, secure and that we're accountable.

I think many of us have had to come across situations where at times we don't know how this would affect us and how it could mean something very serious to each and every one of us. But I want you to know that I truly believe that masks work, and social distancing works. When we're here in the office we wear our masks, we social distance. When we work at the warehouse we do the same. We're supposed to. I believe it's

mandatory. I believe it's also my responsibility that all my staff feels secure and safe. There's no 100 percent guarantee. But I'm very proud of the Santa Fe County Clerk's Office staff, all the hard work they've done. All the adaptability they've had to pull forward to basically survive this pandemic.

It's unbelievable, and I want to request that the Santa Fe County Clerk's Office staff and all other County staff ensure that they take personal responsibility for their coworkers' health also and consider that when you gather in areas that put us into situations of getting this Covid-19, what else are we doing to affect other people's lives and our own. So many of us have been very fortunate, because we've had to do our jobs. We have many responsibilities.

One of the best things I know about Santa Fe County is that we have a very strong financial policy. I think under the leadership and direction of the County Manager that proves even more so when we hear about what the Finance Department has to present. I also have to think in my own mind that part of that savings comes from our staff that are willing to work at home and can work at home, or is required to work at home. Every time they flush their toilet, or every time they turn on the light or a computer, they are saving us money. We don't have to pay all of that cost on a day-to-day basis for a while because of this.

So they are contributing in many ways. Not just continuing with their jobs and the high risk involved, but there are things that we can look at and say part of the savings is because of their willingness to work at home and also be a part of this process and ensure that we continue with the operations of the County Clerk's Office and all County operations. So I want to thank all of the Santa Fe County Clerk's Office staff again, for their dedication, and that we can continue to provide public services to the constituents of Santa Fe County and all of our customers. And I also want to thank all County staff in general and all the elected officials because we have had to deal with adjusting our operations and continue to deliver the excellent customer service that Santa Fe County is known for.

So thank you to all. Best health to everyone. And we shall reflect as we move on forward, what we've gone through and what worked and what didn't, and this may not take another hundred years for another pandemic. It might be sooner. Who knows? Hopefully not. But I think we better understand the possibilities of what could occur and what personal responsibilities we must put into action to ensure the safety of our community and knowing this is not 100 percent. So thank you all. Take care. Have a good evening.

CHAIR ROYBAL: Thank you, Madam Clerk. We appreciate all your comments. Let's go to Treasurer Varela. Would you like to make any comments, sir? Okay. I do want to recognize Treasurer Varela as well and just thank him for his service to Santa Fe County. This will probably be his last BCC meeting as our County Treasurer so thank you for your service and dedication, Treasurer Varela. Are there any other elected officials that would like to address the Commission or their constituents. Okay, hearing none, I'm going to go ahead and close Matters from County Commissioners, 8. B and go on to 8. C.

8. C. **Resolution No. 2020-102, a Recommendation to Governor Michelle Lujan Grisham to Fill the District 5 Vacancy with Senator-Elect Leo Jaramillo**

CHAIR ROYBAL: This is after Senator Martinez has resigned or retired. And I was asked by one of the Commissioners – it's already really late in the year. Is the governor going to appoint this position and that's something we really don't know but I think it's better to be pro-active than reactive and have a special meeting. So I think it's very appropriate for the Commission to adopt this resolution now rather than having a special meeting later and I think this is the best way to go. Are there any comments or questions from the Commission?

COMMISSIONER HUGHES: I'll make a motion to move ahead with this item to recommend Senator-elect Jaramillo.

CHAIR ROYBAL: Okay, how about if I let you second since I brought the resolution forward.

COMMISSIONER HUGHES: I will second it.

CHAIR ROYBAL: Thank you, sir. I'll make a motion and we have a second from Commissioner Hughes. Commissioner Hansen.

COMMISSIONER HANSEN: I just want to say that I think Senator-elect Jaramillo will make a wonderful senator and I am looking forward to working with him. I don't know if he's still on line. I have been grateful to get to know him as a Commissioner and I am extraordinarily grateful for his service on the Northern Rio Grande National Heritage Board. He has helped make that board much better by being an ally and I know that he will do the same as a senator in making our community better. So I whole heartedly – I second this also even though it's already seconded. And whether or not the governor will appoint before the end of the year it is out of control but I appreciate you, Mr. Chair, bringing this forward because it's pro-active and it doesn't hurt us in any way. It only helps us. Having Senator Jaramillo to work with will be a great thing. So thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. I've known Senator Jaramillo for some time and he's really going to make a great senator. Extremely – just a good man. I do appreciate the motion and multiple seconds, and Senator Jaramillo is on line and I'm going to him after we go through the vote on this and see if he has any comments. So we do have a motion and multiple seconds. I'm going to go for the vote.

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

CHAIR ROYBAL: We're going to go to Senator-elect Jaramillo. Did you have any questions or comments for the Board?

LEO JARAMILLO: Well, I would first of all like to thank you, Chairman Roybal, members of the Commission and County Manager Miller and staff. It's an honor to have my name being put forward by Santa Fe County. As you know, Santa Fe County

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is my second home because it's literally in my backyard here in San Pedro, Rio Arriba County.

Now, the important thing about getting my name move forward is in working with the governor's staff it would establish seniority over the other freshman senators coming in in January. So although it would just be a few weeks of me being sworn in before the, seniority matters when it comes to chairmanship, if that ever were to be a possibility, but also in the selection of which senators, freshmen senators, get put into committees and so seniority definitely matters and I'm thankful for this. Thank you for the resolution, and I'm really excited to work with some of the topics I heard about today or this evening. I'm really looking on the diversification of New Mexico's economy by the legalization of cannabis, and I'm also deeply rooted in helping with the housing crisis and affordable housing in Santa Fe and Rio Arriba counties.

I look forward to working with you, Commissioners. I wish you a very Merry Christmas and a Happy New Year. And if you have any questions I'd be happy to take them.

CHAIR ROYBAL: Okay. I don't have any questions. Any questions from the Commission? All I want to say is congratulations and we look forward to working with you, sir.

MR. JARAMILLO: Thank you everyone.

CHAIR ROYBAL: One other thing I wanted to mention and I meant to mention this earlier and I forgot. It's our esteemed County Clerk's last BCC meeting as well, and so I just wanted to thank you for all your hard work and dedication and loyalty to Santa Fe County. You've done such a great job and we're losing a great leader in the Santa Fe County Clerk's Office. And so thank you for all you've done, Geraldine Salazar, Madam Clerk. I appreciate you and I know that there's other Commissioners that would like to thank you as well. So I'm going to go to Commissioner Hansen. Go ahead, Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. Yes. Geraldine, we will miss you. You have been a pleasure to work with over the last four years. I am grateful for everything that you have done and do for Santa Fe County. You are a true professional and I wish you all the best and I am sorry that we cannot celebrate together and give you a real send-off like we have done in the past. So from the bottom of my heart, I wish you all the best in the future. So thank you for your service to Santa Fe County.

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

COMMISSIONER HAMILTON: Thank you. Just to add my voice thanking both our elected officials who served the County so well, our Treasurer and our Clerk. My entire mission so far as been with them and with the experience, and I really appreciate all the collegial interactions and wish you best in the future. Thank you for your service.

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

COMMISSIONER HUGHES: Thank you, Mr. Chair and I'll just add, I have not been here very long but I have been really impressed, Clerk Salazar, on how

you've run the last two elections under very strange conditions and a lot of pressure. So I thank you for your service over the last eight years and especially this year, getting us through the election during the pandemic. Thank you again.

CHAIR ROYBAL: Thank you, Commissioner Hughes. It's quite a way to have your last election with the Covid-19 pandemic that everybody will always remember. Madam Clerk.

CLERK SALAZAR: You're absolutely correct, Chair Roybal. I want to thank all the Commissioners, and I want to thank you especially, Chair Roybal and all of you who have been chair at one point. I think you are all very professional. You're very knowledgeable and you take your jobs very serious, which I appreciate very much. It's been a pleasure being your Board of County Commissioners Clerk and I will miss all of you and look forward to new adventures. Thank you. Take care and have a good evening.

CHAIR ROYBAL: Thank you, Madam Clerk. We're going to actually temporarily recess as the Board of County Commissioners and come back as the Santa Fe County Board of Finance meeting. So if I could have a motion to recess, and then a motion to come back as the Board of Finance. But I do want to give a ten-minute break, because I think everybody could use a break. So let's do a ten-minute break and return at 8:40. But I think we could probably recess as the Santa Fe County Commission and then when we come back we could actually reconvene as the Board of Finance. So if I could get a motion to recess.

COMMISSIONER HANSEN: Mr. Chair, I move that we recess and then reconvene as the Santa Fe County Board of Finance in ten minutes at 8:40.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hansen, a second from Commissioner Hamilton, and I'll go to a roll call vote.

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

[The Commission recessed from 8:30 – 8:40]

9. Santa Fe County Board of Finance

A. Call to Order – Chair Roybal called the Santa Fe County Board of Finance to order at approximately 8:40 p.m.

B. Roll Call – Clerk Salazar took roll prior to recess with the following members present:

Members Present:

Commissioner Henry Roybal, Chair
Commissioner Anna Hansen, Vice Chair
Commissioner Anna Hamilton
Commissioner Hank Hughes

Members Excused:

Commissioner Rudy Garcia

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C. Approval of Agenda

Commissioner Hamilton moved to approve as published. Commissioners Hansen and Hughes seconded. The motion passed by unanimous [4-0] voice vote.

9. D. Presentation and Approval of County Investment Policy including the Economic Outlook and Review of Balances & Other Holdings

TREASURER PAT VARELA: First of all, some of the challenges that we're going to have a prediction of about \$45 million of call notices in 2021. Those are as the Board and Investment Committee remembers we were doing short-term protection notices and those are predicted to be called this year in 2021. We're reinvesting in the little bit longer spectrum of the short duration and of course even in that we're going to be investing in a lower investment environment. We have of course near zero Fed rates as everybody knows that. They're having some meetings of – the Feds are going to meet next Tuesday and Wednesday and I expect it to be close zero rates. And then merchant card webservices is causing an inundated number of phone calls that we have to the Treasurer's Office. We're also severely understaffed and we have temporary employment but we have a lot of people out because of Covid testings and other related items in dealing with Covid. And then we're going to have in 2022 which we'll have to be looking at this year and have a delay of property taxes again because of House Bill 47 passed in the legislature in session 2019. So that's going to impact all of Santa Fe because it's going to be the City of Santa Fe at that time so we're going to be looking at a delay. We'll have to work with the Clerk's office again to make sure that those boundaries are set for the Santa Fe School elections. And I know the Clerk and Steve Fresquez work really well and they work a lot of overtime getting those boundaries for the previous delay which was last year. That was in the northern part of Santa Fe from pretty much Pojoaque north to Santa Fe County. So that will be happening again in 2022.

So we'll go to the yield curve. So a year ago this is what the yield curve looked like. What is before you is the high 1.1 percent, 1.5 percent in what we could really invest in to 1.58. And that is a reflection of what already had previously happened in the year. Starting in March the yield curve started going down. As you can see it was already flattened at that time. This is a year ago and then, of course, at the beginning of the new year things started looking up and looking more like a yield curve. You can see the window where we were reinvesting at 1.8 to 1.67. Everybody always spots the 10 year at 1.88 was in January 2nd of last year for the first day of business. Covid started to impact and make the headlines and we started to see that inverted curve where we started to see in the window hole where we invest was lower than the six-month Treasury. We're looking more deeply into the Covid and that's February 27th and we were already inverted and were going down to 1.8 pretty much on the three year and 1.30 in the ten year and of course this is at the lowest part when the recession really hit. This is probably going to be, according to history, because of the history of it for about 60 days where it really dropped and the Dow reflected it also and the Treasury market. Which the Treasury market because of what's been going on and the Feds have been operating it, you can see back in 4/3 we're already back down to zero rates and we're pretty much at

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mid-April where again, we're looking at .20, .50, .35 – still somewhat better but to where we are right now. Right now as of two weeks when I prepared this, we're looking at .22, .39 in a five-year window. Our core portfolio can go out to 10 years which is .86 and it's been floating around this for the past three months. You'll see some days between the three and the 10 years will fluctuate and you'll have some good days. We had some bad days in the market, last week, if you were paying attention. This week we've had the best four days we've had in a couple of weeks and that is after President Biden announced that former Fed Yellen back as Treasury Chair, the rates went up in the Dow market, however, in the Treasury market they are still staying around this area. And there's some hopes – and we're looking at the fact right now, and I was paying attention to that earlier – they're still on Capitol Hill working on a stimulus package and they're promising that they're going to have something before the Congress recess, before Christmas, so it's looking promising. But it's actually affecting the market right now where there's more, I guess you could say, confidence and a lot of the investors are going from bond market back into stock markets.

When I came into office eight years ago this is what the yield curve looked like. Kind of similar but there was better confidence between the 5 and the 30 year at that point. But at that point also you were looking at a pretty bad recession that was due to housing and the higher amounts here were due to the quantitative easement that was Bernanke's idea and they were buying a lot of Treasuries at that time. Right now there idea is buying a lot of bonds. They're buying some corporate bonds and since they're not buying the Treasuries, the Treasury market has stayed pretty much at the bottom. This is probably – not this model but the model I had before – is going to hover around this. I'm thinking we're not going to see something different until probably the third quarter as the vaccines get out. Moderna just got approved now and I think they're reported that 78,000 have already been deployed in Canada right now, the same Moderna drug which is similar to Pfizer. The difference is that Pfizer has to be kept below zero where the Moderna one doesn't. Does it have anything really in the market? No, it just is what's going on.

Looking at the current yield market right now if you look at the red line that's a corporate market and you can look at the one-year window which is way below .50 basis points to the 30 year which is paying 250 which we can't invest in this, of course. But in the Treasury markets which is pretty much everything reflects by that is the green and you can see that the mini-market is almost intertwining for several years of the long term of the curve after the 10 year. The purple is actually the CDs that we used to get and right now, as you can see, it's pretty much tanked at the same – the spread between the CDs and the Treasuries is it looks great but it's really not that great. You're looking at a 12 basis points difference that's if they're issuing them. There are a lot of banks that aren't issuing any CDs right and that's why the market is being low. We owned a lot of those and I was using those in different buckets. We had difference accounts within our portfolio and I was using those for cash flow mainly in bond accounts. So I was buying them for short terms because these CDs you can buy for either one month to three years, five years is the longest. But when you're buying a five year there's a good chance that they're callable so they could be called in – something like that's going on now in this environment they can call it at anytime and redeem it. So they don't want to lose extra

money paying that higher yield. This is what the market looks like right now. This is actually a Bloomberg market analysis here. So the average banks right now are paying between .09 the same with the savings .09. Money Markets are about 16. I know people probably think that there's other money markets but this is the money markets that us as a government can invest in. So this is pretty much we're yielding. However, we're still under contract with our bank/our fiscal agent, and we're still getting .40 on our bank right now and that's just for the duration of our contract. Those will still stay pretty much in line, the interest. There's a fine balance of how monetary policy works as a fine balance between what they call Taylor's Rule which is the inflation, GDP and it's also intertwined with Okun's Law which has a factor of employment. So it's a scale when you have a certain variables that they put in for inflation, GDP, unemployment and when those variables are right, it pushes those variables up which equals to higher interest rates. So what they're looking at is they're looking at inflation to be pretty much the target at 2.0. GDP they look at anywhere between 2.6 to 4 and unemployment they want to look at about 4 percent overall. Right now if you look at the top left you'll see the actual inflation. The headline inflation is 1.2, actual is 1.4 and target, again, 2.0. You're looking on the lower right, you're looking at the rate hike possibilities. As you can see, there's nothing really in line until possibly September of next year, possibly, and again you're looking at the different variables cause right now the employment rate came out on Thursday and it's pretty bad now. It was a strain at the first part of November but it got worse a lot of states are shutting down again. I don't know if a lot of you heard, but New York City is probably going to shut down right after Christmas. So they're having a lot of these spikes in the Covid going on all over not only over the United States but worldwide right now. But however, in America this is why and I pretty much think that once you deploy pretty much most of these vaccines and at least about one-third of the population is inoculated, I think things will pretty much drain out and I was actually talking to Commissioner Hamilton the other night, I'm thinking maybe third quarter we'll start to see some kind of light at the end of the tunnel, hopefully.

So we'll look at the unemployment claims. Right now we're at .778 which equates to about 6 million unemployed. Before the Covid we were looking at about 280,000 nationwide that were unemployed. So you can also see the employment reflects on our personal spending. Personal spending in November has pretty much dropped. December, of course, hasn't been recorded yet. That will be next month. I am confident you're going to see a little bit of growth because of Christmas and the holidays and just because a lot of people are more generous during the holidays, a lot of employers. So I think the spending might go up but again this is what reflects nationwide and pretty much globally that spending has been lower. An anomaly that I didn't see in the credit market, a lot of people are paying off their credit cards and not using as much credit and I think a lot of people are thinking that they might not have employment or they're just looking better at their spending so that extra liquidity isn't in the market as in the past.

If you look at the Dow, it is sure resurrected from March/April and for the first time we have passed the 30,000 mark. So even though, like I said, it's red we're actually doing good and it actually broke over the 30,000 mark as soon as President-elect Biden started announcing his cabinet picks. So it looks like even the investors are seeing confidence in that. The Dow rate was from 323 at its lowest and it's now over 30,000.

Even at its highest point last year, or in February, we were at 29,000. So right now we've hit over the 30,000 mark and right now in futures it is a little bit in the red but we're still over 30,000. However, when that happens, our greenback loses its strength and the British pound and the Danish krone have had gains for the last three months and people that trade in currency, they have pretty much been banking on those investments for this duration. Does that mean that our greenback isn't worth anything? No, it just means that the market is really funny. When the stock market goes down the strength of the dollar goes up and vice versa now. So right now just seeing that there are other denominations that are above it and this is the euro against the dollar. At that point the euro was paying \$1.18 to our dollar so it was about 18 cents above. It's just an anomaly that I have been noticing in the market but actually these are good times when we can actually see when these are happening. It's a good time for us to reinvest in some different vessels that we can legally invest in.

As you can see the dollar declining – it's marked in yellow here – back around November 2018 when I presented again. We had what they called a "tech realignment" or rebalancing when some of the tech stocks went down so our dollar went down. If you look at the big spike at the top that was during the Dow crisis and as you can see where one zigs the other one zags. Right now we're pretty much at the 1150 index point.

For a long time the investors were going from the stock market into the bond market and more for safety and as you can see the aggregate bond market pretty much stays – of course, you are going to see the red spikes those are February/March, but investors and plus the Feds buying bonds it pretty much went up on the aggregate bond market. The aggregate bond market is a whole mix of bonds so it's a lot of government bonds which we invest in. But there's also some corporate. We kind of index in this because they pretty much follow each other. You can see the corporate bonds, they spiked up when the Feds were buying some corporate and government munis. So about 3.5 billion flowed into that market back in October/November – the end of October more into November, of \$2 billion in April and again that's due to the Feds. This is a good market for us to engage in because we buy, all of the investments are fixed-income or government-backed in some manner, so it's always a good idea to keep on this benchmark right here.

This is the Lehman Brothers' ticker for the Aggregate Bond market and as you can see the lower spike in March and it's been pretty much on a rise and then it kind of dipped a little bit after August. Again, this is about the time that the Feds started to slow down on buying those bonds. So they're kind of like, investors are waiting to find out what exactly the Feds are going to do. They're waiting for next week's meeting to see how they're going to proceed with the crisis we're in. At several of my investment committee meetings I have noted where every time there's a Fed meeting, there's some kind of idea that they come out with and they just came out with. They even came out with going into negative rates which would pretty much hurt us because like if that would happen, we would have to pay a bank to hold our money instead of them giving us interest. Another idea was that for an artificial yield control, which they did that after World War II to pay off World War debt. What this is, that's manipulating the yield curve and there's no fluctuations. So there's no fluctuation in it and there's no difference in buying it from today and buying it from next week. They look at that model. I think

Japan right now is in that model and it's kind of working for them but of course, that's a different type of government and different economy. But they looked at that method.

So there was a point there that pretty much they really didn't know how to navigate and they were just repeating the same methodology that they're going to use. They're just going to use different tools in their toolbox to try and help this economy go on.

That five-year window is looking at from 2017 to 2018 where it was a steady raise. This reflects the point where we started to getting better yield on our portfolio because they started stepping it up pretty frequently. In fact, in 2018 they pretty much raising the yields about 25 basis points per meeting. So we were getting some pretty good returns there for awhile until this happened. We can look here at the Nasdaq Index that also shows steady growth until this year which has been a havoc year. It is looking better. Oil pretty much – and I think you can see it at the pump, Israel and Libya put a lot of oil in the economy last month and they're still doing it. It causes an over inventory with a lot of cities and states in lockdown, of course, the inventory is going to up and the prices go down. It's bad for our road funds that is dependent on that but the good news about that is that in Mexico the oil industry especially in the southeastern part of it they have decreased their wells from 20 to 63. So that's good because we rely on that. We're going to be expecting some better revenue from that market.

What does all of this really mean for Santa Fe County? A) the interest are still going to be – they are what they are so we're going to invest still what we have been in the methodology for the past pretty close to a year; however, we need to look to invest in shorter terms now because if by the third quarter, which I am anticipating the market may change at that point, so if we buy a three-year bond in July and it changes towards the end of the year, it would be underperforming. So we want to watch what's going on in the next three months to see what happens locally. Of course, this methodology, before we were buying higher term with longer call protection meaning that we were going to get higher yield for say six months of call protection. That means that that bond wasn't going to get called within that six months. We have a lot of bonds coming up now that are going to get called because they were in the six month/nine month call protection. That was just for safety measures. We're pretty much going to have to watch the next three to four months to see what happens not only locally but nationwide and worldwide to see what happens and how we can best serve our county. With that, I stand for any questions. I can't see the screen so you'll have to help.

CHAIR ROYBAL: Thank you, Treasurer Varela. Earlier what you missed out on was us thanking you for your service to Santa Fe County. We know this is your last BCC meeting and also to wish you a happy birthday.

TREASURER VARELA: Thank you.

CHAIR ROYBAL: I'm going to go to other Commissioners.
Commissioner Hansen, did you have a question?

COMMISSIONER HANSEN: Mr. Chair, no, thank you.

CHAIR ROYBAL: Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: No, not at this time, thank you.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: No, not at this time. Thanks a lot and thank you Treasurer.

TREASURER VARELA: Okay, let's move on.

9. E. **Resolution No. 2020-103, A Resolution Amending the Santa Fe County Investment Policy Adopted by Resolution No. 2019-132**

TREASURER VARELA: Every year we look at our Investment Policy. We look at it to see if there needs to be any adjustments, changes of language, if there is new legislation that we have to add in there and we do that. That's pretty much the best practice. I've learned from other municipalities in other states that their investment policies have never been touched and so when I came onboard that's one thing that I made sure that we've been doing. In that, we've been working the last few months because of the environment we're in we really couldn't meet, so I was adding in an item or topic per meeting to discuss on how we want to revise it. So you can see from the slide we only have two areas that we changed. The first one is out of when we had an internal audit and in March we had counseled the Investment Committee for when Covid and usually we have gone to the GIO which is the Government Investment Officers Associations big seminar that they have in Las Vegas yearly. So we had cancelled it and so they said we need to do something to fix that. The top was is the old and the bottom one is the new. We added item E to that which is identify potential violations and suggest remedial actions to achieve conformity with the Investment Policy and we actually added a line item on 3, it's, "Investment Committee and/or Board shall meet a minimum of 10 times in a calendar year in any month. When neither the Investment Committee nor Board meets the Treasurer or Treasurer's Office shall make available to the Investment Committee the monthly schedule of investments and balance sheet." Also, the other one we changed was the diversification table on the ETFs, as you can see. Before we have 25 percent and I'm not really sure how that came about. I don't know if it was a typo or what but we changed it to 5 percent of the portfolio. That came to light because we – an ETF is basically kind of like a mutual fund per se, I like to call it like an attaché case with a bunch of different investments in it. And the best way to invest is to diversify to begin with and to have different tools in the toolbox to rely on in different cases. For instance, if this was back in March/April there would have been a good time to invest in an ETF. Right now it wouldn't be worth it. This is just another tool in the tool box and so we brought forth and approved an ETF list to invest in and also we changed this in here.

I stand for any questions or a motion to approve.

MANAGER MILLER: Mr. Chair, this is Manager Miller and I just wanted to point out that in your packets because we adopt the Investment Policy by resolution we have added and you could do this now, but we added a resolution in your packet that actually amends our 2019-132 resolution which was the last time that you adopted changes to the Investment Policy. As the Treasurer says, we have been reviewing it every year and making amendments to it every year. We have done that at the Investment Committee level and then brought it to the Board to adopt by resolution. So in that resolution it states the items that are changed and I'll just read that one

paragraph. Whereas, the recommended changes consist of 1) changing the meeting requirements for the Investment Committee so the Investment Committee and/or Board must meet 10 times per year, and 2) reducing the diversification limit for Exchange Traded Funds to 5 percent of the County portfolio.

If you do want to adopt the changes as presented in the Treasurer's power point, I would just recommend making a motion to adopt that resolution and that we get a resolution number from the Clerk.

TREASURER VARELA: Thank you, Manager Miller, I forgot about that.

CHAIR ROYBAL: Okay, so is there any questions from the Board?

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: I would like to make a motion to approve a resolution amending the Santa Fe County Investment Policy adopted by resolution 2019-132.

CHAIR ROYBAL: Okay, we have a motion from Commissioner Hansen.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: And a second from Commissioner Hamilton.

Commissioner Hughes, do you have a question?

COMMISSIONER HUGHES: Just a quick question. Was this reviewed by the Investment Committee before coming to us or is this the first time any of us have seen this?

COMMISSIONER HANSEN: This has been reviewed by the Investment Committee.

COMMISSIONER HUGHES: Good, that's what I thought, thanks.

COMMISSIONER HANSEN: Both Commissioner Hamilton and I were at the last one and I believe that Chair Roybal was at the one before that so he has also seen it.

COMMISSIONER HUGHES: Very good, thank you.

CHAIR ROYBAL: Thank you, Commissioner Hughes. If there's not any other comments.

The motion passed by unanimous [4-0] roll call vote. [Commissioner Garcia was not present.]

F. Presentation of the County's Investment Report for the Five Months Ending November 30, 2020

TREASURER VARELA: I'll go ahead and do our balances. In our operations account we had and this is in our portfolio, we had \$132,803,327.56. Our core account has \$27,184,933.44. Our General Obligation Bonds 2011, has for \$4,512,543.02. Our GOB 2013 account has \$4,385,810.11 and our GOB 2018 has \$11,015,882.35. Our GOB 2019 has \$14,620,500.81. Our Schwab account has \$33,003,473.16. Our Housing portfolio has \$4,101,937.15. For a total of \$231,528,407.60. This is as of November 30th.

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Our net estimated income which is our yielding we're looking at about at Sunflower Bank total about \$2,973,750.26. UBS we have about \$157,280.19. From all the account and Charles Schwab we have about \$271,714.00. So if we're looking for this year to get about 3.4 million in yield income this is going to be lower next year as the yield rates are going down and the yield curve inverted and flattened. God willing that everything turns back around. I think we got 5.2 or something. In 2019 we got about \$5 million last year in 2020 so we're going to be going for – excuse me, not 2019, excuse me. Now we're looking at about \$10 million. Again, we're losing not getting as much yield but in the safety sense everything that we're invested in is backed so that's just the yield income that we have gotten in the past. So it's going to be going down as the yields have gone down.

Other account balances, we have the LANB Studio account which is the lockbox. We have \$5,157,035.29. We did a drawdown on that so we have what's going to be a little bit lower and we'll report that next time. I'm looking at the amount here, we've got \$209,217.00 back on that one so it's going to be that much less. Our various CDs we have \$1,260,901.46. First National Bank we had a balance of \$18,286,050.15. UBS we had 2013; \$1,313,439.37. UBS our government account we have \$20,360,538.26. Our UBS 2016 Improvement Bond we have \$6,062,561.91. Our UBS 2016 GRT we have \$515,937.32. UBS 2017 our 3.35 CD – it's a three year CD, it's \$250,000 but the interest on that is already \$20,094.70 and BYN Mellon our Portigon is \$2,791,512.66 for a total of \$65,977,071.13. So a grand total in all balances we have \$297,505,470.73. Our earnings, of course we have our 2.5 percent our CD, our First National bank accounts and all of accounts we're getting 40 basis points. Our five business accounts we're getting 17 which used to be 180. Our UBS we're getting 5 which used to be 205 and Schwab we're getting anywhere between 3 basis point and 156 basis points that's because we have some other investment vessels at the 1.56.

So as a farewell, I was Affiliate chairman for four years and as affiliate we passed about 23 bills through the New Mexico Legislature. Some of them I took forward myself. One of them was in 2013, we did a lot for property combines and splits so that is if there's going to be a consolidation or a split they have to pay the entire tax in full before. They weren't doing that in the mother account which was getting ignored and never paid. Now they have to pay it off so we're getting that money. In 2014, we passed a law to make broker fees permissible. In '15 we did a lot to allow CDARs and ICSs. In 2015, we did a law for green bonds. 2017 we did the law pertaining to FIDs and TIDs. And also the Supranational bill. And the FIDs and TIDs bill in 2017 were passed by default because governor Martinez chose not to sign it so they got passed anyway and in 2018 we did a whole 6-10-10 makeover so that's pretty good because a lot of lobbyists can't even get that many in their tenure. So in 2016 Santa Fe County went green meaning that we started buying green bonds and these bonds actually some of them pay a lot. They pay about 20 basis points over the Treasury which is good but also it's just good stewardship because we're actually helping shovel-ready projects go through. One of the things there, because I'm a musician, Taylor Guitars started going green which is nice but if you want to buy a guitar you have to pay almost \$3,000 for one but that's just something that I thought was neat – one of my dream guitars. Anyway, they're going

green. We went green. A lot of people ask if we do this so we do, we're going to stay green.

We had many firsts. I was the first treasurer to actually bring our office to the public. We did the outreach. Now there are six or seven counties have followed it. It was pretty successful. It was unfortunate that I was unable to do it this year at all. I started to do it in November than Governor Grisham then with the Covid so we had to cancel those ones so we didn't do that. But it's been a very successfully program. It hits everybody's district. Also, when I came in our investment policy had a lot of cheese holes like the Swiss cheese here but now I can say it's pretty solid. A lot of counties have modeled it after us and I think the City of Española modeled theirs after ours as well. And then of course as us being the bank we have to comply with the new Dodd-Frank Act and the Patriot Act guidelines which had to do a lot with the ACH types of transaction which is the Nacha compliance. That was in that time and then right now we're doing RDC which is remote deposit capture or Check 21. And then right here at the office we're going to do the RDC with a software called Jaguar which is actually a real time deposit so I was just trying to avoid audit findings because of the 24-hour rule I don't know how that's going to go over because we are inundated with mail right now and we're short-staffed so we have quite a bit of payments, in fact, I've been running payments all night here while I've been listening to the BCC meeting and I'd just like to say, you know, that I was proud to serve you guys. It's just been an honor to work with everyone and I just tried to represent the best I could Santa Fe County. I'm also on the GIOA Investment Board and I represent Santa Fe County which I have another thing in my hands and I have to look over the investment policy of City of Oceanside.

Overall, it has just been an honor to work with all of you and just to say thank you. I work closely with the Manager for all of these years and then of course with our County Attorney. Of course, being an elected office and working in these different areas I've had to work closely with Ms. Salazar the Clerk and with both Assessors Martinezes. So it's been an honor and I just want to say thank you.

CHAIR ROYBAL: Thank you, Treasurer Varela. And it's been an honor to serve with you side-by-side as an elected official for Santa Fe County. We really appreciate your dedication to the County and all of your hard work. Commissioners, I'll go to Commissioner Hansen then Commissioner Hamilton.

COMMISSIONER HANSEN: Thank you, Treasurer Varela for everything that you have done and all your help in educating me to understand the Investment Policy and the investment methods of the County. I am grateful to you so thank you very much and I wish you the wellness, Merry Christmas and a happy New Year.

TREASURER VARELA: Thank you, Commissioner and you too.

COMMISSIONER HANSEN: And happy birthday. I did say it earlier but I'll say it again.

TREASURER VARELA: Thank you.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: Yes. Treasurer Varela, it might seem an odd choice of words but congratulations on eight years of really great contributions. I hope it was as good for you. I know it was a great contribution to the County and it was

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great working with you. I really appreciate all the interactions and all of the coaching which hopefully got a little less necessary for me as time went on including coaching in some of the classes, the class I went and took with you which was very helpful. And I just wish you the very best in future endeavors and I'm sure this isn't going to be the last step on the long path. Hopefully it was a good one though. And happy holidays for sure and happy birthday.

TREASURER VARELA: Thank you.

CHAIR ROYBAL: Commissioner Hughes.

COMMISSIONER HUGHES: I obviously don't have as much to say but I can tell by this report that you've done a great job being a steward of the County's funds. So thank you very much and all the best in going forward.

TREASURER VARELA: Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hughes. Clerk Salazar, did you want to say anything as an elected official to Treasurer Varela.

CLERK SALAZAR: Yes, absolutely. As a colleague and elected official especially one that runs an office, I want you to know, Treasurer Varela that I have enjoyed hallway talks throughout the years. It's been great. We've been able to exchange information, knowledge and experiences especially when working and managing and leading an office, an elected office which has a lot of responsibilities and I think that we have both enjoyed what we have done in Santa Fe County in these offices. So I want to thank you for your friendship and the work that you have done and to let you know how much I have appreciated working with you and talking to you and I will take those memories with me. Thank you so much.

TREASURER VARELA: Thank you, Madam Clerk.

CHAIR ROYBAL: Thank you. Manager Miller.

MANAGER MILLER: Thank you, Mr. Chair. Treasurer, yes, I very much appreciate the working relationship that we've had over the last eight years. From actually the minutes you took office you were always willing to explore what we needed to do to improve our investment policy. Improve the office operations and improve our portfolio performance, make sure we didn't make risky investments and you've always been fun for me to talk to. I've enjoyed working with you on a personal level and thank you for your contributions. I have to say that you have truly grown as a treasurer from when you first started you were just like a sponge willing to take any conference, class, everything to learn as much as you can and then to becoming a contributor and somebody who sits on the committees at the government's investment officers association. So kudos to you, good job and thank you for all that you have done for Santa Fe County.

TREASURER VARELA: Thank you, Manager, thank you.

CHAIR ROYBAL: Thank you, Manager Miller. And then once again it's just been an honor to serve alongside of our County Clerk and County Treasurer. I know that you guys will still do great things and I look forward to seeing where and what you guys do from here forward. I guess as Commissioner Hamilton said, congratulations on such a successful career as elected officials at Santa Fe County. Great job and good luck to your future endeavors. We'll always been here as friends and we'll be on the Commission for a little bit longer, or at least I will couple more years, so if you guys ever need anything, please reach out to us.

TREASURER VARELA: Great, thank you.

CLERK SALAZAR: Thank you, Chair Roybal. You're always so courtesy and acknowledge the other elected officials which we truly appreciate. Thank you so much.

CHAIR ROYBAL: You're welcome.

9. G. Adjourn and Reconvene as Board of County Commissioners

Commissioner Hansen moved to adjourn and reconvene as the Board of County Commissioners at approximately 9:35 p.m. Commissioner Hamilton seconded and the motion passed by unanimous [4-0] roll call vote. The following Commissioners were present:

Members Present:

Commissioner Henry Roybal, Chair
Commissioner Anna Hansen, Vice Chair
Commissioner Anna Hamilton
Commissioner Hank Hughes

Members Excused:

Commissioner Rudy Garcia

10. MATTERS FROM THE COUNTY ATTORNEY

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

MR. SHAFFER: Mr. Chair, Commissioners, I would request a motion to go into executive session to discuss limited personnel matters as allowed by Section 10-15-1 (H) (2) NMSA 1978; 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

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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, and 3. Executive Management Personnel Matters.

And, Mr. Chair, I would just note that executive session is by a separate Webex meeting so if the motion to go into executive session is made and past we'll need to log out of this meeting and log into that meeting before we come back to take care of two items that remain.

CHAIR ROYBAL: Okay. Commissioner Hansen, would you like to make the motion.

COMMISSIONER HANSEN: Thank you, Mr. Chair. I move we go into executive session to discuss what Attorney Shaffer presented.

CHAIR ROYBAL: Thank you. Do I hear a second?

COMMISSIONER HUGHES: Second.

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

Commissioner Roybal	Aye
Commissioner Garcia	No present
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Hughes	Aye

CLERK SALAZAR: Thank you all and have a very good evening. This is the last event for Clerk Salazar. Happy holidays, merry Christmas and a happy New Year and blessing to all.

COMMISSIONER HANSEN: Madam Clerk, we have one more resolution to pass –

CHAIR ROYBAL: It's to publish –

MANAGER MILLER: Mr. Chair, Commissioners, it's just a request to publish title. The Clerk does not need to be present.

CHAIR ROYBAL: Madam Clerk, once again it has been an honor. Happy New Year and I hope you have a blessed holiday season.

CLERK SALAZAR: Thank you so much. Good night everyone. Take care.

MANAGER MILLER: Good night, Madam Clerk.

[The Commission met in executive session from 9:38 p.m. to 10:07 p.m.]

COMMISSIONER HAMILTON: Mr. Chair, I'd like to move to come out of executive session and indicate that the only things that we discussed were those things

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that were listed by Attorney Shaffer in our motion to go into executive session.

COMMISSIONER HUGHES: Second.

The motion to return to open session passed by unanimous [4-0] roll call vote.
[Commissioner Garcia was not present.].

10. B. Request Approval of Settlement Agreement Between Santa Fe County and Caja del Rio Holdings, LLC

COMMISSIONER HANSEN: Thank you, Mr. Chair. I would like to make a motion to request approval of Settlement Agreement between Santa Fe County and Caja del Rio Holdings, LLC.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: Motion from Commissioner Hansen and second by Commissioner Hamilton. Any discussion, any other comments?

The motion passed by unanimous [4-0] roll call vote. [Commissioner Garcia was not present.].

10. C. Request Authorization to Publish Title and General Summary of Ordinance No. 2021-___, an Ordinance Amending Ordinance 2016-3, The Place at Caja Del Rio LEDA Project Ordinance, to Authorize the Execution of an Amended and Restated Project Participation Agreement Extending the Deadline for the Project Party's Substantive Contribution and Making Other Changes

COMMISSIONER HANSEN: Mr. Chair, I'd like to request authorization to publish title and general summary of Ordinance number 2021, an ordinance amending Ordinance 2016-3, the Place at Caja del Rio LEDA Project Ordinance, to authorize the executive of an amended and restated project participation agreement extending the deadline for the project party's substantive contribution and making other changes.

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

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: Second from Commissioner Hughes. Anything else under discussion?

The motion passed by unanimous [4-0] roll call vote. [Commissioner Garcia was not present.].

CONCLUDING BUSINESS

A. Announcements

CHAIR ROYBAL: Manager Miller.

MANAGER MILLER: Thank you, Mr. Chair, Commissioners. I just want to bring up a point that perhaps you can provide me some feedback on and that is

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that every year the governing body and this is required by statute, every county, every municipality, needs to conduct an annual site visit to the jail or detention center under its jurisdiction to inspect the overall conditions of the facility. Following a site visit an inspection report is presented at a regular meeting of the governing body. As you know, this year with the pandemic we have been limiting entry into the jail and so we did not schedule our typical visit where the entire governing body has gone in under part of our regular board meeting to do that inspection.

I would like to recommend that due to the pandemic and the risk posed by Covid-19 to jail that an on-site visit such as that is not really advisable of the whole board and I was thinking to do a virtual site visit. I could do it myself alone or I could do it with a designated Commissioner and record that inspection of the facility that's normally parts of the facility that are visited by the Board and then play that recording at a regular BCC meeting and the report made of that inspection. Or I could schedule an in person on site visit to tour Commissioners individually.

I am open to however you would like to handle it but I thought perhaps either designating me or one of the Board members to do that with video equipment would maybe be the most productive way to do it.

CHAIR ROYBAL: Okay. Commissioner Hamilton?

COMMISSIONER HAMILTON: I have no problem with either of those suggestions. But I guess when you first starting saying -- suggesting the idea of doing it virtually, limiting live contact, you know, when we all did it together part of the tour was the questions that were asked. Given that we can do Webex meetings, one person could be there live and people can -- we can be doing the tour and be able to ask the questions over Webex which doesn't sound like what you were suggesting. Now maybe that's a little too complicated to actually implement which I'm fine with if that's the decision. And certainly if you do a tour or if you plus another Commissioner does a tour and films it and some questions are asked, you know, if Director Sedillo is present and presumably and other needed senior staff at the next BCC meeting where you would play this we would have the opportunity to ask questions then and that would serve the same purpose, I suppose. So, I think it's a fine idea and yeah either one sounds fine with me.

CHAIR ROYBAL: Yeah, I would say that either one sounds fine too. We might get a little more out of a virtual tour that all Commissioners could ask questions but we'll just have to look to see what would be more feasible and if it would be more difficult to do that. Commissioner Hansen, I saw your hand up.

COMMISSIONER HANSEN: Yes, thank you, Mr. Chair. I support the idea of doing the video tour and having the warden at a meeting. I know that you need to do this possibly by the end of the year so it might be challenging not to have Pablo there or maybe we have a little bit more time. But the warden could always come to the meeting and answer a number of questions for us. We don't have the youth detention center which I think is a good thing. It would just be the adult detention center and as much as I will miss not being able to go to the jail and checking it out. I think that this is the next best thing. So I would just vote for a video.

CHAIR ROYBAL: Go ahead, Manager Miller.

MANAGER MILLER: Commissioner Hansen does bring up a good point and that is December 31st. Part of why we didn't schedule one is that I think we kept

hoping that the Covid situation would get better and we would be able to do our inspection in the same way as we've always done it with the entire Board. So we haven't done one for 2020. In order to meet that requirement I was hoping we would do the video with either just me or me and a Commissioner, or a Commissioner before the end of the calendar year and then present it to the Board at the beginning of 2021 and then the next one either we wait until we can all go in there or we could do, as you were suggesting, do it live. I don't know. I'll have to work on how well that works to walk around with a camera and try and do a Q and A that way. I'd have to test that. I think that might be a little challenging.

CHAIR ROYBAL: Does the facility have Wi-Fi or anything like that? How would that be accomplished?

MANAGER MILLER: It is off of 14 and I can't say our internet is the best out there.

COMMISSIONER HAMILTON: Mr. Chair.

CHAIR ROYBAL: Yes, Commissioner Hamilton.

COMMISSIONER HAMILTON: If you actually just did the tour or whoever or with somebody and you videoing – are you going to video the tour?

MANAGER MILLER: Yeah, that was my thought, to video the tour along with a list of things that we want to make sure that we inspect and ask questions about. So I would video that and then we'd play that and you'd have opportunity with the warden and his staff at the BCC meeting to ask questions of the warden and his staff as the video is playing. Maybe we'd go into the medical area, do the video, pause the video and you could ask the medical staff questions.

COMMISSIONER HAMILTON: I think that is by far adequate. When I was talking about it and suggesting doing it live and then I realized that you could show the video and have the people that you're going to ask the questions of there at the meeting during the video. It's just as good. I don't see doing the hassle of trying to do it real time. I think it's a great idea.

MANAGER MILLER: Great, thank you.

CHAIR ROYBAL: I'm okay with that too.

MANAGER MILLER: I think Commissioner Hughes –

CHAIR ROYBAL: Yes, Commissioner Hughes hasn't been to the facility so he might be the one that we should maybe send. Manager Miller, were you saying something else?

MANAGER MILLER: I saw that Commissioner Hughes had a comment.

CHAIR ROYBAL: Oh, okay, Commissioner Hughes, go ahead, sir.

COMMISSIONER HUGHES: No, I think you guys have solved it. I think the video visit and I don't feel the need to go until everybody has been vaccinated. I think that makes sense especially me and probably more important the detainees who are also very vulnerable. The fewer people the better until we've all been vaccinated. I look forward to an in person visit sometime next year.

CHAIR ROYBAL: Okay.

MANAGER MILLER: Okay, then that is what I'll do and we'll get that scheduled with the warden and then I'll work it into our agenda in the first part of the year.

CHAIR ROYBAL: Sounds good. Any other comments or suggestions from the Board? Commissioner Hansen, did you have a question or comment or were you going to make a motion to adjourn?

COMMISSIONER HANSEN: I was going to say, Happy Holidays.

B. Adjournment


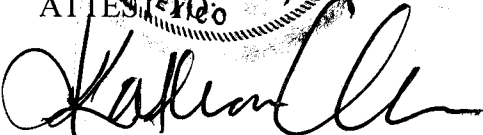
COMMISSIONER HANSEN: I make a motion to adjourn.

CHAIR ROYBAL: I'll second and to all of our constituents have a blessed and happy holiday, be safe and remember to social distance.

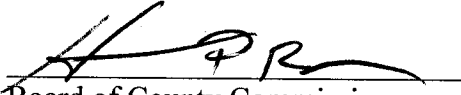
COMMISSIONER HUGHES: Mr. Chair, I just want to thank all of you for welcoming me on this Board. I feel very at home with all of you and it's a great place to be and serve our community. So thank you and as well happy holidays to all of you.

COMMISSIONER HAMILTON: Yes, happy holidays to everybody.


Chair Roybal declared this meeting adjourned at 10:20 p.m.

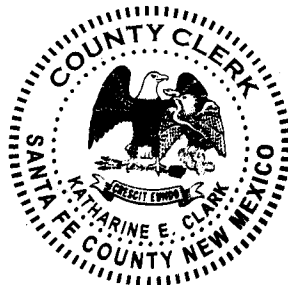

ATTEST

KATHARINE CLARK
SANTA FE COUNTY CLERK

Approved by:


Board of County Commissioners
Henry Roybal, Chair

Respectfully submitted:

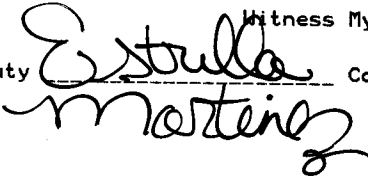

Karen Farrell, Wordswork
453 Cerrillos Road
Santa Fe, NM 87501



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 101

I Hereby Certify That This Instrument Was Filed for
Record On The 26TH Day Of January, 2021 at 05:56:21 PM
And Was Duly Recorded as Instrument # **1941556**
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Katharine E. Clark
Deputy  County Clerk, Santa Fe, NM

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