

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
MEETING
March 26, 2019

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

SFC CLERK RECORDED 05/03/2019

SANTA FE COUNTY

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

March 26, 2019

I. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:43 p.m. by Chair Anna Hamilton in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

B. Roll Call

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

Members Present:

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

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance was led by Rosalie Vigil, the State Pledge by Fernando Garcia, and the Moment of Reflection by David Ingrassia of the Community Services Department.

I. F. Approval of Agenda

1. Amendments

2. Tabled or Withdrawn Items

KATHERINE MILLER (County Manager): Madam Chair, Commissioners, in front of you is the amended agenda which was posted last Friday at 1:30 am. We had a couple of additions and one tabled item, so on page 3, under item V. Matters from the County Manager, we have added discussion and direction on bills awaiting action that were passed in the 54th legislature. So that item was added.

Then under Matters from County Commissioners, item VI. A. 1, the resolution

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has been tabled to the April 9th BCC meeting. And then one additional requested adjustment is to move Matters from Other Elected Officials, that's item VII. A up to right after the action items. So it would be between action items and Matters of Public Concern.

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

COMMISSIONER HANSEN: Madam Chair, I move to approve the agenda with changes.

COMMISSIONER ROYBAL: I'll second.

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

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

- I. G. **Approval of Minutes**
 - 1. **Request Approval of the February 26, 2019, Board of County Commissioners Meeting Minutes**

COMMISSIONER HANSEN: I move to approve the February 26, 2019 for the regular meeting. I have submitted my changes to the stenographer, so with changes.

COMMISSIONER ROYBAL: I'll second with the changes that were submitted by Commissioner Hansen.

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

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

- 2. **Request Approval of the February 26, 2019, Board of County Commissioners Special CDBG Meeting Minutes**

CHAIR HAMILTON: What's the pleasure of the Board with respect to the special CDBG meeting minutes?

COMMISSIONER HANSEN: I request approval of the February 26, 2019 Board of County Commissioners special CDBG meeting minutes, no changes.

COMMISSIONER MORENO: Second.

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

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

- I. H. **Employee Recognitions**
 - 1. **Recognition of Years of Service for Santa Fe County Employees**

MS. MILLER: Madam Chair, thank you. Recognition of years of service for Santa Fe County employees – as you know, we recognize employees and we started this program in July of 2014 but we try to recognize those employees on a monthly basis

who have completed years of service in five-year increments. We truly appreciate employees who stay with the County and value employee retention and it's important to express our appreciation to those employees.

So in your packet is a list of employees. Interestingly, typically we have employees that hit five years, ten years, fifteen, twenty, but this month for the month of March we only had people who hit a five-year anniversary that were hired in March of 2014, and that in the Sheriff's Office, Jared Mosher, and in the Fire Department, Garrett Grantham Philips, Randal Haugen, Jr., Anthony Leyba, Alexander Locklin and Jacob Mares. And then in Growth Management, Chris Vaisa. In Corrections, Ruben Blea, and in IT, Jeff Espinoza.

So I'd just like to thank them for their dedication to Santa Fe County and their five years of services.

CHAIR HAMILTON: Excellent. Thank you. Any -

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Roybal.

COMMISSIONER ROYBAL: I just want to say congratulations to these individuals that completed their five-year anniversary and just let them know that we're grateful for their service and hope to continue working with them. Thank you.

CHAIR HAMILTON: Thank you. Anybody else? Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I just want to thank people for having worked here for the past five years. I say this on a regular basis but I say it because it's true. Santa Fe County is a great place to work and we are grateful for your service. So thank you very much.

CHAIR HAMILTON: Thank you. Any other comments? Before we move forward with the next set of recognition of hires I want to recognize our County Sheriff, Adan Mendoza. Thank you for attending.

I. H. 2. Santa Fe County New Hires in February 2019

MS. MILLER: Madam Chair, then the other item of employee recognition are Santa Fe County new hires. In the month of February this year, and there's a list of those in your packet, but I will do my best to read them all out quickly, just to welcome them to the County. In our IT Department we have Ivy Cordova and Rodger Crabtree. In our County Assessor's Office, Marcus Leyba. In the County Clerk's Office we had several absentee precinct board members and that's Cindy Benavidez, Charlene Benevidez, Thomas Bleich, Paul D'Arcy, Katherine D'Arcy, Maria De Anda, Mary Gutierrez, Patricia Padilla de Marti, Joseph Sabo, Jeannie Sena and Sylvia Vigil.

And then in our County Treasurer's Office, we have a new Chief Deputy Treasurer. I don't know if you've had an opportunity to meet her. Jennifer Manzanares, welcome to her. And then in Corrections we have Jonathon Farmer, Beverly Maestas, Robert Martinez, Richard Pacheco, Andrew Rodriguez and Fernando Ruiz. And then in our Fire Department, Deidre Africa, Madeline Wells, and in our RECC or dispatch center, Robert Spear. In Public Works, Gilbert Montoya, and in the Sheriff's Office, Justin Gioffredo and Diego Lovato.

So I just want to welcome all of them to Santa Fe County and I hope in five years I'll be congratulating them for their five years of service.

CHAIR HAMILTON: Absolutely. Commissioners, any comments?

COMMISSIONER ROYBAL: Madam Chair, I just want to congratulate the new employees and just say that I look forward to a long and productive working relationship and congratulations once again and welcome to Santa Fe County.

CHAIR HAMILTON: Thank you so much for expressing that. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, as an individual who worked for the County for many years, a great place to work and I would also just like to welcome aboard the new County employees as well.

CHAIR HAMILTON: Excellent. Thank you so much.

II. CONSENT AGENDA

A. Final Orders

1. **CASE SLTE #16-5091 Turquoise Trail North Plat Extension.**
RCS-Turquoise Trail South I, LLC, Applicant, Jenkins Gavin, Agent, Requests a Plat Extension of the Turquoise Trail North Phase Subdivision, Consisting of 290 Dwelling Units on 101.49 Acres. The Project is Located in the Community College District, Which is a Planned Development District Located East of State Road 14 and North of Vista del Monte, within Sections 24 And 25, Township 16 North, Range 8 East SDA-1 (Commission District 5) The Project Also is Located in a Village Zone Comprised of Three (3) Sub-Districts: (1) Neighborhood (31.10 acres); (2) Neighborhood Center (8.67 acres); and (3) Open Space and Fringe Zone (61.72 acres) (Approved 5-0) Nathan Manzanares, Case Manager

B. Resolutions

1. Resolution 2019-44, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) for the Volunteer Fire Assistance Program (VFA) Grant Award in the amount of \$11,000. (Finance Division/Erika Thomas)
2. Resolution 2019-45, a Resolution Requesting a Budget Increase to the Law Enforcement Fund (246) in the Amount of \$25,000 for the Region III HIDTA Grant Award. (Finance Division/Erika Thomas)
3. Resolution 2019-46, a Resolution Requesting a Budget Increase to the Community Development Block Grant Fund (250) in the Amount of \$6,857 for Re-roofing at the Santa Cruz Housing Site (Finance Division/Erika Thomas)

C. Miscellaneous

1. Request Approval of County Health Care Assistance Claims in the Amount \$2,525.25 (Community Services Department/Jennifer Romero)

CHAIR HAMILTON: Does anybody have any items they want further discussion on on the Consent? What's the pleasure of the Board?

COMMISSIONER ROYBAL: Madam Chair, I'd like to move for approval of the Consent Agenda.

COMMISSIONER MORENO: Second.

COMMISSIONER HANSEN: I'll second.

CHAIR HAMILTON: Excellent. I have a motion and two seconds.

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

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

III. ACTION ITEMS

A. Items from Consent Agenda Requiring Extended Discussion/ Consideration

There were no items isolated for discussion.

B. Appointments/Reappointments

1. Request Approval of the Reappointment of Four Members and the Appointment of One Member to the Santa Fe County Fair Board

ANNA WAR (Community Services): Good afternoon. Today I am bringing forth the reappointment of five members of our County Fair Board as well as one new appointment. Back in the annual meeting the Fair Board had five members whose terms were expiring at the end of the year. They are Terri Werner, Eric Sanchez, Karen Paige, Gary Runer and Lisa Boulware. Of those five, we are asking today that you reappoint the first four, Terri, Eric, Karen and Gary. Lisa Boulware chose to resign that day.

The board at the annual meeting chose to go ahead and nominate Mark Anaya from Edgewood to fill Lisa's position. Mr. Anaya is a member of Santa Fe County 4-H. He has also been highly involved in the Santa Fe County Fair Association. He is married and has two children who are involved in 4-H. He has also been a 4-H leader and for the past couple of county fairs he has served as the barn manager. So today we are asking that you approve the reappointment of Terri Werner, Eric Sanchez, Karen Paige, Gary Runer and that you accept the appointment of Mark Anaya. With that I stand for questions.

CHAIR HAMILTON: Thank you so much, Anna. Yes, Commissioner

Garcia.

COMMISSIONER GARCIA: Madam Chair, I was going to make a motion.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: It's been mentioned to me that the Fair Board and the county fair could be an opportunity for Santa Fe County to grow it in a way that some other county fairs outside, like Washington State has a really interesting county fair. So I am wondering if the County Fair has a master plan or a plan to possibly bring in more vendors or to expand or to raise the consciousness and awareness of people in the community about the fair. Because I think that it is a really sweet, hometown county fair, but I think it has potential, and I would like to see some potential happening with the county fair.

MS. WAR: Thank you, Madam Chair, Commissioner Hansen. We've already started planning the county fair. We have a lot more association members this year, some new faces, and they've brought some new ideas. Things we've done in the past with the county fair are going to be changing this year. Many things around the family fun day – they've actually taken away the barnyard Olympics and they're replacing it with some other fun things. We're also looking at new vendors so they've actually had an early start on the vendors. Some of the same vendors that have been there before that we heard some things last year from the public won't be with us this year but we have a lot of new vendors that have requested to be a part of the fair.

As far as our public relations, our fair board member Natalie Baca who's in charge of that is actually looking at different ideas of who we usually advertise with. We are also partnering with the City of Santa Fe, Jackie Camborde. They do a Southside Santa Fe advertising and last year they actually invited us to do a radio spot with Jackie. They've invited us to do that again, as well as for one of their Southside movie nights at Swan Park, they've invited us to bring a few animals, so before the movie we can sort of drum up some PR for the county fair but also show people some of the animals and make it educational as well as fun. So there are some new things that we're looking at for this year.

COMMISSIONER HANSEN: Thank you. I'm happy to hear that, because I would like to see some more energy and more community participation in the fair. I think it has the ability to be a little more engaging, so I'm happy to hear that things are moving in that direction.

MS. WAR: Madam Chair, Commissioner Hansen, thank you. Yes, it's been some really productive meetings and you'll be happy to know that I'm also speaking with Neal Denton about making it a zero waste event.

COMMISSIONER HANSEN: I really appreciate that.

CHAIR HAMILTON: Great.

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Just on that note, once again for an individual that's worked for the County for several years, in the last 10, 11 years I think the county fair has done an excellent job. As in promoting the fair, any additional items that we can promote the fair would be great. I can remember when there used to be RVs

that used to stay out there at the county fair. Now I think we're having a hard time finding RV spaces out there for all the individuals that come and stay over night for the different activities that happen at the fair. Probably 80, 90 percent of those individuals that actually participate in the county fair are from my part of the district, which is the southern part of the district and I totally appreciate all the individuals that participate in the fair.

One of the things that we possibly could do as Commissioners is possibly talk to our constituents within our immediate district areas and see how our individual districts can get more participants. So that would be a good thing, maybe Commissioner Hansen, if we could talk to some people from the Agua Fria Village to participate a little bit more in the fair. But I think we're doing an excellent job. I think it's an opportunity to have a lot more vendors. That's great.

And with that I'd like to make a motion to approve staff's recommendations, as well as the new one, the fifth individual that staff recommended.

COMMISSIONER ROYBAL: Okay. I'll second.

CHAIR HAMILTON: Great. I have a motion and a second. There's further discussion. Commissioner Hansen.

COMMISSIONER HANSEN: I think that getting more people to participate and enter their flowers or enter their chickens or bunnies is always a good thing and those of us who have rural participation in our community, it's a real opportunity. I'm going to go out and mention that to the people that have now taken over the community farm in Agua Fria Village because that would be a great place for them to share what they're doing there. So thank you.

CHAIR HAMILTON: Commissioner Moreno.

COMMISSIONER MORENO: Thank you. For all the people watching on your computers, give us the dates of the fair.

MS. WAR: Sure. The fair starts, Madam Chair, Commissioner Moreno, the last Wednesday of July. I believe it's July 28th, 29th [sic] and runs through Saturday, August 3rd. And Saturday, August 3rd is family fun day. Friday, August 2nd is our senior day, and we transport a lot of our seniors from the various centers to come and a lot of them actually show their work. A lot of them do bead work, ceramics, painting, photography.

COMMISSIONER MORENO: Thank you.

CHAIR HAMILTON: Excellent. Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. I did want to ask, are they still having the competition for the smoking or barbecue?

MS. WAR: Madam Chair, Commissioner Roybal, they did not have that last year. I know they're looking at the salsa and chile contest and this year one of the new things is a watermelon eating contest. But there has been no mention of the barbecue contest this year.

COMMISSIONER ROYBAL: I'll volunteer to be a judge if you need that. I do want to say thank you to the 4-H and the Extension Office. You guys do a great job. I think that the fair has grown over the years. The 4-H is a great program that my son participated in as well. It has such a broad use. There's so many different things that kids can do. I've seen from archery to shooting sports to hunting, to welding, to carpentry and

cooking, weaving – you name it. There’s something for every child to be in and I just want to really thank the people that have volunteered to sit on this board. They take a lot of time out of their day to be leadership to our children and our community. So I can’t express enough gratitude to the time that they do spend and congratulations to Mark. Mark Anaya is our former Commissioner Anaya’s brother I think and it’s probably a lot more work but we appreciate everything they do so if you could relay that message to them I’d appreciate it. Thank you.

MS. WAR: Madam Chair, Commissioner Roybal, I will do that and thank you to all the members of the Commission for your support.

CHAIR HAMILTON: Thank you so much. So if there isn’t any further discussion we have a motion and a second.

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

III. C. Resolutions

1. Resolution 2019-47, a Resolution Establishing the Tesuque Community Planning Committee and Authorizing a Community Planning Process for the Tesuque Community District

ROBERT GRIEGO (Planning Manager): Madam Chair, Commissioners, this resolution is to establish the Tesuque Community Planning Committee and authorize a community planning process in accordance with Section 2.1.5 of the Sustainable Land Development Code. The original Tesuque Community Plan was adopted in 2000. It was one of the first community plans adopted in the county. The plan was updated in 2013.

This request is to – the Tesuque Valley Community Association submitted a letter of application to establish the Tesuque Planning Committee. The rationale for updating the plan that was provided included that the existing community plan is well supported by the community but there’s a need to update the plan for consistency with the SGMP and also to provide an update to the consistency between the community plan and the Tesuque Community District overlay in the SLDC. So after the establishment of this community plan process we will begin initiation of the Tesuque Community District overlay process.

Included in your packet is the proposed community planning boundary which is the existing Tesuque Community District boundary. The community planning process will include a public participation plan. There’s an initial list of representative committee established but part of the process with the community plan will include an open public participation process. All meetings will be open to the public and will be noticed in accordance with the procedures in the SLDC.

We will also establish a public participation plan as part of the process. The application that was submitted by the Tesuque Valley Community Association was reviewed in accordance with the SLDC process and staff has reviewed it and would like to – we request recommendation to initiate this process. We anticipate that the process will be a streamlined process, working with them, since they already have an existing community plan in place. We would try to streamline the process to complete the

necessary consistency review and update process. This concludes my presentation and I stand for questions from the Board.

CHAIR HAMILTON: Thank you so much. So Commissioners, are there questions or discussion? Commissioner Hansen

COMMISSIONER HANSEN: I move to approve the Resolution Establishing the Tesuque Community Planning Committee and Authorizing a Community Planning Process for the Tesuque Community District.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: I have a motion and a second. Yes, Commissioner Garcia.

COMMISSIONER GARCIA: A couple of questions in regards to Mr. Griego. On Exhibit B, I see the map which includes the Tesuque Village Market area. What about the Rancho Encantado area and the Rio en Medio area? Are those different communities or are they going to have their own community plan?

MR. GRIEGO: Yes, those are separate communities. They do not have a community plan. We have engaged in conversations with the Rio en Medio community and other communities in that area, but they have not initiated or they have not submitted a request to initiate a process at this time.

COMMISSIONER GARCIA: Thank you.

CHAIR HAMILTON: Any further discussion? Commissioner Hansen.

COMMISSIONER HANSEN: On the map, what is the bottom line, the border? Where there's that little arrow out? I can't see – it doesn't tell me the road or is it a road?

MR. GRIEGO: Yes, that is the city boundary in that area.

COMMISSIONER HANSEN: So that is the end of the city.

MR. GRIEGO: Yes. The southern boundary of the Tesuque Community is the City of Santa Fe.

COMMISSIONER HANSEN: Okay. Great. Thank you. I just wanted to make sure.

CHAIR HAMILTON: Any further discussion? So I have a motion and a second.

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

III. C. 2. Resolution 2019-48, a Resolution Requesting a Budget Increase to the Road Projects Fund (311) and Road Fund (204) for the Local Government Road Fund (LGRF) Grants in the amount of \$524,184

ERIKA THOMAS (Finance Division): Good afternoon, Madam Chair, Commissioners. What you have before you is a budget resolution in the amount of \$524,184. If you look at the memo it's divided by three different grants. The total of all the grants is \$393,138, and our match, which is 25 percent, is \$131,046. Robert Martinez is also here if you have any questions regarding the road portion. This is a DOT grant that we receive annually.

CHAIR HAMILTON: Excellent. Thank you very much, Erika.

Commissioner Garcia

COMMISSIONER GARCIA: I have a question for Mr. Martinez. In regards to the projects that are chosen or these grants, how does staff go about choosing the road projects?

ROBERT MARTINEZ (Deputy Public Works Director): Madam Chair, Commissioner Garcia, so we have a pavement preservation program where we evaluate all our paved roads, and it's called PASER. It's a rating from one to ten, ten being a new road; one needing total construction. So we've been pretty pro-active in doing pavement preservation treatments for the last seven years or so and because of this program we've been able to keep our paved roads at average of 6.5, which is good.

These roads were approved by the Board last year so what you're doing today is just budgeting the money because we are doing these treatments this spring and summer.

COMMISSIONER GARCIA: Thank you. Then also, Madam Chair, in regards to, as an example, the Camino los Abuelos Road and Juan Medina Road, the grant match is \$76,283 so the grand total is \$305,000. Does that mean that the County is going to put in the match?

MR. MARTINEZ: Madam Chair, Commissioner Garcia, yes. The total amount of the grant, inclusive of the County's match of the three are \$524,000. So out of that the County is roughly contributing \$131,000.

COMMISSIONER GARCIA: Thank you.

CHAIR HAMILTON: Thank you. Any other questions or discussion? So what's the pleasure of the Board? Commissioner Hansen.

COMMISSIONER HANSEN: I move to approve a resolution requesting a budget increase to the road fund.

COMMISSIONER ROYBAL: Second.

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

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

III. C. 3. Resolution No. 2019-49, a Resolution Approving a Budget Increase to the 2019 Revenue Bond Series Fund (359) and the Debt Service Fund (406) in the amount of \$30,476,138

MS. THOMAS: Good afternoon, Madam Chair, County Commissioners. What you have before you is the budget resolution to budget the funds from the bond sale that occurred on February 14th, and I remember that because it was on Valentine's Day. On January 29, 2019 the Santa Fe County Board of County Commissioners authorized the sale and issuance of the 2019 revenue bond series and what we're doing today is budgeting the funds that were received on March 13th.

We ask your approval of this resolution in the amount of \$30,235,679. And I stand for any questions.

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Garcia.

COMMISSIONER GARCIA: I'd just like to thank Erika and whoever

your team is actually for doing a good job in providing all these materials for one of the jobs that you have, the many titles that you carry. Or not carry, but a lot of the things that you do in the Finance Department. But thank you for you and whoever your team is for the hard work. Thank you.

MS. THOMAS: Thank you.

COMMISSIONER GARCIA: And with that, Madam Chair, I'd like to make a motion for approval.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. Any further discussion? Manager Miller.

MS. MILLER: Madam Chair, I just have a question. Erika, on the amount – the amount of the BAR that is in the packet as well as the title is \$30,476,138, but you said \$30,200,000- something. So I just want to make sure we have the right amount.

MS. THOMAS: Yes. So it gets a little confusing. So if you look on the second page of the BAR, because we're doing the debt service transfer at the same time, it adds an amount, but I will double check the numbers. If you get the \$30,476,000 total and subtract the \$239,355 from the second page I believe we come up with the – I'll have to look. I'm sorry. Let me look at it again. I did it like five times, because this was such a big amount. The \$30,715,000 and then if subtract the \$239,355 from the transfer for the debt service, I believe the total is \$30,476,000, but I'll double check that.

MS. MILLER: Okay. I just wanted to make sure. So that's what they're approving is the \$30,476, 138?

MS. THOMAS: Yes.

CHAIR HAMILTON: Is there any reason to approve with potential that that may not be the right thing to do? Do you think there's sufficient question on the actual amount?

MS. THOMAS: So the amount of the bond sale was – let me see if I have that - \$30,235,679, and then we had to do an addition, a transfer, so transfers are counted twice when we do the transfer, because we'll have to make a payment on June 1, 2019. So the BAR is higher than what we actually receive because of the transfer.

CHAIR HAMILTON: And that transfer is listed here as the debt service from the debt service fund?

MS. THOMAS: Yes.

CHAIR HAMILTON: For \$240,000, etc.

MS. THOMAS: Yes.

CHAIR HAMILTON: Okay.

MS. THOMAS: So we received \$1,104 in interest on that day that is allocated specifically for the debt service and then we're transferring \$239,355 from the hold harmless GRT to make our first payment on June 1st.

CHAIR HAMILTON: Okay. I think I'm clear. Manager Miller, are you satisfied or are there remaining questions?

COMMISSIONER GARCIA: Madam Chair, is it okay if we actually set this aside for a little bit so the Manager and Erika can just sit down and make sure we're okay with it?

MS. MILLER: Madam Chair, yes. I just gave a different amount than

what is the actual paperwork and what's on the agenda. And I just want to make sure – I believe that the correct amount relative to the BAR and the action item is the \$30,476,138, but you gave an amount of \$30,200,000-and some, so it's going to make the record off and that's why I'm trying to correct. So I think that would be a good idea, Commissioner Garcia. Can we just hold on the approval of this until I can double check with her that for the record we have the correct amount.

CHAIR HAMILTON: Are we going to just hold off on this in the current agenda? We're not tabling this, right?

COMMISSIONER ROYBAL: No, we're just going to move on to the –

CHAIR HAMILTON: Okay, we're going to move on to the next item. We're just going to hold off and move to the next item. Thank you. So that's going to take us to –

COMMISSIONER HANSEN: Point of order. I think that we should just table that item for –

CHAIR HAMILTON: Tabling it means we don't take it up until the next meeting.

COMMISSIONER HANSEN: Okay, so then maybe Commissioner Garcia would like to withdraw his motion for the time being.

COMMISSIONER GARCIA: So, Madam Chair, my motion is there to table. Maybe the attorney could actually give us some direction. We just actually want to put it aside for now so the acting Finance Director and the Manager can take care of it.

BRUCE FREDERICK (County Attorney): Madam Chair, Commissioner Garcia, I think they'll have this matter resolved very quickly and perhaps the Commissioner could withdraw the motion to table.

CHAIR HAMILTON: So Manager Miller, are we ready to get some additional information?

MS. MILLER: Yes, Madam Chair. The item is correct on the agenda and in the packet material. It is approval of a budget adjustment, a budget increase of \$30,476,138. Erika was reading another number off of the memo. But that's the actual total BAR, budget adjustment.

CHAIR HAMILTON: Okay, I'm satisfied with that. Is everybody satisfied with it? So we have a motion and a second.

COMMISSIONER GARCIA: As long as Manager Miller is okay.

MS. MILLER: So Madam Chair, Commissioners, if you look at the memo, the first sentence in the memo, it's the revenue bond series fund in the amount of \$30,235,679, and the debt service fund of \$244,449. But when Erika was asking for approval, she just said the \$30,235,000. That's why I was concerned that you wouldn't get the full – that your motion didn't include – because you moved it as she stated it, and I just wanted to make sure that you got the total amount.

CHAIR HAMILTON: Yes. Thank you very much. So I think we've clarified. Do we have any floating motions on the floor?

COMMISSIONER GARCIA: Madam Chair, a motion for approval.

CHAIR HAMILTON: We already have the motion for approval and the second on the record.

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

III. D. Miscellaneous

- 1. Request Approval of Change Order No. 1 to Construction Contract No. 2018-0336-PW/MM for Construction Services for County Road 67F, La Barbaria Drainage and Road Improvements, Increasing the Contract Sum by \$245,463.75, Exclusive of NMGRT and Authorizing the County Manager Sign the Purchase Order**

TONY FLORES (Deputy County Manager): Thank you, Madam Chair, Commissioners. Good afternoon. I'm going to handle this item D. 1 and D. 1. a as they're related to each other. We're requesting approval of change order #1 to a contract for construction services for County Road 67F, otherwise known as La Barbaria drainage and road improvement project. This change order increases the contract by \$245,463.75 exclusive of GRT and we're requesting that the County Manager can sign the purchase order.

What this does is it takes the contract base award that was done in August 2018 and adds about 600 lineal feet of project and increases the project schedule by an additional 90 days. So when we awarded the contract we awarded it on the base bid. We didn't have sufficient funds to award the additive alternate. Since then we've gone through and done an accounting and found that we have funds available to add the additional 600 feet. So that's what change order #1 does. So that's the first item I'm looking for approval on.

CHAIR HAMILTON: And I assume we need two separate motions, two separate actions.

MR. FLORES: That's correct. They're two different items.

CHAIR HAMILTON: Do you want to present both?

MR. FLORES: I'd rather take them in order.

CHAIR HAMILTON: So are there any questions, or what's the pleasure of the Board?

COMMISSIONER GARCIA: Madam Chair, Mr. Flores, in regards to the add-alt for this project, what is that?

MR. FLORES: So Madam Chair, Commissioner Garcia, in construction projects the typical procurement process gives you an award on a base bid.

COMMISSIONER GARCIA: I'm sorry to interrupt. Is it for more asphalt?

MR. FLORES: It's 600 additional feet of project, so it would take the project in totality a half a mile of improvements – road improvements, subsurface, drainage, etc.

COMMISSIONER GARCIA: And I haven't looked at the second change order so –

MR. FLORES: There's only one change order.

COMMISSIONER GARCIA: Okay. Madam Chair, Mr. Flores, so this

will actually finish La Barbaria Road?

MR. FLORES: This will complete the half mile section that's currently as a project on the list.

COMMISSIONER GARCIA: Okay. If there's no other further questions, I'd like to make a motion for approval of that, just based on the late powerful chairman of the Appropriations Committee, Max Coll, actually was around he actually appropriated some funding for this road, so I'm glad to see we'll actually finish the portion that the County's responsible for with this change order and the remaining money with this change order, correct?

MR. FLORES: Half a mile, the remaining part of this part of this project, yes.

CHAIR HAMILTON: Thank you. So I have a motion. Is there a second?

COMMISSIONER HANSEN: Second.

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

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

III. D. 1. a. Resolution 2019-50, a Resolution Requesting an Increase to the Budget in Bond Fund GOB 2013 (351) in the amount of \$69,431 for the La Barbaria Drainage and Road Improvements Project

MR. FLORES: Thank you, Madam Chair. So this item is basically the budget cleanup of what was approved. This brings in an additional \$69,000 into the project. So as I indicated when the base bid award was completed, we only had enough funding to be able to fund the base bid. Since then we've gone through an accounting of the project and identified an additional \$69,431 for the change order you just approved. This action here basically budgets that money so we can have the contract executed.

COMMISSIONER GARCIA: So Madam Chair, Mr. Flores, the \$69,000, where was that money found or how did we come up with \$69,000 additional for the project?

MR. FLORES: Madam Chair, Commissioner Garcia, that \$69,000 and some change was found in open POs, open encumbrances that needed to be liquidated and dropped back into the project budget.

COMMISSIONER GARCIA: Thank you.

CHAIR HAMILTON: Is there other discussion or questions? And this \$69,000, it doesn't add new work? It's to complete out the –

MR. FLORES: It's to complete out the change order, Madam Chair, that you just approved. It's the funding to complete change order #1.

CHAIR HAMILTON: That's great. So what's the pleasure of the Board?

COMMISSIONER MORENO: I move approval of the request to increase the bond GOB 2013 in the amount of \$69,431.

CHAIR HAMILTON: Thank you.

COMMISSIONER HANSEN: Second.

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

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

III. D. 2. Request Approval of Amendment No. 4 to the Professional Service Agreement No. 2015-0188-CSD/MM Between Santa Fe County and Presbyterian Medical Services, to Provide Mobile Crisis Response Services, Extending the Term of the Agreement an Additional Year, Modifying the Scope of Work and Increasing the Compensation an Additional \$375,000, Inclusive of NM GRT for a Total Agreement Amount of \$1,975,000, and Granting the County Manager Authorization to Sign the Purchase Order

BILL TAYLOR (Purchasing Director): Thank you, Madam Chair, Commissioners. This amendment #4 extends the term of the contract 2015-0188-CSD/MM between Santa Fe County and Presbyterian Medical Services for the mobile crisis response services, and it add – it modifies some of the scope for an additional compensation of \$375,000 for a total contract sum of \$1,975,000. This would complete a total of a five-year – this fourth amendment takes it into the fifth year. The procurement code allows for non-professional agreements to extend beyond four but not more than eight years. So with that, we could stand for any questions, and I have director O'Connor present.

CHAIR HAMILTON: That's great. Commissioners, are there any questions on this? Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, Mr. Taylor, so I understand this is for term only, as well as an additional amount of funding?

MR. TAYLOR: Madam Chair, Commissioner, that's correct.

COMMISSIONER GARCIA: And can you explain to me what the additional scope of services are?

MR. TAYLOR: Madam Chair and Commissioners, to provide the mobile crisis response team, the services they provide to take in their mobile calls for crisis, to reduce suicide attempts and would probably – we could get into the contract specifically. There was some navigational services that were not going to be included in this amendment, that were removed but providing the crisis response services. Director O'Connor could probably address more specifically what they do at that facility from Presbyterian Medical.

COMMISSIONER GARCIA: So thank you, Madam Chair, Mr. Taylor. I guess where I'm going with this, what I'm interested in, just for the general public and the individuals watching on the computer, so this is actually a mobile crisis response service. So somebody has a mental challenge emergency 911 call with the Sheriff's Department and/or the City Police Department and there's somebody at 911 Agua Fria, whatever the address is. That allows for the crisis van to actually show up with the police and Sheriff's Department to do what with this individual?

RACHEL O'CONNOR (Community Services Director): Madam Chair, Commissioner Garcia, that's essentially correct. What it is is a mobile crisis team. They

respond often in conjunction with law enforcement in matters that involve someone experiencing behavioral health or a mental health crisis.

COMMISSIONER GARCIA: Madam Chair, thank you. So I don't want to bring the Sheriff up here. What I'm interested in is how many calls have they actually responded to? We don't have to get that today, but if you could actually get that information to me I would like to see how many calls they've responded to, how many times they've gone out with the Sheriff's Department and/or the City Police Department. So that's kind of what I'm interested in. So you could get that to me at a later date.

MS. O'CONNOR: Madam Chair, Commissioner Garcia, I'd be happy to get the specifics on that. They generally average anywhere between 40 and 60 calls a month. We had a while when those calls spiked, but I can certainly get you more specific data over time in terms of the number of calls that have been responded to.

COMMISSIONER GARCIA: So Madam Chair, just really quick. Thank you. So if we take 40 and 60 calls a month, so what I'm interested in, I want to know how much a call is costing the County based off these contracts, and exactly what they did on the call. Did they just show up? Did they participate and assist? So if you could get that information for me that would be great.

CHAIR HAMILTON: Thank you. Is there further discussion or questions? Commissioner Hansen.

COMMISSIONER HANSEN: I know that when we previously approved this agreement there were people concerned that people were not getting services when they called, but I think that that might not have been the case. They just want to make sure that we're providing services to people who are in need and that Presbyterian is providing these mobile units to people who are either not taking their meds or suffering or all kinds of things that can possibly happen.

CHAIR HAMILTON: Could you also explain a little maybe that this is the team that has been in place for a while and the origin of the team that they're working under Pres, how that's structured?

MS. O'CONNOR: Absolutely, Madam Chair, Commissioner Hansen. Four years ago we entered into a contract with Presbyterian Medical Services to provide mobile crisis services to address the issues in our *Health Action Plan*, mainly to reduce suicides, alcohol use and drug use. Over the past four years they have responded to an average of 40 to 60 calls a month. They've become invaluable in our community. Once we start the operation of the crisis center this service will go under the crisis center but we opted instead to extend for another year with PMS because they're doing such a good job in our community, and because we don't wish to have a break in service while we prepare for the roll out of the crisis center itself.

CHAIR HAMILTON: Yes. And to be honest, if the Commission is interested, Kate Fields who is the director of the crisis center – she had been a County firefighter/paramedic and she came to give a training to a few of the different but certainly the eastern region volunteer fire department. I bet she'd be willing to come and give a presentation to the Board if they'd like to some additional information.

MS. O'CONNOR: Madam Chair, usually on an annual basis we have either the previous psychiatrist or at this point in time Ms. Fields who would be happy to come and give a full update on all the responses they've had.

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

COMMISSIONER HANSEN: Madam Chair, I move to approve this amendment #4 to the professional service agreement, CSD/MM between Santa Fe County and Presbyterian Medical Services.

CHAIR HAMILTON: Thank you. I have a motion. Do I have a second?

COMMISSIONER MORENO: Second.

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

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

COMMISSIONER GARCIA: Madam Chair, just really quick. I think this is an excellent program. If we did the figures, if you divided what the amount of the contract is, between 480 calls a year, that's 40 calls a month, more or less, that means we're spending an average of \$4,000 every time that mobile crisis unit goes out to that call. [sic] So I just want the community to know that we're actually on the forefront of assisting with mentally challenged crisis, alcoholism, drug addition, at a rate of \$4,000 a call that goes with the Sheriff's Department and/or the City Police Department.

CHAIR HAMILTON: And the Fire Department.

MS. O'CONNOR: Thank you.

III. D. 3. Request Approval of Water Rights Grant in the Amount of 456.90763 Acre-Feet from Uninvest-Rancho Viejo, LLC, Pursuant to Previously Approved Water Service Agreements

TED CHLASTAWA (Utility Engineer): Good afternoon, Madam Chair and members of the Commission. I'm here to request the approval of Santa Fe County's acceptance of water rights grants. These water rights are for existing and planned Rancho Viejo subdivisions. The water rights transfers are required pursuant to previously approved water service agreements, and these water rights are available at BDD. The change of ownership will be filed with the OSE upon BCC approval. I stand for any questions that you might have.

CHAIR HAMILTON: Thank you, and welcome. I'm not sure all of us have had a chance to meet you.

MR. CHLASTAWA: I'm a first-timer.

CHAIR HAMILTON: Are there other questions from the Board? Yes, Commissioner Hansen.

COMMISSIONER HANSEN: These are water rights that are coming from Buckman.

MR. CHLASTAWA: They're parked at Buckman, yes.

COMMISSIONER HANSEN: They're parked at Buckman and we're transferring them to Rancho Viejo.

MR. CHLASTAWA: No, they're coming from Rancho Viejo to us.

COMMISSIONER HANSEN: Oh, they're coming – yes. Okay. So did we pay for these?

MR. CHLASTAWA: No, they're being transferred to us to back up water deliveries that we're giving the Rancho Viejo development.

COMMISSIONER HANSEN: Okay. So they're backup.

MR. CHLASTAWA: Correct.

COMMISSIONER HANSEN: Okay. Thank you. I just wanted to make sure it was clear. Thank you. I appreciate it.

CHAIR HAMILTON: Just for clarity, on the record, because I'm not sure what backup means. They're actually required transfers for the approved development.

MR. CHLASTAWA: That's correct. And future developments also. They're getting ahead.

CHAIR HAMILTON: Upcoming. Yes. Thank you. Questions on this?

COMMISSIONER GARCIA: Yes.

CHAIR HAMILTON: Yes, Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, tell me your name again sir.

MR. CHLASTAWA: Ted Chlastawa.

COMMISSIONER GARCIA: Mr. Chlastawa, so once again, Rancho Viejo has water rights that are well water rights and they're transferring them to the Santa Fe County.

MR. CHLASTAWA: I'm going to have to defer to Director Dupuis as far as groundwater rights versus surface.

COMMISSIONER GARCIA: That's fine.

JOHN DUPUIS (Utilities Director): Madam Chair, Commissioner Garcia, the specific water rights are listed in all the deeds. They are listed as RGs, which are often related to groundwater rights. But these are water rights recognized as pre-1907 surface diversion at some time but they've gone through wells. There may be an exception or two but these have all been approved for diversion at the BDD otherwise by the OSE.

COMMISSIONER GARCIA: Thank you. So this one here for 60 acre-feet, that's one well? This other one here is another 292 acre-feet. That's from another well?

MR. DUPUIS: Madam Chair, Commissioner Garcia, the first one is actually for three different well locations, so Mr. Thompson is quite busy acquiring them from multiple entities, I would imagine. The others are from a surface diversion; that's on the second one and it looks to appear to be all in one, and the last one is from four or five different surface diversions accumulative of 104.9 and change.

COMMISSIONER GARCIA: So Madam Chair, these are wells that are within the Rancho Viejo at Santa Fe development. So are these agricultural wells? Were they agricultural wells at one time? Or were they always for domestic purposes? Do you know?

MS. DUPUIS: Madam Chair, Commissioner Garcia, I don't know the use when they were in this well specifically.

MR. FREDERICK: Madam Chair, Commissioner, so Rancho Viejo has water service contracts with the County. Under those contracts they have to transfer water rights into the Buckman Direct Diversion. Long ago, years ago, we were co-applicants with Uninvest, or the predecessor to Uninvest in an application to transfer water rights into

the Buckman Direct Diversion, so they're already – we're already co-permittee under these applications. All this is doing is really a formality. Now they're transferring legal title to these water rights to us. It's all divertible at the Buckman Direct Diversion and it's all going to be used to supply Rancho Viejo.

COMMISSIONER GARCIA: So Madam Chair, does this give Rancho Viejo additional lots? Additional subdivisions? Or this actually covers what's already out there?

MR. DUPUIS: Madam Chair, Commissioner Garcia, it does both. So Rancho Viejo has made many such transfers. How each transfer applies specifically to a particular parcel is not designated but the overall running total needs to be higher than the amount he's used, and so there's an unused portion in the amount that has been transferred and approved. So once this is approved it would increase that total build-out number that he would have available.

MR. FREDERICK: And Madam Chair, Commission, let me just clarify. This is all going to development that you've already approved, that the Board has already approved. It's not going to development that the Board has not already approved. It couldn't go to development that the Board has not already approved.

COMMISSIONER GARCIA: Thank you.

CHAIR HAMILTON: So are there further questions? What's the pleasure of the Board?

COMMISSIONER HANSEN: I move to approve.

COMMISSIONER MORENO: Second.

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

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

VII. MATTERS FROM OTHER ELECTED OFFICIALS

A. Elected Officials Issues and Comments, Including but not Limited to Updates, Concerns, Recognitions

CHAIR HAMILTON: I believe the Sheriff has something he wants to present to the Board. I just wanted to mention the other elected official here that I see is Madam Clerk, but feel free. I can always entertain this again later, if you would prefer. So just let me know. So Sheriff Mendoza, welcome.

ADAN MENDOZA (County Sheriff): Madam Chair, Commissioners, good afternoon. Thanks for moving up the agenda. I wanted to bring some concerns of comments, and this is in regards to a meeting that we had at the Sheriff's Office with Commissioner Hansen and I wanted to just highlight some of the things that we had talked about, specifically in reference to animal control issues and the Animal Control Ordinance. During that meeting we discussed several different things. I think these issues can be resolved and we have actually worked with some of the staff or are working with some of the staff to try and resolve these issues. But I just wanted to highlight the conversation.

Part of it is due to spring and summer and the warmer months that are coming up that we deal with a lot more animal control issues and so we want to just revisit the

ordinance and some things that have happened in the past. As you know I've only been in office for about 90 days so some of these things happened prior to me taking office.

One of the things I'd like to discuss is we realize that on the County website the Animal Control Ordinance that's references on the Santa Fe County website is 1991-6. That's the original Animal Control Ordinance, although the amendments which were made in 2017, specifically 2017-1, are not on the website, so it makes it very difficult for the public to distinguish the actual ordinance and any amendments that have passed since. So I would like to work with staff in the near future to try and bring that amendment and the ordinance together so it makes more sense to the public so they can access that ordinance and the amendments to understand exactly what regulations they need to be abiding by.

It would be nice to have a clean copy of the ordinance to include any amendments so we don't have to refer to several difficult documents to determine, or the public to determine what they should be in compliance with and I think that's something that we can maybe work with the Attorney's Office or other County staff in order to accomplish that.

One of the things that I'd like to say is that our staff at the Animal Control Office also has – how can I say this – typed or interpreted the ordinance into Spanish and I think that's a good thing, because there are a lot of Spanish speaking individuals within the community so I think it's important for this ordinance and maybe other ordinances that we put that out in Spanish also. So we're willing to do that and whatever we need to do with the County Attorneys to try and get that posted on either the Sheriff's website or Santa Fe County.

One of the things that happened prior to me taking office was there was a committee that was compiled to revisit some issues on the Animal Control Ordinance and that took place in 2017. The scope of the committee was to address tethering and barking issues within the ordinance itself. There were some definition issues and some recommendations that were made and I believe we're working with Deputy County Manager Tony Flores to come together again to determine what those definitions were and if we should proceed with incorporating that into the ordinance or how we move forward with those recommendations. That's the other thing that we had discussed, which I think is important.

Lastly, one of the things we talked about was we realized that there's an Open Space Ordinance, which is 2001-1 which has an animal provision in it. That provision is in conflict with the actual Animal Control Ordinance for Santa Fe County. So I'd like to work with Open Space, the Attorney's office and with the Commission in order to bring those ordinances in line because I think it's confusing for the public, if you're walking on one park and open space within the county you're subject to one provision of the ordinance and fines and penalties and rules, versus you may be walking on another piece of property and be subject to other rules and regulations, and I think that's a little confusing.

So at some point I'd like to revisit that and just come in line with those ordinances. But that was some of the highlights of the discussion that we had and just some concerns and just to bring it forward. I would like to move forward to kind of cover some of those issues and I know we can do that working with staff moving forward and I

don't see an issue with that but I thought it was worth coming up and bring to light.

CHAIR HAMILTON: Well, thank you very much. Appreciate the input. I was certainly under the impression that there were some things that were in process and I don't know if we need an update on that process. Like I think it would be premature to incorporate and unify these things before some of these other issues are resolved, though I know staff is working on them. Is that the case? Or are you just talking about wanting to work with staff on the remainder of this process? Or are there other conflicts that you see as well?

SHERIFF MENDOZA: Madam Chair, Commission, some of these issues staff is aware of and we're in the process of working on them. I'm not sure that the conflict within the Open Space Ordinance was one of the issues that was either recognized or brought to light until recently and I know that we can work with staff to fix that.

CHAIR HAMILTON: Okay. Well, I very much appreciate your input. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Sheriff Mendoza for coming forward. Thank you also very much for meeting with me. I really enjoyed going out to the complex and seeing the operation. It was really good for both of us to come together and meet and I agree, I think this is something where staff and the Commission and the Sheriff's Office, we can all work together to resolve some of these differences. So thank you so much for bringing them forward and for meeting with me and discussing them.

SHERIFF MENDOZA: Madam Chair, Commissioner Hansen, thank you for coming out and I open that invitation to any Commissioner that would like to come to the Sheriff's Office or anywhere else to discuss issues.

CHAIR HAMILTON: Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, Sheriff Mendoza, once again, thank you for coming forward for with this and I'm sure our staff will work together to put together one ordinance. And I also think the interpretation of the ordinance into Spanish is an excellent idea and we definitely need to do that. So thank you for coming forward.

One thing, it seemed like the captain was wanting to say something there when you were talking. I don't know if the captain would like to say anything.

SHERIFF MENDOZA: I'll ask the captain to come up and he can clarify anything.

COMMISSIONER GARCIA: It just seemed like he had wanted to say something.

NATHAN SEGURA (Sheriff's Office): Good afternoon, Madam Chair, Commissioners. Once again, Commissioner Rudy Garcia loves to try and put me on the spot, but I'd like to just say that we have been working with staff and Deputy Manager Flores on a lot of these issues and I think it's all going to come together. I'm confident that we can come together as a team and as the County, the public has lots of questions about some of these issues in reference to tethering and barking and where they can let their dog run free and stuff like that. And we've also tried to be pro-active and try and develop some educational material to put on social media or handouts to the public that I think would be beneficial to enforcing the ordinance.

And I'd like to just reiterate what the Sheriff had said about combining a document that would be more clear for the general public to identify how they should be caring for their animals and stuff like that. So it would be again the Animal Control Ordinance 1991-6, the amended version 2017-1, the open space – I think Sheriff Mendoza did mention that, and also in there I think should be included just in talking with other citizens and my animal control supervisors, we make reference to state statute in reference to the Dangerous Dog Act and I think that would be some good information to have in there, and kind of more clarify the fines and stuff like that.

I think open space has different fines than the Animal Control Ordinance, but again, I think we are working with staff to come together to make sure this is clear for the public for their best interest.

COMMISSIONER GARCIA: Thank you.

CHAIR HAMILTON: I very much appreciate the comments and I just want to add, because it was mentioned that all these changes have in fact been in process and I want to commend senior staff for the job they're doing. There were some of these things that are difficult issues and we've been – between the Commission and that committee that was established there was a fair amount of discussion on how it should move forward. And I know senior staff has been working on that, so as that proceeds, I just wanted to get on the record the level of effort they're putting in. Thank you.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Roybal.

COMMISSIONER ROYBAL: I just want to make sure for my understanding that we're basically going to look at the ordinance and try and clarify some of the areas that don't make sense or are kind of confusing. Is that pretty much correct with what you've stated?

SHERIFF MENDOZA: I think we'd just like to revisit the committee's recommendations on definitions for tethering and barking, whatever recommendations that they made, which were prior to me taking office, but I'd like to sit down and revisit those, and then just clarify the ordinances between open space and the actual Animal Control Ordinance and hopefully come to an agreement so they're both the same, so they're not in conflict.

COMMISSIONER ROYBAL: Okay. I just wanted clarification because I know that it's a little bit different in some of the rural areas versus some of the urban areas that surround the city. So I know it's a little bit different in some of those areas, especially with the barking ordinance that the City has.

SHERIFF MENDOZA: It is, and I'd like to touch, Madam Chair, Commissioner Roybal, on what Captain Segura had stated, is we try to educate the public. We try to work with the public prior to moving on to enforcement and citations. That's an important part and I think our Animal Control Division does a very good job of that, because sometimes it is just education. And sometimes it's just helping the public come into compliance prior to issuing citations. And so hopefully we can be pro-active with providing literature and continuing to educate the public in reference to what the ordinance is and how it will be enforced.

Absolutely, if there is a situation that warrants immediate citations or enforcement we're going to do that, but for the most part we like to work with the public first.

COMMISSIONER ROYBAL: Okay. I appreciate that because that was some of the big part of the reason why we started changing some of these ordinances, just to make sure that we do educate the public and make sure that they understand. So it would be good to have those rules out there in a brochure of some sort. Also on the website, that they can maybe access to if they have questions. So I just want to say thanks to Sheriff Mendoza and Captain Segura. Thank you for being here. Appreciate it.

CHAIR HAMILTON: Thank you. Thank you very much, Sheriff.

SHERIFF MENDOZA: Thank you.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: So one other discussion that we had, we did mention about rural and urban and the situation that we have as a county is more challenging than it is when you are dealing with municipalities, where they have a certain area that is completely contained, and we have areas that are bordering municipalities. Therefore the rules are also confusing because you have people who live so close to the city and they say, well, in the city you can do this, or you can't do this, and then we get in the county, and so we have areas like that. All of us have areas in our districts that border the city. So it's important that we remember in this discussion, how are we going to deal with the rural and urban areas, because what might apply in an urban area might not apply in a rural area. That's a more difficult conversation and I think it needs to be had though.

SHERIFF MENDOZA: Madam Chair, Commissioner Hansen, I echo those feelings. We know that there's parts of – or residents within Santa Fe County that live in close proximity with the city limits that are dealing with a lot different animal control issues than somebody, say, in Stanley or a more rural area of the county. And it's very hard to try to determine how we enforce Animal Control Ordinances and laws within the most populated and dense areas of the county versus the rural areas. And maybe that's something that we can work on as the Sheriff's Office and Animal Control and as Santa Fe County and the Commission to try and come up with some solutions to those animal control issues in the county.

CHAIR HAMILTON: Commissioner Moreno.

COMMISSIONER MORENO: Thank you, Madam Chair. This is one of the first issues that this Commission encountered with the same mess that we still have. I don't want to wait another two – not even a year to get this done because it really taxes the resources when you don't know what you're going to get into when you're enforcing a dog running loose. So let's get it done. I'll be available any time.

CHAIR HAMILTON: Thank you very much, Commissioner. But I also want to point out that this is exactly why there was a committee formed and there was presentation and discussion not only with the Commission but with the public as required, and to the extent that these things need to be redefined, we need to complete this process and then bring it back and work jointly together. I appreciate exactly what your comment is, and I appreciate the Commission wanting to get this done in a really timely manner so that's why it was being revised in the first place. It hadn't been revised in quite a while. But we need to do the process, clearly, in an appropriate manner.

SHERIFF MENDOZA: Madam Chair, thank you. And I think the discussion just started and hopefully we'll continue moving forward with this in an

appropriate manner.

CHAIR HAMILTON: Fantastic. Thank you very much for coming.

GERALDINE SALAZAR (County Clerk): May I?

CHAIR HAMILTON: Absolutely. I didn't know if you wanted to speak now or later. Thank you very much.

CLERK SALAZAR: Yes, thank you, Chair Hamilton and Commissioners. I'd like to mention that 2019 will bring us the first Local Election Act election in place for November 2019. We should remember that the legislature changed the local elections to be all non-partisan on one ballot. And so we will be having an election for all those non-partisan elections in 2019, November. Remember that on even years we have the gubernatorial elections, the presidential elections and now on odd number years we will be having all non-partisan elections. So I want the public to prepare for that and understand that you can update your voter registration and to please participate. So we have till November. Thank you.

CHAIR HAMILTON: Excellent. Thank you very much, Madam Clerk. Am I correct that we have no other elected officials here who care to speak? Excellent. So I'll close Matters from Elected Officials.

IV. MATTERS OF PUBLIC CONCERN

CHAIR HAMILTON: I recognize that there are many members of the public who are here to speak on potentially various issues. Could I get a show of hands of everybody who's in the audience who wants to speak to the Commission? So we probably have 20 people. I'm going to give everybody two minutes to address the Commission. Daniel, can we have a timer put up? If you can come up in any order, come to the mike and as soon as we have this started say what you would like to the Board.

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Are they all speaking about one subject, one item? Or is this all 35 different things? Do we know? Does anybody know?

CHAIR HAMILTON: There are a fair number of people here who would like to say something about the resolution that's been tabled and will be heard on April 9th about the fire resiliency project. Is there anybody here that is going to speak on a topic other than that? So we have one topic going. So any order is good. Please come forward. You can self-organize. And if you would, just for the record, state your name and where you live. Your address.

ANN MCCAMPBELL: Ann McCampbell. I live in Eldorado. Madam Chair and Commission, good afternoon. I am here to support your resolution urging the Forest Service to do the highest order environmental analysis possible. I should also say I'm a physician and environmental health consultant and co-chair of the Multiple Chemical Sensitivities Task Force of New Mexico. I've been very concerned about the Forest Service plan to remove 90 percent of the trees under the guise of a thinning project with either doing no environmental analysis or inadequate analysis.

With the Hyde Park and Pacheco situation they've declared a categorical exemption, meaning and saying that there is no significant impact. Well, that's just hard

to imagine. Any common sense would tell you removing 90 percent of the trees is a gigantic impact. It's a gigantic impact to habitat. It will have a gigantic impact on wildlife. There's a whole issue of global warming, especially burning a lot of these trees. The carbon is going in the air. You lose the trees that could sequester carbon.

So it's hard to imagine any more in need of an EIS and I will say when the Forest Service wanted to use herbicide in the forest on a few plants they did an EIS. When they wanted to kill all the fish and macro-invertebrates in a few streams, they did a full EIS. This project to me is much bigger, and certainly I think if there was ever a project that requires the highest order analysis and environmental assessment, this is it. So I'm all for your resolution. I'd like you to amend it to specify an EIS. Thank you.

CHAIR HAMILTON: Thank you. Next

OSHANA SPRING: Oshana Spring at 3 Montecito, 87506. And good afternoon, Madam Chair and Commissioners. I am against this war on the forest, against the chemical salt using expensive helicopters, potassium permanganate, when burnt, is extremely toxic to the environment and to all living things, including us. It will contaminate the water supply as well as the air, creating breathing problems for the Santa Fe population. It has also been associated with mad cow disease, as it attacks the neurological system.

Instead of contaminating and destroying our ecosystem, why don't we consider creating jobs as the Civilian Conservation Corps of the last century did and manage the health of the forest hands-on? Where is the environmental impact statement for this proposed project? This is our national forest. We the people are in charge. I want the forest integrity to be cherished and maintained. If the reason for doing this project is to prevent fire damage, yet excessive amounts of potassium permanganate is needed to create fire in this wet year, this doesn't make sense.

Are forest creatures and trees being sacrificed to make money for big corporations? I do demand an EIS for this project. Thank you.

CHAIR HAMILTON: Next.

SARAH HAYDEN: I really want to thank Commissioner Hamilton and Commissioner Hansen for sponsoring this resolution. They're the first elected representatives who have stood for the forest and stood for us. The reason many of us are here is because we've seen the results of past thinning projects and how damaging it's been to the forest. And we want to be engaged with the elected representatives and with the Forest Service to make sure this project that's so large – 50,000 acres – spanning from north of Tesuque to Glorieta, isn't going to be like past projects. And the Forest Service has talked to us about these things but we never feel we have been really listened to. There's a lot of new research that has not been taken into account even though we have presented it to the Forest Service. An environmental impact statement is meant to be a format for the Forest Service and the public to work together. We have the right to be fully included in project planning, and we have the right to be heard more than we have been. Until recent years it was never even a question that a project like this would be analyzed by an environmental impact statement. It's only been the recent political climate.

And I feel that fear is very operative here. In the past two decades there have been seven people who have died in fire and I feel very badly for them. Six were in vehicular

accidents on the way to fires, our great firefighters. But compared to driving in Santa Fe, our fire risk is very low and what they call forest restoration, which is the other purpose, other than protecting us from fire, creates what I call Frankenforests. They don't even look like forests. They look like they're half dead. And we love to have living forests. We love our forests and we want to be able to use them for recreation and have them sequestering carbon and doing what a forest is supposed to do and the forest itself has a right to exist.

CHAIR HAMILTON: Thank you. Next person.

JEAN DARLING: Madam Chair, Commissioners, my name is Reverend Jean Darling. I'm with the Unitarian Universalist congregation of Santa Fe. I'm also the vice president for environmental issues of the Interfaith Leadership Alliance in Santa Fe. We are very much in favor of the Forest Service conducting this environmental impact statement. There is not agreement on fire safety and forest management. There have been a lot of new developments in how we understand forests, and those things need to be taken into account. We would like to see the habitat and the understory preserved if possible, and at least this needs to be studied more.

A group of our people from Santa Fe hiked up into Black Canyon Trail and it was a beautiful forest until we got to the top, where we found this kind of supposed fire mitigation had already taken place and many, many trees were gone. The understory was missing. It looked like a disaster zone. So we're very concerned that the more current understanding of how forests protect themselves be taken into account. So thank you very much.

CHAIR HAMILTON: Thank you. Next.

JONATHAN GLASS: Good afternoon, Madam Chair, Commissioners. My name is Jonathon Glass. I live in Santa Fe, and I thank you, Commissioner Hamilton and Commissioner Hansen for sponsoring this resolution, which requests that the Forest Service conduct an environmental study before proceeding to go ahead and essentially deforest, as has been said, it's at least 90 percent based on their own numbers from the past. That's what we have to expect. It's about 78 square miles of the slopes of the Sangres and other areas that look down on Santa Fe. It's a very serious thing and I ask that at the next meeting that you approve the resolution. I think it's a terrific resolution. It's only a start but I think it's extraordinarily important. We don't want a huge area of the forest burned and thinned without an environmental study conducted beforehand.

And last, I suggest that we all really ask ourselves sincerely whether we truly understand the notion of burning and thinning leading to what the Forest Service calls resiliency. I for one do not understand at all. I'm still seeking to understand it, but I don't understand that and I don't understand how this burning and thinning is going to benefit our community. In fact I suspect, although I don't want to say for sure, that it is going to hurt it. I do know that I started getting involved in this when my house was filled with smoke and there was smoke billowing under the streetlight outside my house in the fall. And I called the police and the Fire Department and asked what was going on and they said to call the Forest Service. Thank you.

CHAIR HAMILTON: Thank you very much. Next.

JANICE OLCH: Good afternoon, Madam Chair and Commissioners. My name is Janice Olch. I live in Santa Fe County, 10 Cougar Ridge Road. My property

adjoins the Santa Fe National Forest. I'm here to express concern about the 50,000-acre fuel treatment project called the Santa Fe Mountains Landscape Resiliency Project. The Forest Service has implemented extreme thinning projects historically and throughout its jurisdiction in this region that have had devastating consequences on forest health.

These fuel management projects have historically focused on achieving a prescribed number of trees per acre with complete disregard or understanding of forest ecosystems and the intricate relationships that exist within a forest that constituted its health and resiliency.

I'm here to urge you to include in your resolution the requirement for an environmental impact statement, which would involve, as you know, a comprehensive environmental impact and analysis of all of the intricate components of a project such as this, such as air quality and public health from prescribed burning, using toxic chemicals, water quality, soils, vegetation, wildlife habitat and displacement, mechanical treatments used in the thinning projects. They compact the soil, which affects soil health, soil erosion, sedimentation in the watershed and on and on. There's insect and disease outbreaks that can take place once trees have been cut down and the remaining trees are left susceptible to disease, making them more susceptible to fire, not less. And the spread of invasive weeds also compromises forest ecosystem health. Thank you, and I urge you to require an environmental impact statement.

CHAIR HAMILTON: Thank you very much. Next. If people could come up and sort of stage your speaking.

PAT WALKY: Hi. My name's Pat Walky. I live at 1934 Hano Road in Santa Fe, and I really agree with everything that's been said and I do thank you, Commissioners Hamilton and Hansen, for introducing this. I'm just going to talk about – people have been so articulate about the forest. I'm just going to talk a little bit about health issues. My husband and I lived in Santa Fe for 18 years. Then he got a job at NMSU at Las Cruces and we moved there for 11 years, and we retired back in Santa Fe 3 ½ years ago. I started having a lot of health problems that I had never had before. I couldn't believe how much smoke was in the air and how often. And I started trying to find out what was going on. And I found out that it had to do with controlled, or uncontrolled, or Rx, or prescribed fires, whatever the current usage is.

Anyhow, I ended up – I have asthma now, and I've never had it in my life. I'm 70 years old and this has not been an issue for me, and it just breaks my heart. I couldn't wait to get back to Santa Fe to my home, and things had changed radically in those 11 years. I don't know when it changed but it has changed radically in the last 3 ½ years. Thank you so much.

CHAIR HAMILTON: Thank you. Next.

NINA SIMONS: Thank you, Commissioners. My name is Nina Simons. I live at 206 Cañada Village Road, also at the edge of the national forest. I'm the co-founder of an organization based here called Bioneers, which is about shifting our relationship to the natural world. I am here to express my concern that what's being marketed or named as a resiliency approach is actually one that will greatly degrade the land surrounding Bioneers and will have terrible effects on both the forests, the people, our tourism, our industries and our lives.

I think that we've seen from other areas where cutting has happened around

northern New Mexico that in fact it has increased fire damage rather than decreased it and I just urge the Commission to really insist upon a full environmental impact statement. Thank you.

CHAIR HAMILTON: Thank you.

DEE BLANCO: Good afternoon. It's a shame that we only get two minutes to really express what many of us are feeling powerful emotions about and really would like to share more with you, not just in regard to what's happened to us. For example, my name is Dr. Dee Blanco. Often I'm talking about animal issues or environmental issues like the doctor here. Much of my practice is related to detoxification form all sorts of things for animals and environmental issues for them.

But today I want to tell you a little bit of a story about my experience with thinning on our property. We had a thinning that was done by the State Forestry Department, which essentially ruined our property. I don't think any of you would have gone for something like that had you been given informed consent ahead of time that you might lose some of your trees, all of your trees, or that your trees might even become skeletons of what they were – beautiful trees before – in an effort to remediate or to abate any fire danger, to improve wildlife habitat, and to improve the health of the other trees that existed. These were the three goals that we thought we were achieving and none of that was accomplished.

On the contrary. Neither did I get any help from any of the agencies to remediate or any money or time or effort there. So I have a personal experience in thinning prescriptions from the Forestry Department that are exactly what is being recommended for all of these 50,000 acres. So if you were given informed consent about your property you would feel like you were able to comply or not. If you were going for a surgery you would want informed consent. I want to suggest that the EIS and a full NEPA analysis is informed consent and a community should be given informed consent. The people that live in the vicinity should be given informed consent, and we should be able to – we can evaluate good science, current science, not 40-year-old science. You wouldn't want a surgery that was 40 years. You wouldn't want an x-ray machine that was 40-years old. We want updated information and we want to be able to participate. We have good ideas for what this money coming into the state is used for. Thank you very much for your time and your support for the resolution.

CHAIR HAMILTON: Thank you very much. Next.

MARY LANE: Madam Chair, Commissioners. My name is Mary Lane. I live in the Rail Yard on Romero Street. I have been staring at this incredible mural while I sat here and from it I see that – although it's covered up by the timer, “protection of property” is up there in great big letters. And then it says “preserve pristine resources”. And then there's a picture of the scale of justice and there are dollar bills falling out of it and a fire is where the dollar bills are falling. And they always say follow the money. I'm wondering who gains financially from burning the forest.

Years ago, when I would smell a forest fire or wood smoke, it kind of smelled good, you know, like a fire. Now, I live in the Rail Yard, and when there's a controlled burn, it kills my throat because there are chemicals they use to make the fire happen and I think that's dreadful. I ask that you please include the public. We need as much information as possible so that we can protect the forest. And I point out, when is the last

time you went up into the forest? Please do so. Please go up to see the aspens. As you know, they're all one big family because they all share the same root system.

Well, these 50,000 acres might not be aspens but they share a familial feel and we're part of that family and I ask you to please help us to do the right thing. Thank you.

CHAIR HAMILTON: Thank you. Next.

JULIE HERMAN: Hello, and thank you, Commissioners. My name is Julie Herman. I've lived in Santa Fe for 43 years. I didn't plan anything to say today but I was compelled to come up. I read an article in the newspaper yesterday. I think it was on the front page called More trees dying in New Mexico. And I'd just like to read the first paragraph. Forest mortality increased nearly 50 percent across New Mexico in 2018, the first jump in five years according to an annual report on the health of the state's forest. It's quite a good article.

And my feeling is – first of all, I have asthma, and even today there's a problem with breathing because of the air. Trees are the lungs of the planet and if we remove every tree that might possibly catch fire, it's doubling down on respiratory problems for the nation, for the world. Thank you.

CHAIR HAMILTON: Thank you very much. Next.

FRANCINE WUNK: Hi. My name is Francine Wunk. I live across from the Rodeo Grounds and I'm an eastern lady. I've been here for 16 years and I came here for many reasons. I have two grandchildren, two boys, six and nine. And maybe more on the way; we don't know. And we play in the forest all the time. I've walked in the forest because back east it will take you an hour's drive or more to get to a forest, around the DC/Maryland area, and I like it here. I have asthma too. I suggest the Forest Service cut down all the male juniper trees and that would probably help me a lot with my breathing this time of year but I don't know if that's something that they could possibly fit into their schedule.

I do have asthma. I developed it the last four or five years. My bank account is very upset about the fact that I use inhalers constantly in the springtime, fall time. It is actually better than in the East. I do appreciate the air here. I would like to just say that because I've walked in the forest for 15, 16 years with my daughter, my grandkids. We've hiked, we've had a wonderful time out there. I wouldn't trade this for anything. I feel I might have to move to Alaska but they are telling me that they have the same issues with the Forest Service there too. So I'm not quite sure where we go if we take away all of our forests. Thank you.

CHAIR HAMILTON: Thank you very much.

SAM HITT: Madam Chair, Commissioners, my name is Sam Hitt. I am president of the Santa Fe Forest Coalition. In these short two minutes I'd like to focus on NEPA, the National Environmental Policy Act. NEPA has been American's environmental charter for nearly 50 years. And like the 400-year-old Magna Carta, NEPA gives all citizens a place at the table, a right to be involved when major decisions are made concerning public lands. NEPA is quite clear on this point and I'd just like to quote from the regulations, binding regulations. Federal agencies shall to the fullest extent possible – to repeat that: shall to the fullest extent possible encourage and facilitate public involvement in decisions which affect the quality of the human environment.

Our birthright to be involved is unfortunately under assault. The public is barely

notified when major operations are proposed affecting thousands of square miles of public lands, decisions to clear forests in the name of fire safety are rushed to completion before a hard look can be given to the environmental consequences. And some voices are listened to more than others. Peer review evidence supporting the views of some are ignored or dismissed out of hand while the opinions of other, those who advocate massive manipulation of forest ecosystems for example, have undue influence on management decisions.

The result is an outcome we're likely to regret. This body should demand that all voices be heard, that an environmental impact statement, an EIS be prepared, that examines alternatives, including preserving forests in their natural condition, as well as document unavoidable adverse impacts, insisting that enforceable standards are in place to mitigate foreseeable harm. Thank you. *[Exhibit 1]*

CHAIR HAMILTON: Thank you very much. Is there anybody else?

JAN BOYER: Hello, I'm Jan Boyer. Thank you so much for hearing us. I'd like to talk about a couple of issues. My main issue is there's not much transparency here and to consider that even the newspaper has stated that they're going to cut down more than 90 percent of the trees on these 50,000 acres to me is just obscene. But the bigger issue is that people don't know about this and the Forest Service says that they have done a lot of informing the public. However, I've been to those meeting and you're lucky if you're going to see six people at one of their meetings because people do not know about it. And they say they publicize it but it doesn't work very well.

So the biggest issue for me is transparency. If they're going to take down 90 percent of the trees on this much land then I really want the people to have a say so ahead of time to know what's happening. When I speak to people about this they say, What? I don't believe you. And I show them the documents and they're amazed, and they're like, Oh, my god. Who would let this happen?

So that's the transparency issue I think is very, very big and needs to be respected because people need to know this is going to happen. We're already dying of the smoke when they do these burns, and it's terrible for people's health. I hear about it all the time and suffer myself with it. There's so many issues involved here that the transparency is part of it, but the other part is this is on your watch. Do you really want to see – I mean the places I've seen where they have done their resiliency thinning, I mean their restoration thinning, it's as barren as this little podium right here. It's really hideous. On your watch? You can't let them do this. Please, please, request an EIS from the Forest Service so that they will involve the public. Because part of it is involving the public. It's not just doing the science. It's also involving the public that the NEPA requirement is about. And I really want the public to know about this before it happens because they're already begun. They've done several of these projects already. Thank you.

CHAIR HAMILTON: Thank you. Next.

DODI DEAN: Hi. My name's Dodi Dean. I live in Cañada de los Alamos, and thanks to my neighbors I heard about this. I had no idea that this was going to happen in our neighborhood and in our forest where I walk every day. I've written to all of you. I hope you've received my emails and my YouTube links and things because they provided me with some really great information that I didn't realize existed. And I want to submit this to you. *[Exhibit 2]* It's common myths about forest fires and they're all

studies that are cited and it's counterintuitive to thin the forest to protect us from forest fires. It comes down to the best protection for communities and people is to create defensible space around homes and communities and leave the forest to take care of itself, because the forest is resilient.

The forest will create more biodiversity. Fire is a natural process. We need to stop fear-mongering about every fire and I just think that it's really important that you have our backs and that you have the forest's back in this time of climate change. We really need to preserve our carbon sequestration and just our quality of life for generations to come. I beg of you to please require an environmental impact statement and that all processes involve the public and verifiable science. There's people doing really good research. It's all documented, and they're ignoring that for profit. Some people are making a lot of money with these contracts and it's going to be – it's our loss, the entire planet. So thank you.

CHAIR HAMILTON: Thank you.

ARTHUR FIRSTENBERG: I'm Arthur Firstenberg. I live in Santa Fe. Have you ever cut off a live branch of a tree and tried to burn it in your fireplace? Green wood does not burn easily. Trees are not fire hazards. Even in a drought, trees are at least 30 percent water. After a wet winter like we just had the trees are more than 50 percent water. Our forests are stores of water. The more trees they contain, the more water they store. Water does not burn. If you want to prevent catastrophic fires you want more trees, not fewer. You want a dense forest, not a thinned out one.

A dense forest has a closed canopy. When trees are close together the tops form a continuous canopy that keeps out the sun and keeps the forest cool and moist. The trees in a dense forest also form a barrier against wind. A dense forest is cool, moist, calm. Fires do not start and when they do start they do not spread. When you open up the canopy you let the sun in and forest heats up and dries out and becomes a fire hazard. When you think the forest you let the wind in which fans the flames of the fires that start as a result of what you have done. Forty-one years ago the Forest Service began a policy that has been immensely destructive to our public lands and the birds and animals in them. The Forest Service began deliberately setting fires, lots of them, in every national forest and because living trees do not burn easily the Forest Service has been fire-bombing them from above with an incendiary mixture of potassium permanganate, an anti-freeze. It is modern-day napalm and it is polluting our air, water and soil. The Forest Service tells us it is doing this to protect our communities to prevent catastrophic fires. It is doing just the opposite. The acreage of national forest that has burned in catastrophic fires has increased every year for 41 years. Our forests are dying. Our wildlife disappearing. Our birds are being incinerated. Our air and water and soil are being polluted. An environmental impact statement is not enough. The Commission should pass a resolution opposing any more thinning and burning of the forests in Santa Fe County. Thank you.

CHAIR HAMILTON: Is there anybody else who would like to speak?

THERESA SEEMSTER: Thank you, Commissioners, Madam Chair. My name is Theresa Seemster. I'm chair of the Northern New Mexico Group of Sierra Club. We strongly support an environmental impact statement being done on the landscape of this size. There are several reasons. You've heard a lot of concerns from people who have

looked at the forest, who look at our local forest, who know it well, but in addition to that, there are several questions that we would like the Forest Service to address. I think the first one is just maybe a legislative one, but right in the middle of the area that they would like to thin and treat is a wilderness are proposed, the Pecos Wilderness expansion.

If that is going to turn into a wilderness area it's on both sides of the Santa Fe River. It goes way up into the forest. It basically bisects the treatment area and they would need to have a special plan just to treat that particular amount of acres.

Another thing that's a concern – someone brought this up. We are looking at some pretty old data collection methods. There are many new methods. There's thermal landscape mapping that should be employed. It's a very inexpensive and a very well used system for mapping the temperatures of the soil and the trees and the vegetation before you attempt any kind of thinning and burning and then try to restore an area that may not be able to be restored, giving climate change conditions.

And another area, there's been a lot of talk about the slash management. I think it's been pointed out we are looking at a possible large beetle outbreak. Slash management is a key thing that the Forest Service has a problem with and there's tons of slash if you go up onto the Rowe Mesa are for example and just see piles that have not been burned in the last three years. Thank you.

CHAIR HAMILTON: Thank you very much. Is there anybody else?

CHARLES CARRUTHERS: My name is Charles Carruthers. I live in Cañada de los Alamos. I didn't come prepared. I just want to say I support what everybody's said prior to me. And the other issue I'd like to bring up is it's like in the environment we're living in, we're always fighting the government who supposedly is working for us, and as we know, largely they are not working for us anymore. They're working for corporations and special interests, or they're trying to advance their own careers within a system that needs to change. So that's all I really have to contribute. I think it behooves all of us to realize we have a connection to everything around us. When we ignore that it falls into the hands of special interest, the rest of us suffer, including them. They just don't realize it right off the bat. Thank you.

CHAIR HAMILTON: Thank you very much. Next.

DAWN ERHARD WINGARD: I had a sudden image while I was sitting out there looking at this mass incredible vision of New Mexico. Just the elements that are here and the people. I just think of the irony that we're just so few in this room. I really think that we'd have a forest fire of people if we knew more about what's going on. But my image was really strange. I wanted to stand in silence for two minutes like MS. Tiananmen Square, because it takes a lot of courage. Everything everyone has said, if you weave it all together, there's so many factors and the emotional piece, it always gets puts down. And people are so emotional about it because it's our life. It's our breath.

I often say when I walk in the forest at Cañada de los Alamos that I would rather have my house burn and all my possessions than those trees. So I'm going to take the last few minutes and stand in silence and I ask you to ground your feet right down into Santa Fe, the City of Faith, where the people here lived with the land and we continue to live with the land. We have to stand up like no one else is standing up in this country and forests are burning, and they're burning because of the elements out of balance. And I'm going to take the next 20 minutes and just stand in silence and I ask you to feel the forest.

Thank you.

CHAIR HAMILTON: Thank you. Is there anybody else who would like to speak? Once again, I just want to make sure, is there anybody else here who would like to speak. Well, I want to thank everybody for coming and speaking. We will have this on the agenda at our next BCC meeting. With that I think I'll close public comment.

V. MATTERS FROM THE COUNTY MANAGER

A. Miscellaneous Updates

1. Legislative Update

a. Discussion of and Direction on Bills Awaiting Action, Passed in the First Session of the 54th Legislature of the State of New Mexico [Exhibit 3: Legislative Report; Exhibit 4: Text of SB 328; Exhibit 5: Capital Outlay Information]

MS. MILLER: Madam Chair, we have a legislative update. Also results of the 2019 revenue bond sale and a presentation from Open Space/Trails, and then also an update and reminder about tomorrow's meeting. If Hvtce's ready we'll start with the legislative update and I do believe there was some legislation that some of the Commissioners were interested in, either supporting signature by the governor or opposing it so that item was added. If you have anything in the list of bills that are on the governor's desk for signature you could also give us direction to send a letter, either in support of or in opposition to bills.

CHAIR HAMILTON: Thank you. Welcome, Hvtce.

HVTCE MILLER (Intergovernmental Coordinator): Good afternoon, Madam Chair. What's been provided to you previously or earlier today is this report here with the picture of the capitol on it and I will go through this briefly and as Manager Miller stated I'll be up here most of the time for your questions on any passed legislation or questions about any legislation that was going through in the session.

Let me start with page 4 and that's the bill statistics. So currently, there have been 65 pieces of legislation gone to the governor and signed, and her last signing of a bill was on March 22nd. So as you can see in the top table, there's 164 pieces of legislation that have been sent to here and 65 currently signed so quite a few pieces of legislation for her yet to review.

The next session –

CHAIR HAMILTON: Can I ask you a quick question on that point?

MR. MILLER: Absolutely.

CHAIR HAMILTON: Do you have any sense in your research, or is there any discussion that there are going to be a lot of bills left unsigned and therefore pocket-vetoed?

MR. MILLER: Madam Chair, that's a great question. I wouldn't really speculate that there would be a lot of items left on the table, like you're saying, being pocket-vetoed. That's because in this year's session there was a lot more communication between the executive and the legislature. So while the process was going on there was the communication from her office from the leadership of both the House and the Senate.

As you might have seen, there have been two particular pieces in the news regarding first grade dyslexia screening, and then there was the probation one as well, which was being opposed by the AG. So those two particular pieces are out of the normal for this session and we'll wait to see what their decisions are on those.

CHAIR HAMILTON: Thank you.

MR. MILLER: So going back to the report, the next few pages are 5 through 16, and those are more details of those particular bills, the 65 bills that she has already signed and are chaptered and are part of law right now.

This next piece starting on page 17 is where I want to focus the presentation today and I was going over some of the more notable topics that had been dealt with over the legislative session this year, and there's just very brief descriptions here for all the different topics. The first one was cannabis and recreational cannabis and the bills proposed for that did not pass but it has been – it's thought to be an agenda item for next year so nothing this year but they'll be back and they'll take a closer look in next year's session.

CHAIR HAMILTON: I'm sorry. I have to ask a question about that too. I heard a rumor but it was really in the realm of rumor that there might even be considered a special session called. Have you heard any of that rumor?

MR. MILLER: Madam Chair, for that particular item, or any other item? No. I have not heard that there was going to be a special session.

CHAIR HAMILTON: Thank you.

MR. MILLER: You're welcome. The next item was HB 346, protect coverage for people with pre-existing conditions. For example, even if what has become known as Obamacare is repealed. The next one is jails and there's three different items here. Two of them are related. The first one is the restriction of solitary confinement in jails and that is House Bill 364. The next two are related to lactating, breastfeeding inmates and the first one, Senate Bill 124 is development of policies for lactating inmates. The second one, Senate Bill 192 is considering a person's pregnancy or lactation status when determining the inmate's eligibility for release.

The next one was a really big topic early on in the session and that was Senate Bill 8 and that was strengthening background requirements for all various forms of firearm sales within the state. The next item, Senate Bill 328 is a protective order firearm limitations, would prohibit people subject to protection order in a domestic abuse case from possessing any firearm.

Next one was film tax credit/rebate, Senate Bill 2, a very important industry for our area here in Santa Fe. What that did was raise the cap, which was currently at \$50 million to \$110 million and it also put \$225 million from the budget to paying a backlog of rebates that are currently owed by the state right now. Also within the bill is a five percent in addition for productions that occur in rural areas, so that is areas outside of the heavy production areas right now of Albuquerque, Bernalillo County, the City of Santa Fe and Santa Fe County.

The next item is a component of the budget itself and that was in part due to the court case brought against the state regarding at-risk students. And the budget adjustment they made this year was \$450 million on new spending towards schools which includes \$113 million targeted specifically at the state's at-risk students. And within the \$450

million there's a six percent raise for teachers.

The next item is what I would consider a less serious matter which was the time change and there's two competing bills going on. One, wanting to have the state remain in daylight savings and the other wanting us to remain in standard. While it got a lot of notice and maybe press time as well, it's still the same. So we're going to spring forward and fall back. Nothing yet there.

The next one is voter registration, Senate Bill 672. This allows voters to register during the early voting period and it eliminates the restriction of closing the books 28 days before an election.

Next item is new government. So there was one new cabinet position created which was early childhood education and the new division created within the state is outdoor recreation.

The next item on page 18 is the land grant permanent fund. There's been a lot of talk – I think it's been over nine years now – of trying to tap into this fund for education needs. Despite heavy support and with new members in the legislature on the House side and also in the governor's office House Joint Resolution did not pass again this year so there will be no current changes or questions to voters about the use of the land grant permanent fund.

Next item is New Mexico grown food. These were items which the Commission had resolutions in place for support of so here for the school meals, these are recurring items, \$200,000 from the House budget and \$50,000 from the Senate budget, so a total of \$250,000, which will be recurring for that particular program for schools.

The next one is similar and it's local food for senior meals. That received \$100,000 recurring from the Senate budget and also another \$50,000 recurring from the Senate budget for New Mexico grown fruits and vegetables.

The last item here is tax reform and I targeted a few particular items within the House bill that relate to local governments. The first bullet point here states that the hold harmless distributions are to be terminated eight years earlier and they will go into effect June 30, 2021 and when the phase-out was first in place, that was supposed to happen June 30, 2029.

Here the next item is for the period July 2019 through June 2021 creates a new monthly distribution of \$1,250,000 to municipalities and \$750,000 to counties. Actually, I believe the special carve-out was taken out in the Senate committee substitution, so that actually does not – that's not in place anymore. There was strong debate over that and I think there three municipalities that that was going to affect. One of them being Gallup and I don't recall the two others but that has been removed subsequently.

The next item here talks about the municipal local option gross receipts and compensating taxes. And it says the county local option gross receipts and compensating tax receipts from transporting persons and property from one point in a municipality or county to a point outside the municipality or county. No equivalent change made to the three other local option gross receipts tax acts. And the final bullet point is imposes local municipal and county compensating taxes at a rate equal to the combined local option gross receipts taxes imposed by the municipality or county for the use of tangible personal property, franchises, licenses or services in the municipality or county. The value of the local use equals the value for purposes of the state compensating tax.

Those were the highlight items, and on the subsequent pages are items which I've highlighted which could affect programs and services which were contained within the junior bills for the House and the junior bill for the Senate as well. I will let you go ahead and review that at a time when you're able to. So at this time I can answer any questions you have for any of the legislation that occurred this year.

CHAIR HAMILTON: Thank you so much. I actually wanted to say first that I found the topical summary you just did, in addition to listing the bills very helpful. I really appreciate that. So Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Hvtce. Do you know what's happened with the Healthy Soils Bill?

MR. MILLER: Madam Chair, Commissioner Hansen, yes, that bill did in fact pass and it is currently at the governor's desk and it's up for her consideration.

COMMISSIONER HANSEN: So she hasn't signed it?

MR. MILLER: No, currently, not yet.

COMMISSIONER HANSEN: Okay. We sent a letter. I think one of the things that would be really helpful at this point would have been like the bills that she hasn't signed.

CHAIR HAMILTON: Just like a list?

COMMISSIONER HANSEN: Yes, so we could know. You're asking for our input, so it would be helpful to know what bills she hasn't signed so that we could ask, should we write a letter on that? Should we call her office on that? That's something I would kind of like to know.

MR. MILLER: Madam Chair, Commissioner Hansen, I do have that information readily available. I don't know how we could go about providing that to you know and seeing if you could take any action on it.

MS. MILLER: Hvtce, do you have it on one list?

MR. MILLER: I do. I have this list here which was the items all sent to the Governor. It's going to be 99 different items.

MS. MILLER: That's what I was going to say. It's like 100 bills that haven't been signed yet. If you want to – because what I could do is talk to the Board about the capital outlay appropriations of you want to make copies of that and just hand it out. And then if you guys see anything on the list that is of interest to you – we put the action item because we were requested that there were some bills that some of you might have interest in discussing. We didn't have anything that off the top of our head we thought should come to you to vote on. So that was at the request of one of the Commissioners whether you had something that you wanted us to discuss and bring up amongst your fellow Commissioners. There's nothing on our radar screen that we had not already been tracking for you that we have not either passed a resolution or provided you information about.

COMMISSIONER HANSEN: I would be grateful to get that list, if I could just scan it quickly before we go on, that would be great.

CHAIR HAMILTON: That sounds good. I think the County Manager's suggestion would work great – go to capital and come back. Fabulous.

COMMISSIONER ROYBAL: Madam Chair, I think probably all the Commissioners would want one of those lists. The other thing I wanted to ask is you said

the bill that was to do with gun control, domestic violence or stalking, that bill has not been signed yet?

MR. MILLER: To my knowledge no. It's Senate Bill 8 regarding background checks.

CHAIR HAMILTON: Yes, I think background checks.

COMMISSIONER ROYBAL: Yeah, the background check, I believe.

COMMISSIONER GARCIA: Well, Madam Chair, there's actually two bills. One actually has to do with background checks, so if you actually convey a rifle, pistol, to somebody they have to do a background check, and there's also a bill that's awaiting the governor's signature that is on her desk in regards to – I think the Sheriff could probably come and explain this a little bit better. So if you have some sort of a domestic violence against you, your wife or your husband could actually call through a court order, could call the Sheriff's Department and have the Sheriff's Department go pick up all the rifles – Sheriff, would you like to come and address the Commission? Thank you

COMMISSIONER ROYBAL: Yes, I have had several concerns in regards to this law and discussions with the Sheriff I know he had some concerns with it as well.

CHAIR HAMILTON: Sheriff Mendoza.

SHERIFF MENDOZA: Madam Chair, Commission, in reference to I think it's House Bill 328, in reference to domestic violence and orders of protection, it is my understanding that a judge, if a person is found to be a credible threat would require the individual to turn over the weapons to a law enforcement agency or law enforcement officer, or, I believe, a person that has a federal firearms license. So in discussion with – I had talked to Commissioner Roybal about some of the concerns and some of the concerns that I have as Sheriff and law enforcement in Santa Fe County with the bill is obviously the safety concern about having somebody come to the Sheriff's Office or approach our law enforcement office to relinquish firearms, which would mean that they would have to come to the Sheriff's Office itself, or find a deputy that's on the street and approach them with firearms which we don't know whether they have been made safe or hopefully his intention is to safely turn them over. So I think that's problematic for us at the Sheriff's Office to deal with those types of situations.

There sometimes isn't great communication between the courts and law enforcement and so if these orders of protection are issued there would have to be very good communication in reference to when the order of protection and the requirement for this person to relinquish his or her weapons to law enforcement is made and I believe it's 48 hours after that's determined that that needs to be done. I just see it as a safety issue. There are civilian staff at the Sheriff's Office. There's the general public at the Sheriff's Office and I think it could be dangerous but I think maybe that's a discussion that we should have.

But this is my personal feelings about the bill. One of the other requirements of the bill is that we as law enforcement store these weapons until a determination – either the case has been adjudicated or a determination is made that the order has not been made permanent, and that can be an issue with us also is to store all these weapons. I don't have hard facts or numbers in reference to how many domestic or restraining orders that we do currently deal with on a yearly basis or a monthly basis, but I could see an issue with

storage in reference to these weapons on what we're going to do with them and how we're going to store them and what the amount of weapons that could possibly be stored at the Sheriff's Office.

There also are guidelines in reference to when somebody relinquishes their weapons, specific timeframes for notification to the petitioner, which is the person that's applying for the restraining order or order of protection and specific timelines and I think that it's an overwhelming burden on law enforcement to meet those specific deadlines without being provided with the funding or the resources to do that. So those are my personal feelings about this bill and so that's kind of where I stand.

CHAIR HAMILTON: Do you still have the floor? Because Commissioner Hansen also has questions for him. Commissioner Hansen.

COMMISSIONER HANSEN: So it's an unfunded mandate, basically for you, and for us, to store these weapons, correct?

SHERIFF MENDOZA: Madam Chair and Commissioner Hansen, that's correct.

COMMISSIONER HANSEN: Do you have any suggestion for what we could possibly – we could make this bill better or how we could deal with getting these weapons out of people's hands? I remember a while ago the City had a gun turn-in day or something like that but that was not to store the weapons; that was to destroy the weapons. Correct?

SHERIFF MENDOZA: Madam Chair and Commissioner Hansen, that is correct. There are programs that allow for that and then there's an immediate either destruction of that property, which wouldn't be the case. But I don't know what the solution is and I think because the bill is now sitting for approval, whether it's too late for that. If the bill is signed it will become law and we're committed to enforcing that law, but I do see some issues with that.

CHAIR HAMILTON: Were you finished?

COMMISSIONER HANSEN: I'm done.

CHAIR HAMILTON: Commissioner Roybal.

COMMISSIONER ROYBAL: So I think – I know right now, Sheriff Mendoza, I believe you sent a letter to the governor basically urging them not to sign this bill right now because I think there's some components in it that don't address certain situations and I think – and correct me if I'm wrong but I think as a Commission I'd like for the Commissioners to consider supporting the Sheriff and also a lot of the constituents that have called me have concerns. I know there's pieces in this law they're bringing forward that even talks about a first-time offender or somebody that's accused of stalking. So that's something that I'm not sure if they need to re-evaluate a little bit more or I'd like to learn more. I don't know if anybody could shed light on that. I don't know if Sheriff Mendoza, or Hvtce, if you have information as far as how that law is written in that specific area.

SHERIFF MENDOZA: Madam Chair and Commissioner Roybal, specifically to the statement made, I did phone and voice my concerns to the governor's office in reference to the passage of this bill. I would prefer that some of those issues be ironed out before it's signed into law, and I have done that. And so I'm not specifically aware of a stalking provision or first time offender provision in that bill, so I can't speak

to that.

CHAIR HAMILTON: I'm sorry – just for clarification. There is or there is not a provision for that?

SHERIFF MENDOZA: I'm not aware of a specific provision.

CHAIR HAMILTON: Thank you. I was actually going to ask something related, whether you were aware of discussion or if Hvtce was aware of discussion as this bill was being developed and heard, about whether there was an adequate definition of – it is all protection orders? What were the limitations or the definition of that? Was it defined adequately to be able to enforce it appropriately?

SHERIFF MENDOZA: Madam Chair, it's my understanding and again, I'm not an expert on this bill. I didn't sit in every committee when this bill was being introduced or amended but just reading the bill itself, it's my understanding that a judge would have to determine that somebody is a credible threat in reference to the restraining order or order of protection in order for the firearm provision to be put into effect. So the definition of credible threat, from what I can tell, is not specified within the bill, what a credible threat is. I think that's up to the judge that's hearing the case. So it could be many cases, it could be few. I don't know.

CHAIR HAMILTON: Okay. But it sounds like it's something additional that a judge then considers specifically, even if it's inadequately defined. It's not just automatic with any protection order.

SHERIFF MENDOZA: Madam Chair, that's what I understand, but again, maybe you could get a legal opinion on that.

CHAIR HAMILTON: No pressure. I get that you just read the bill. I appreciate the information and I take it as such. Thanks. Other questions? Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, just really quick, that's actually on the fourth of fifth page. That's actually Senate Bill 328. It's sponsored by Senator Cervantes out of Doña Ana. Actually, it appears that the Sheriff kind of – the bill sitting up here has many questions. It obviously has a lot of what-ifs and what-ifs and what-ifs and it seems that our elected official, the Sheriff, actually has some questions in regards to the bill. He feels very strongly against it.

What I would like to see if the entire Commission could actually get the Chair to actually send a letter to the governor's office letting them know that Santa Fe County is not in favor of this bill. If we could get the majority at least of the Commission to determine that.

COMMISSIONER ROYBAL: I would be okay with that.

CHAIR HAMILTON: Commissioner Garcia, I apologize – what is Commissioner Roybal okay with. I missed the very last half of what you said.

COMMISSIONER GARCIA: That's okay. I was just wondering if we could get the majority of the Commission or the entire Commission to actually get the Chair or the Manager to send a letter to the governor's office just stating that the bill seems to – appears to have several questions in regards to it to say that we would recommend that she not sign the bill.

CHAIR HAMILTON: I understand. Sheriff.

SHERIFF MENDOZA: Madam Chair, Commissioner Garcia, it's

whatever the wishes of the Commission is, I'm just specifically expressing my concerns. I would recommend that each Commissioner sit down and read the bill for themselves, and then make a determination based on your feelings and concerns also.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Sheriff Mendoza. I would like to read the bill before I agree one way or the other. I don't like that it's an unfunded mandate that is difficult on the County, but I don't want to see guns in the hands of people who are a viable threat to people. We have enough problems at the moment with people who have guns and should not have them. The problem is how do we deal with the guns is really the issue. It's not whether we should take them away from the people who are creating a threat to somebody. It is an issue of storage and an unfunded mandate of the Sheriff being responsible for guns and then the ability and the likelihood of being sued because somebody didn't get their gun back in the condition they claim it to be in, or who knows what all kinds of things they could claim that we have done to their guns. Just from the surface of this there seems to be a number of issues with this bill, but I would like to read it before I make a decision. Thank you.

CHAIR HAMILTON: Thank you. Commissioner Roybal.

COMMISSIONER ROYBAL: I would agree that we do want to make sure that we don't have weapons in the hands of individuals that could hurt themselves or somebody else but I agree also that there is some concerns with this bill. I do want to find out what is the timeframe that the governor has to sign this into law.

CHAIR HAMILTON: April 5th.

COMMISSIONER ROYBAL: Do we have another BCC meeting before?

CHAIR HAMILTON: No. Our next BCC meeting is April 9th.

COMMISSIONER ROYBAL: So that's one concern is we can't give direction prior to the deadline being signed.

CHAIR HAMILTON: That's true. There are probably options in terms of, first of all, individual Commissioners each sending a letter saying – explain we didn't have an interim meeting to actually do this jointly but individuals are sending, expressing their own concerns. That's one thing that pops into my mind. I'm not sure what else to recommend. I don't know if the County Manager has any ideas. But it's interesting because I have not read the bill, but to me there are always concerns about something that sounds like a good idea and it is. Like if somebody – the definition aside, if somebody is a credible threat, and certainly every time there's a news article about a wife who shot a husband or a husband who shot a wife, and they had a protection order but they were armed. It seems logical to say that person should never have had a gun. But then when it's passed into law with that simple statement there are potentially other situations that are also included because of the way the law is stated that might turn out to be a really bad idea. So how do you decide, how does a judge get guidance on deciding who to take the guns away from, and that is a problem. So I guess at the very least I would like to read the bill. I don't know if the County Manager or Attorney have any further input.

MS. MILLER: Madam Chair, I have staff making copies of the bill, but I don't know that you'll feel comfortable. It's not the easiest reading bill. It's a little difficult to interpret. I have to say I read it and it's a little ambiguous. So I can see the Sheriff's concerns, but additionally, to not support legislation that actually takes guns out

of the hands of somebody who might be a credible threat to someone else in a domestic violence situation, as Commissioner Hansen said, that's the dilemma with this bill. It's not well written. It's not well thought out, I think. I don't think that they thought about, okay, yes. What does a Sheriff or a law enforcement officer do once they go get all these guns and they're only to hold them while the order is in place. And so how do you track all that. And I agree with the Sheriff that communication between the courts and law enforcement isn't always the best. We struggle with that with the jail.

So I don't know. I don't know that you have enough time to as a Board really take it in and get a legal opinion on it and really digest it that way. But certainly we can give you a copy. You are welcome to say whether you want to send a letter from the Board with the concerns of the bill, or you could do them individually and not as a Board.

COMMISSIONER GARCIA: Madam Chair, I guess I'm okay giving the suggestion we could actually take that back and we can read the bill then we can decide on a later date. So we can move on.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Roybal.

COMMISSIONER ROYBAL: I'm fine with however the Commission – if they want to review the bill for themselves and make a decision if they'd like to send an individual letter or however they want to proceed. I will definitely support Sheriff Mendoza's thoughts.

CHAIR HAMILTON: Thank you. Anybody else have thoughts?
Commissioner Moreno.

COMMISSIONER MORENO: I understand your concerns. I share them. I don't want a law that is going to be flawed and the short time that the legislators themselves have probably don't know all the ramifications of passing this law. You've given us a lot of matter to think about and I probably will write something up for posterity or maybe something.

COMMISSIONER MORENO: Thank you, Commissioner. Commissioner Hansen.

COMMISSIONER HANSEN: Could I comment about another bill?

CHAIR HAMILTON: Let's finish this one first. I'll get right back to you. I do have a question for the County Attorney. Would it be inappropriate from a practical point of view if a Commissioner has written a letter to share it with other Commissioners? I mean not doing discussion. I don't want to generate a rolling quorum. We're not making a joint decision, but just for information or is that inappropriate. If it's a hard question I'll withdraw.

MR. FREDERICK: Madam Chair, and I'm not sure if I understand you correctly. You're talking about basically writing a letter in opposition or in support by an individual Commissioner –

CHAIR HAMILTON: If somebody wanted to do that and if I know Commissioner Roybal has a letter and I want to –

MR. FREDERICK: In copying, not asking for collective action, but all you're doing is essentially copying other Commissioners. You've already made up your individual mind.

CHAIR HAMILTON: Absolutely.

MR. FREDERICK: To write a letter and you copy the other Commissioners. I don't see – that's not a rolling quorum. You're not taking roll call or doing anything like that.

CHAIR HAMILTON: Okay. Great. I just wanted to know if it was appropriate. So is there further discussion on this bill?

SHERIFF MENDOZA: Madam Chair.

CHAIR HAMILTON: Oh, I'm sorry. Sheriff Mendoza.

SHERIFF MENDOZA: Could I just make one more statement?

CHAIR HAMILTON: Yes.

SHERIFF MENDOZA: Madam Chair, Commission, I'd just like to state for the record that Santa Fe County does take domestic violence very serious and I mirror your concerns about domestic violence and people that are a threat having firearms. In no way do my comments reflect the fact that we don't take domestic violence and the victims of domestic violence very serious in Santa Fe County.

CHAIR HAMILTON: Absolutely. And I think everybody – I can certainly speak for myself; I totally agree with you. The issue is not the value of taking it seriously, which I definitely do. It's the concern about specifically the way the bill might be written, which I don't know about yet. Thank you very much for that.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner.

COMMISSIONER ROYBAL: I also want to just ditto the same statement. I know as Sheriff Mendoza stated that we do take domestic violence very serious and I appreciate you saying that on the record because it's something that I think Santa Fe County does have quite a few cases of domestic violence, even more than some of the other counties in the area, so there was numbers that somebody did share with me that was surprising. But I know that we take it very seriously and I'm glad that you made that statement. So thank you, Sheriff.

SHERIFF MENDOZA: Thank you.

CHAIR HAMILTON: Thank you, and thank you for your patience, Commissioner Hansen. Next one.

COMMISSIONER HANSEN: I see that the governor has not signed a couple bills that actually we have supported like the Wildlife Corridor Act, Senate Bill 228, I'm not positive if we supported the senior center food gardens that was brought forward by Senator Stefanics. So those are bills that we have been supporting so I'm hoping that we can continue to encourage the governor on any bills that she has not signed that we can continue to support.

Myself, I appreciate this list, Hvtce. Thank you very much. I will send a letter and a statement supporting the removal of coyote killing contests and prohibiting them because I think it's cruel and unjust. And then there was one other bill, the outdoor recreation. It's on here; I'm looking for the number. So I would also really like to support that but I don't know if the whole Commission has supported that, the outdoor recreation. I'm looking for the number. Where did it go?

CHAIR HAMILTON: Senator or House bill? Do you know?

COMMISSIONER HANSEN: I think it was a Senate bill. It was creating outdoor recreation. Here it is: Senate Bill 462 by Steinborn, create an Outdoor Recreation

Division. I think for Santa Fe County we obviously have made a huge investment in our open space and I think that this bill to create an Outdoor Recreation Division would support our goals. On page – I don't know where the page numbers are. Ten of 11. It's near the end. It's Senate Bill 462. I know we do have Maria in the audience and I don't know if you are familiar with this bill at all.

CHAIR HAMILTON: No pressure.

COMMISSIONER HANSEN: I'm sorry, Maria. It says – it's related to some other bills. Create the New Mexico Outdoor Recreation Division with a director appointed by the governor in the Economic Development Department, create the Outdoor Recreation Advisory Committee administratively attached to the division, create the special projects and outdoor recreation infrastructure fund, create the outdoor equity grant program and fund, and make a non-reverting appropriation to the fund for grant making by the New Mexico Youth Conservation Corps, appropriate \$1.5 million for the Economic Development Department to operate the new division and \$100,000 for the program.

So if everybody would support that with me I would –

COMMISSIONER GARCIA: I haven't read the bill, Madam Chair, so I don't know exactly what this is.

COMMISSIONER HANSEN: I know that I will write in support of that.

COMMISSIONER GARCIA: But I'm okay with it, if it has anything to do with outdoor – it's not as controversial as the last one, but I'm okay with it.

COMMISSIONER HANSEN: This one is not as controversial. So, Madam Chair.

CHAIR HAMILTON: Yes.

COMMISSIONER HANSEN: I'm asking for the Commission to write a letter in support of creating an Outdoor Recreation Division.

CHAIR HAMILTON: Other discussion?

COMMISSIONER MORENO: I'll second.

CHAIR HAMILTON: Are there any concerns? Manager Miller, are there any potential conflicts that we should be aware of? No pressure again.

MS. MILLER: Maria, is there any? No, seriously, I haven't read the bill. I can't tell you.

CHAIR HAMILTON: I haven't either. It sounds good. I'm supporting something based on the title, which might be fine.

MARIA LOHMANN (Open Space Planner): Madam Chair, Commissioners, I read the bill. It's been a while. My understanding is that it re-organizes existing staff into an outdoor recreation division and that it –

CHAIR HAMILTON: Existing staff from where?

MS. LOHMANN: Existing staff that already within the State. So again, it's been a while. My memory is not perfect, but there's a Youth Conservation Corps Department staff that will be moved into this division. There are two others and then there's the director of the division. And then there is talk of some type of funding for supporting outdoor recreation in the state. It's unclear if that's part of this bill, if it's included, or if it's just the creation of the department.

COMMISSIONER HANSEN: It says \$1.5 million to operate the new

division and \$100,000 for the program.

CHAIR HAMILTON: Well, so my question is on the surface of it there's some importance to outdoor recreation in terms of the New Mexico economy and that sort of thing. Is there any explanation or understanding why this isn't being adequately taken care of by existing departments. Parks and Recreation? Whoever? So what would the split between the existing divisions and this proposed new division be?

MS. LOHMANN: Madam Chair, Commissioners, I don't have the answer to that question. I think that it's just an exciting thing. Everyone's been talking about recognizing the importance of outdoor recreation in the state of New Mexico.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: So where this appropriation is going is to economic development, not in the national parks or not in the parks and open space. So it's going to help promote outdoor recreation in New Mexico. From what I know.

MR. FLORES: Madam Chair, Santa Fe County, through its lodgers tax supports New Mexico True and our focus is outdoor recreation. We support this type of bill, but it's at the state level for reorganization of a state department. Whether it affects Santa Fe County, I'm not sure. All it does is take existing staff and functions within the Tourism Department and creates an Outdoor Recreation Division. That's the impetus of the bill. So we'd be in support of it because our lodgers tax and our advertising programs support outdoor rec, but I think we're asking for ideas at a state level that really won't affect us immediately, because we're already doing New Mexico True under the Department of Tourism.

CHAIR HAMILTON: Thank you for that input. Further questions? Go ahead, Commissioner Garcia.

COMMISSIONER GARCIA: Just really quick, Hvtce. If you and I could sit down. These are some of the questions I have. If you could actually get me copies of the bill so I could read it.

CHAIR HAMILTON: We're still on this bill though.

COMMISSIONER HANSEN: We've got to have a vote.

CHAIR HAMILTON: I mean I have a motion and a second about writing a letter, so I have to take a vote on that. I just want to know if there's further discussion on it. Okay. There's a motion and a second.

The motion passed by unanimous [3-0] voice vote. [Commissioners Hamilton and Roybal abstained.]

CHAIR HAMILTON: I guess for the record I'm technically abstaining because I really don't know what the implications are but I have no objections to it.

COMMISSIONER ROYBAL: Madam Chair, I'm going to abstain as well for the same reason.

CHAIR HAMILTON: Okay. So there you have it. So that carries. Other bills. Commissioner Garcia.

COMMISSIONER GARCIA: Commissioner Hansen, are you done?

COMMISSIONER HANSEN: No. Go ahead.

COMMISSIONER GARCIA: You have the floor.

COMMISSIONER HANSEN: I think most of the other bills that we are supporting that I marked off and I'm not asking the whole Commission to support or prohibit coyote killing contests but I'm telling you that I am supporting that and will write a letter. So I'm good for the moment. Thank you very much, Hvtce. I really appreciate it.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. Really quick, Hvtce if you could go over with me – not now; at a later date, is regarding House Bill 216, which is county subdivision regulation recordation act requirements, which basically means we have to send every subdivision that's recorded to the state of New Mexico.

CHAIR HAMILTON: What are you reading from? You're on the ones that have been signed?

COMMISSIONER GARCIA: The ones that have not been signed.

COMMISSIONER HANSEN: Okay. Number?

CHAIR HAMILTON: House bill or Senate?

COMMISSIONER GARCIA: On this thing right here.

CHAIR HAMILTON: Those have all been signed.

COMMISSIONER GARCIA: Yes.

COMMISSIONER HANSEN: These have all been signed, so what's the bill?

COMMISSIONER GARCIA: Madam Chair, I just want Hvtce to sit down with me and get me a copy, just to get a copy of the bill for my own records. It's House Bill 216.

CHAIR HAMILTON: Thank you.

COMMISSIONER HANSEN: What?

COMMISSIONER GARCIA: It's House Bill 216, 87. And if you all are interested in this you might have him give you guys a copy of it as well. It actually, in the past legislation overview as well, in regards to Senator Pirtle's bill, the day change. Is that on the governor's desk for signature?

MR. MILLER: Madam Chair, Commissioner Garcia, no. There was one from Senator Pirtle and one from Representative Bobby Gonzales. Neither of those made it all the way through.

COMMISSIONER GARCIA: Okay. Thank you. And then just one last question I have for Mr. Miller. I believe on page 18, for the period of July 2019 through June 2021, creates a new monthly distribution of \$1.25 million for municipalities, and then \$750,000 to counties. You said the \$750,000 got removed in Senate Finance?

MR. MILLER: Madam Chair, Commissioner Garcia, in Senate Corporations. Those were deemed as another carve-out and that's why they were removed. They weren't putting any exceptions for any municipalities or any counties for continuing to receive a hold harmless.

COMMISSIONER GARCIA: And then just one last thing, Madam Chair. I'd just like to thank Hvtce and his team, Tony, Tessa Jo, I believe. Everybody who was there, who as at the session. Thank you.

MR. MILLER: Thank you.

CHAIR HAMILTON: Thank you. And Hvtce, do you remember, just as a

matter of disclosure of things, that I also would very much like to see signed is the legalization for growing hemp. I think that's a big economic impact. I can give you the bill number. Are we following that at all? It has not been signed yet.

MR. MILLER: Madam Chair, no, that has not been signed.

CHAIR HAMILTON: That's House Bill 581. So is there further discussion on the legislative update? Manager Miller.

MS. MILLER: I still want to talk to you about capital outlay. So in front of you you have the list of capital outlay. At our last BCC meeting we couldn't tell you which ones were likely to come to us because we actually needed to look at the bill a better, not just from the spreadsheet. So just going to Santa Fe County, I can tell you ones that are likely to come to us, and then one that's are likely to come to us that we did not ask for or don't really have any knowledge about. So I want to go through this list.

So middle of the first page, page 27 or 34, starting with item 6731, that First Judicial District Attorney building upgrade, that \$10,000, that's for the courthouse. Unfortunately, I think they asked for \$1 million and only got \$10,000. They might have asked for \$2 million, but that is one of our projects. It's our building. So 6731, that's to the District Attorney building. That is a building we own that we do have a project to do improvements. That's something we'll discuss tomorrow, but that's \$10,000 towards that. Unfortunately, they needed a lot more than that.

CHAIR HAMILTON: We're ready.

MS. MILLER: So right in the middle of the page there, first appropriation under County of Santa Fe. As I said, these are all entities that are located within Santa Fe County but it does not mean that the funding is coming to Santa Fe County. So I'm going to highlight to you the ones that we believe will be coming to us and it's based upon going in and reading the legislation and trying to determine if it actually said to Santa Fe County or if it said to a state agency or something like that. So 6731, that is our building; that is one of our projects. That would just be added to that project. But as I said, that's one that we are short-funded on and we'll be discussing when we talk about capital outlay planning.

Then 6732, First Judicial Court security cameras, \$60,000. I believe they asked for \$750,000. That's our estimate of what redoing the cameras. I went over and looked at that. We definitely need new cameras in there but I don't know where we're going to come up with the rest of the funding.

Then the one right below that is their conference room. They have a storage room that they want to turn into a conference room. It's in our building. They've indicated that the courts can handle that themselves; they don't have to have that appropriation come to us.

Then the Indian water rights settlement increase, that was the additional I told you to the \$18 million that was requested. This is an additional \$2 million that would go ultimately to funding the project from the state side.

Then all the way at the bottom of that list, 5985, Agua Fria Street and South Meadows Road improvements. This is to the City of Santa Fe. I'm not really sure what this is.

COMMISSIONER HANSEN: I can tell you. On Sunday I was with Senator Rodriguez and Representative Trujillo and this is for safety improvements at the

intersection of South Meadows and Cottonwood and Agua Fria and I think every year for the last couple of years since I've been on the dais Senator Rodriguez has appropriated money toward road improvements at South Meadows. So I know she did last year, so I think they're trying to build up a fund, but this is in the city.

MS. MILLER: That's what Robert just said, that it's actually not on the County's portion and it's for the City to do improvements to their portion of those roads.

Then on the next page 6928, very top appropriation, that one is to our wastewater expansion of services in Agua Fria.

Then go down a little bit further to 6969 Cerrillos Hills State Park site improvements. That would likely come to us because we own the property but it's a state park. We purchased the property and it's a state park.

Then go down a little further to 6855, Edgewood Health Commons, phase 2 construction. That also is a project that we are trying to work with the Town of Edgewood and the current provider in Edgewood.

COMMISSIONER ROYBAL: Madam Chair, Manager Miller, is the 6193 that was just under 6969, is that –

MS. MILLER: Yes. Sorry. I missed that one. That may go directly to them, but that is one that we are working jointly with Chupadero on. I don't know for sure whether that will go right to them or whether that will come to the County, but that is the project we've been working on. That's for a new tank and site improvements for the new tank.

CHAIR HAMILTON: Thank you.

MS. MILLER: Then 6534, the Eldorado hike/bike network extension. That one will likely come to us, be a project that we would do in conjunction with the Eldorado community. Same with 6545, Eldorado road improvements, because those are County roads and the trails, we have an agreement with the community to build and jointly maintain trails.

Then 6481, below that one, Greater Glorieta, that's a project we're working on. The Galisteo, I don't know if that will go directly to the Galisteo Mutual Domestic. It likely will, but then 6481 may come to us because we've been jointly working on the Glorieta project. If it doesn't come to us it will go to them but it's the project also that we did with them for CDBG.

Then a little further down, 6968, La Cienega Library improvements. It's a rather small appropriation. I'm not exactly sure what we'll do with \$5,000 but that is our building.

CHAIR HAMILTON: Manager Miller, above that, the Harrison Road, is that also in Santa Fe County?

COMMISSIONER HANSEN: No, that's not in Santa Fe County. That's in the city.

CHAIR HAMILTON: Okay. It says CO. So it looked like County to me. Never mind.

MS. MILLER: It's a City road. And then the La Cienega Library improvements, I don't know if that will stay in or not. I don't know if they will try to stay to some kind of minimum amount, or whether, because they have plenty of money they'll let small appropriations go through.

Madrid Ball Park upgrade, that is our facility as well. We didn't put this request specifically in but it is our facility so that would come to us to do the project.

I think this Madrid water fire suppression – that's not one that we asked for specifically but it was one that the community asked for. I think that will come to us. Part of the problem we're having is we're asked to fill out the questionnaires about the projects, but we don't necessarily have the information about the projects because they didn't come through a process with the County. This one I know we did have some communication with them but it wasn't one that had come up to the Board.

Then I think the next one that would also come to us and that we did ask for was 5712, Pojoaque fire station 2 construction. Our only problem with this one is we've been trying, and this is something I want to talk to the Board about tomorrow. We've been trying to purchase the land for this and so we're also having difficulty responding to when we would start this project. And it's all dependent on whether we can purchase the land from the land grant, and we've kind of gone back and forth with them and have not gotten a definitive answer as to whether they will sell the land to us.

CHAIR HAMILTON: That's a fire station?

MS. MILLER: Yes. The fire station on the transfer station that we want to do in the Jacona area. Then on the next page, 29 of 34, go down to the Santa Fe Boys and Girls Club facility improvements. We don't know for sure – it doesn't say City of Santa Fe. We do know they asked for funding to do improvements to our three housing sites, so we're not 100 percent sure whether that will come to us or to the City but we're hopeful that that was for our three or four sites that they operate and lease from us, but our buildings.

Then the next one, 5691, it's additional funding \$375,000 for the Agua Fria wastewater and utility system expansion. Then 5692, there's our half million for photovoltaic that we asked for. Then 6066, this is the Fire Department equipment. We'll have to have further discussion about this. The appropriation was one that was provided without it being a priority of the Commission.

Also, Santa Fe County, the very next one, 4770, that was one of our requests. Highway 14 Senior Center construction. And then 6884, this is one that actually, they asked us if we wanted to be the recipient of the funds; we said no and it looks like they got appropriated anyway. I don't know what the Board wants us to do. This is not our facility, best we can tell. I believe this is the Santa Fe Recovery Center.

CHAIR HAMILTON: I'm sorry. I for some reason missed the number so I'm not with you on that.

MS. MILLER: It's the \$1.5 million, number 6884, Santa Fe County Recovery Program building. That was not our request. That was a non-profit's request that the Board actually stated you did not want to be the fiscal agent. So we're having difficulty responding to the questionnaire because this is not our project.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: So on that project is it designated specifically for their building? Or is it just designated for the work that we're doing on our crisis center?

MS. MILLER: That's a really good question because what you're reading there is about the same language. They can't make an appropriation directly to – say, it's

for this non-profit and their building. They'll put Boy's and Girl's Clubs but those are our buildings. Santa Fe Recovery, I believe we have part of one of their buildings. These become really complicated for us because it forces us to try to find a way around the anti-donation if it's a non-profit. If it's our building, that's great. We could totally use that for our facility but I don't think that's what it's intent was because we didn't request it.

COMMISSIONER HANSEN: But could –

MS. MILLER: And we have no idea who made the appropriation so it's very hard to ask.

COMMISSIONER HANSEN: Okay, so we don't know if it's appropriated to our building or their building, and we just know that there's this amount of money. Okay. Thank you.

MS. MILLER: That's also the Santa Fe Mountain Center yurt. Not our request, but our building, and the Mountain Urban Adventure Center, likely will come to us because it's our building but not our request. And then the Sheriff's Office body cameras, that was a request by the Sheriff and the wrong-way driving detection technology was also a request by our Sheriff.

So those are the ones that are likely going to come to us. The one question – I guess the question that I have for the Board is we are being asked right now by DFA, and I'm sure this is to try to inform the governor, they're providing us questionnaires. These weren't our requests so – and we also had a process where if a request did come in, we brought it to you and asked if you wanted us to be the fiscal agent for those requests.

CHAIR HAMILTON: And we said no.

MS. MILLER: And you said no. So we're kind of in a spot of trying to answer these questionnaires. I would like to be able to at least say on the questionnaires, these were not Santa Fe County requests so we can't provide you that information. It's not saying we won't take the appropriation if we get it. I just want to point out that every single one of these though pushes our projects that you have approved that we are trying to get done, further down the list, because this money will expire, so these will go in front of other County projects. And this is one of the things we were going to talk about tomorrow is there's only so many hours in a week of staff time. And these don't come with any administrative funds.

So I guess my only request today is whether we can just respond on those questionnaires that these were not our requests so we can't provide the details that they're asking. It's like start date and all these things that we don't – I have no idea what they were thinking for some of these projects.

CHAIR HAMILTON: Well, I'll poll the Commissioners but just to start out, I personally think at the very least we have to say that, because there has to be some follow-through. Every time there was something that came up that was a request to us, they're almost always – this time I think there was no project we felt wasn't worthy of doing. It was the legal and the practical constraints of whether we could take the money and how it competed with things that are on our priority list. And so I would suggest that at the very least we need to say this was not our request. We don't have the information on this. If this goes through we're willing to entertain further discussion but it generates problems. So other Commissioners? Commissioner Hansen.

COMMISSIONER HANSEN: So I do, Manager Miller, want to go to the

last page because there is also money on here for Zafarano Drive construction, Santa Fe County.

CHAIR HAMILTON: Which one are you on?

COMMISSIONER HANSEN: I'm on the very last one on the back page, and this is money that was – it is on our CIP list and this is for – it's \$100,000 from Senator Rodriguez to begin to study and see what we can do to build a road across from Zafarano to Agua Fria. So there is information that was on our CIP. I know that. It was just way down at the bottom.

CHAIR HAMILTON: Our CIP list.

COMMISSIONER HANSEN: Yes. It was on the CIP list.

MS. MILLER: It was right along with the buying the zoo.

CHAIR HAMILTON: Right.

COMMISSIONER HANSEN: I think there needs to be some cleanup on our CIP list.

MS. MILLER: That's what a lot of our discussion will be tomorrow. How do we prioritize and how do we decide what to fund and how do we allocate our human resources to get projects done?

COMMISSIONER HANSEN: So I just wanted to give you that piece of information on that one. And long with Commissioner Hamilton, on this Recovery Center program building improvements, if it is for the building that we're doing, maybe we should say in your questionnaire is we have a building which will be housing the Recovery Center and we can spend it on that building, but we can't spend it on a building that we don't own. Isn't that an anti-donation?

MS. MILLER: Madam Chair, Commissioner Hansen, yes. That's what I said. A lot of these – several of these will come to us because we already own the buildings, but the reason we own the buildings is because we ended up with appropriations that said, here. Go figure out how to build a building, own it, and then lease it to a non-profit. And that's why we have several buildings that we own but we don't occupy. And that's just the nature of the way this works. I'm sure the City has several as well.

COMMISSIONER HANSEN: I definitely have more to say about this but since we will be discussing it tomorrow I look forward to that discussion because I think this is a longer topic than right now. But I really appreciate you going over the list with us and pointing out the things that were for Santa Fe County that you are sure of and the fact that you have to respond to a questionnaire on some of these is more challenging. That is definitely true. So thank you very much. That's all I have at the moment.

CHAIR HAMILTON: Thank you. Manager Miller.

MS. MILLER: So what we still do on the questionnaires, if there's stuff that we don't know because it wasn't our request. We will state that. We're not going to say, no, we don't want the appropriation, we're just going to make sure they understand it was not a Santa Fe County request.

CHAIR HAMILTON: Thank you.

MS. MILLER: So Madam Chair, that's all I had on the legislative. I know that was a long update but since it is the end of the session I figured there might be a lot of discussion. Could we go to the open space?

CHAIR HAMILTON: What about the results of the revenue bond sale?

MS. MILLER: I just thought we'd let them –

CHAIR HAMILTON: Oh, sure. I just wanted to make sure that you were doing that on purpose. Great. No problem.

V. B. Presentations

1. Presentation and Update on Open Space, Trails and Parks Projects from March 2018 – March 2019

CHAIR HAMILTON: I'm very sorry you did have to wait so long. Thanks so much for sticking it out.

MS. LOHMANN: Madam Chair, Commissioners, we're going to have a lot of fun, so it's okay.

CHAIR HAMILTON: That's scary.

MS. LOHMANN: While the screen comes down, I'm Maria Lohmann. I'm the open space and trails planner. We put a pretty brief memo in your packet because we have a lot of stuff that we really want to talk to you about. The Santa Fe County open space program has been doing some pretty incredible things lately and we want to brag about ourselves. We're really picked up speed in the last year or so, especially thanks to the additional staff that we have had on board for about a year and we just wanted to give you an update of everything that has kept us busy. And then we also want to give you a peek into what is upcoming in 2019.

Peggy Darr is our new open space resource management specialist. She's been with us for a year, and I'm going to hand this presentation over to her so she can tell you how busy she's been.

CHAIR HAMILTON: Thank you. Welcome, Peggy.

PEGGY DARR (Open Space Planner): Thank you. Thanks, Maria. Madam Chair, Commissioners, we have a really great open space team and thank you for giving me the opportunity to talk about a bunch of our accomplishments over the last year. So primarily our work – we've been working to implement the open Space, Trails and Parks Strategic Management Plan, as well as all the adopted property management plans thus far. We've been doing that through natural resource monitoring, natural resource management, and project planning and development.

And so I'm going to talk about the resource monitoring and management, and then Maria is going to come back up and talk about the project planning and development. So one of the things that we've been working on heavily over the past year is conducting baseline wildlife surveys on all the properties. These are really important for two main reasons. One, we want to document the diversity that we have on the property so that we can maintain and improve that, and two, we want to document any species of conservation need, so that we can work to conserve those species appropriately.

So over the past year on all open space properties we've documented approximately 200 wildlife species including numerous species of conservation need, several of which are pictured here. Some of which you might recognize including the monarch butterfly, some which you might not, including the piñon jay on the top left,

which is probably our fastest declining species found this far, which has declined by about 85 percent since the 1960s.

We are also in the near future going to be conducting rare plant surveys so that we can conserve rare, threatened and endangered plants that may occur on our open spaces. Having documented these species we are now actively working to monitor and conserve them.

In addition to baseline monitoring, we've also been conducting picture post monitoring and bull's-eye surveys. Picture post monitoring is exactly as it sounds. We place a permanent post in the ground. We take photos from it in the same direction at regular intervals to monitor habitat conditions. And bull's-eye surveys are qualitative surveys that allow us to identify any potential issues, such as erosion control problems or invasive species.

Here you have a picture of Thornton Ranch showing all the red dots are picture posts and bull's-eye survey locations that we did last year, last summer. So we're working to do that on all of the properties.

We've also been participating in citizen science monitoring efforts such as the Christmas bird count, Audubon's Christmas bird count, so our data from our properties are being used with others' data to inform really large-scale, important conservation efforts on national and international scales.

And then we're also working to implement additional monitoring this summer, so the planning has been happening right now. That includes horned lizards surveys at Thornton Ranch, piñon jay breeding colony surveys, amphibian surveys at Los Potreros, cactus monitoring at Arroyo Hondo, and bird monitoring at the Ortiz Mountains.

We're also, in addition to monitoring, we're also doing management as well to help fulfill those plans. At La Cienega open space, with the help of volunteers and staff, we planted 150 milkweed plants to help the declining monarch butterfly. This is actually a photo of one of our young volunteers with a milkweed plant. He came with his parents and younger brother, because they had found a monarch caterpillar in their yard and he wanted to help. We also had a volunteer show up in a monarch cape. So there's a lot of passion around this particular species.

We also conducted some reseeded at Los Potreros open space to help improve soil and wildlife habitat. It thus far appears to be a huge success. This is it growing back in. I believe Maria said we had a contractor out there last week and they said that the open space is the greenest thing around right now.

We've also been working to develop an invasive species management plan, and while that's been in development we've also had the crew out there hand pulling some of the worst invasive species so that they don't have negative impacts on our biodiversity, and between the maintenance crew that have worked diligently to hand-pull these, which as you can imagine is not fun or easy, and volunteers, we've removed truckloads of invasive species that could have negative impacts on biodiversity and will continue to do so.

We've also been conducting erosion –

CHAIR HAMILTON: Just a quick question. So what do you do when you pull them? That's kind of an issue.

MS. DARR: Madam Chair, it depends on the species. Some species you

can't leave because they might re-sprout and so for those we bag and throw them away. If they can be left then we do, because that's preferable to using landfill space.

CHAIR HAMILTON: Great. Thanks.

MS. DARR: So then we have been conducting erosion control work to improve soils and wildlife habitat. It also helps with user safety. This was a trail, which would probably be dangerous for a bike. So we've been doing that. We've also been collaborating with a fire crew to work hard to balance fire prevention with wildlife habitat conservation at Talaya Hill open space. And last but not least, we've been working on a forest health restoration plan for the Ortiz Mountains. And with that, I'll turn it back over to Maria.

MS. LOHMANN: I'm going to just give a very short overview of some of the projects that we're going to be working on into the future. I could keep you here all night and I don't think anybody wants us to stay just for me to list all of the other projects. In 2018 the County received TAP funding, which is transportation alternatives program funding for the Arroyo Hondo Trail. This trail is intended to connect the Rail Runner station at 599 to the Community College, and the segment that we received funding for is segment 4, which starts at the Rancho Viejo fire station and connects to La Pradera and the diverging diamond interchange.

As part of that project we are going to be creating our signs. This will be the first example of using our signage plan which we adopted as part of the strategic plan in January, so we're really excited to see some of these designs that we've been working on come to life and to be able to start to promote our open space program better.

And just for fun, we've also applied for TAP funding for additional segments of the Arroyo Hondo Trail in this current funding cycle and we should find out in the next month or so if we've received those funds, so cross your fingers.

The Madrid open space plan was adopted in 2017 and this plan addressed concerns that we heard from the community members regarding flooding, especially in the Madrid Gulch. Based on this plan, we were able to work with an engineer to develop a better drainage system for the neighborhoods right there along the Madrid open space, and now we are coordinating with the abandoned mine lands program to implement these drainage improvements and leveraging some of these other projects.

And finally, this year we have started to develop additional management plans for open space and trails properties, including, as you learned last meeting, the Santa Fe Rail Trail management plan. We're working on the Cerrillos Hills State Park management plan and the Ortiz Mountains management plan. We're also doing some regional trail planning along the New Mexico Central rail corridor that goes through central Santa Fe County.

And the best is for last. We are finalizing our 20th anniversary celebration schedule of events. Right now our plan includes hosting some guided hikes on some of our properties. Having some movies nights at Romero Park, because that was so much fun last year, and we're also going to be working very closely with volunteers and community members and stewards to do more resource management along with Peggy, some additional projects that will just enhance our trails and our open space properties. We are going to be out at the River Trail and the Rail Trail pretty often in the near future, so if you see us you should say hi, and with that, Peggy and I can answer any questions.

Paul also just reminded me that we are collaborating with the Greater Santa Fe Recreational Partnership group and it's an agency – it's focused on agencies working together to plan regional trail connections in the greater Santa Fe area.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. Thank you for all your work. I'm sorry that all the people who came here to speak about the forest issue didn't get to see this presentation also, because I think this is something they would really have appreciated to know what Santa Fe County is doing with our open space. I remember – it was 2000/2001 I ran into Commissioner Paul Campos and he said to me, Anna, don't you know we're spending all this money buying open space? And I said That's great. I'm a huge supporter and it's so great to be up here and to be seeing what we are doing, where we have gone in those 20 years and I'm so excited about the 20-year celebration and all the great events we can do. So I want to thank you from the bottom of my heart, really. I think you know how much I care about open space and recreation and outdoor recreation. I think it is really an important part of our beautiful landscape. And I also know how much Senator Martin Heinrich cares about it and how much we're able to share with him. He is also a huge supporter of this.

I love the signs. I look at the graphics all the time so I think that I like the fact that there are a couple different colors and kind of have the same flow but have a little bit different interpretation in the graphics. I think that's really nice. I couldn't quite see it in the book but seeing it a little larger I know they looked good and I've seen some others. So I just want to say thank you.

I know how important the monarch butterflies are to people. That seems to be a touchstone for open space but I think one of the other areas that we really need to educate people about is the piñon jays. I think part of the lack of habitat is also the cholla. I think that is part of their habitat also and I know that that was in my neighborhood where I live in the city, there are still places that have cholla growing, and I know it's one of the places where they like to live. I've had piñon jays have bird nests in my yard. They have built those nests in my pyracantha. It's nice and thorny and got orange berries. It's one people hate because it's so thorny. But it is really – for them it is a really protective plant where they can actually build a nest.

I think all of the things that you are doing are great and thank you very much.

MS. LOHMANN: Thank you for your support.

CHAIR HAMILTON: Thank you. Were there some other questions that anybody had?

COMMISSIONER GARCIA: I have a couple questions, Madam Chair. Good presentation. Thank you. I'm excited for the management plans. I'd just like to sit down with staff and see how we're going to start implementing the management plans, and what stages and how that works. And then one of the things regarding the signage, who's picking the signs? Have they already been picked out? Did the County Commission pick them out or who picked out the signs?

MS. LOHMANN: Madam Chair, Commissioner Garcia, the signage plan was developed based on a need for doing a better job signing our properties. And so a year or so ago we got a contract to work with a consultant to help us kind of consolidate,

but also think through all of the types of signs that we might need, including not just naming and identifying, but also wayfinding, road signs, typical rules, those kinds of things. And we adopted that plan in January as part of the strategic management plan.

COMMISSIONER GARCIA: So Madam Chair, Ms. Lohmann, I certainly understand what the purpose of a sign is for and how the signs came about. I guess my question is, did the County Commission adopt the color, the font of the signs?

MS. LOHMANN: Madam Chair, Commissioner Garcia, yes. You did adopt the color and the font in the signage plan, which was adopted in January.

COMMISSIONER GARCIA: Okay, Madam Chair, I'll have to just look at those plans a lot more closely when they come to the County Commission. Because I didn't know if anybody realized that the signage and the font and everything was part of the plan. Maybe I didn't. That's fine. That's fine. We don't need to talk about it. I understand.

COMMISSIONER HANSEN: I commented on it from the dais. You can ask Maria. She also knows I comment on fonts. As a graphic designer I really love fonts. Thank you, Madam Chair.

MS. LOHMANN: And Madam Chair, Commissioner Garcia, I would be happy to sit down and go through all of the plans – the signage plan and all of the management plans that we are currently implementing, as well as the list of plans that we are working on completing as well.

CHAIR HAMILTON: Thank you so much.

MS. LOHMANN: Thank you.

V. A. 2. Results of 2019 Revenue Bond Sale

MS. MILLER: Madam Chair, Commissioners, I was going to bring it up earlier when we were talking about the budget adjustment, but I knew we had a lot of people in here who wanted to speak and you wanted to get to that, so I didn't bring it up there. But earlier today, you budgeted the \$30 million of bonds that were sold and one of the things – and Madam Chair, you got to actually see it, so you happened to be here when we were doing it, but for the rest of the Board, what actually happens when we do our bond sales is there's an online bidding platform.

So once you authorize the sale or issuance of bonds we work with our bond counsel and our financial advisor to actually put those online through an auction process. So all of the interested buyers of our bonds will put in a bid and they keep putting in bids until there's a two-minute timeframe where no new bids come in after the cutoff time. So we did our – the bid, I think was on February 14th. The bond closing occurred on March 13th at 10:00 am. The bonds were sold to Morgan Stanley and Company, LLC, for \$30,235,678.10, which represents a principal amount of \$28,520,000 plus premium of \$1,715,000.

So that that means is they are paying more than the face value of the bonds so we get more cash in the deal. Ultimately, the net effective interest rate of the bonds is 3.0886 percent. So almost 3.1 percent, which was better than the financial advisor anticipated when we were doing our estimated debt service. The final maturity of the bonds is June 1, 2039, so they're 20 years total. Just so you know, they're actually structured though

where certain ones will mature in one year or two years, five years, but the total last bond issuance is a 20-year bond and so they will mature on June 1, 2039. But any of the bonds that mature on or after June 1, 2028 are subject to redemption at the option of the County, on or after June 1, 2027. So what that means is they have a call feature. Meaning if we then want to – if rates are better, or if we want to pay them off, unlike what we have on our jail bonds. They were non-callable 30-year bonds. These are callable after eight years.

So if it's in our best interest to refund them or refinance them at a lower interest rate, we can call them back from the investors, pay the investors off, and issue new ones at a lower interest rate. And then these bonds also do not require that a debt service reserve account be funded, so we don't have to have additional funds to set aside. Typically, some bonds have to have a debt service reserve of a year's worth of payments that you have to keep all the way till they're all totally paid off, but we don't have that.

And just a reminder, it was \$24 million for the admin complex and related facilities, both this building and the building that's going up down the street. It's the right-of-way road construction - \$4 million in San Ildefonso and then \$2 million for ADA improvements. We have not picked the specific projects for that. We're going to work with Paul Olafson. If you recall, we adopted an ADA plan to remediate our deficiencies in ADA compliance. So we always take the top highest needs projects first and bring those to you to actually approve that list. And if I recall, the first, the highest priority first batch was around \$1.7 million but that did not include housing, so that's an opportunity to see if we want to do some of the ADA improvements that Housing brought forward in their master plan that they had contracted for or their PER of what they need to do with sidewalks and what not in the housing sites.

So what we did is today we just kind of parked the money but we'll bring the list of projects to you for approval but budget it to projects. And that's my summary of the bond sale.

CHAIR HAMILTON: Thank you. So are there any questions? Great. That was very interesting to actually see the live bond sale. It was very informative.

MS. MILLER: Yes, and we had quite a few – I can't remember how many bids total it was, but we had –

CHAIR HAMILTON: It was a lot.

MS. MILLER: Yes. I want to say it was about six different bidders, about 40 some bid, which is really good activity. And our financial advisor says, yes, our bonds are very popular in the market. They have good rating and people like them in their portfolio so we tend to get a pretty good interest rate on what we're going to pay the investors.

CHAIR HAMILTON: It may not be directly relevant but now that the yield curve has inverted and everybody's all – we actually have a pretty good deal on this because of the callability on them.

MS. MILLER: Yes, and there's a suspicion too when you get an inverted yield curve that within a year or two you'll have a recession. So you always have to be a little worried about – historically that happens in like 19 months or so after you have an inverted yield curve that you can have a recession. But that has historically happened. But the Fed kind of surprised everybody last week when they came out with no interest rate

hike. I think most people were expecting at least one more hike this year. So that was a little bit of a surprise to the market.

And then the only other thing that I had for the Board was just a reminder of tomorrow's meeting. It's in the Legal Conference Room. If it turns out we just have way too many people we'll put a note on the door and come in here but I'm just anticipating when we've done them before we've been able to just have a nice conversation. Because what we're going to go through is our consultant, Bohannon Huston and another company have been working on our 20-year CIP and the methodology behind that. So they're going to start off our meeting with that presentation, and what that does is actually provides the information if the Board were to do impact fees, if you wanted to entertain impact fees you need the 20-year CIP to inform you of what your impact fees could be. What's the range of your impact fees?

But it also is what we should be working from, that 20-year plan down to our five-year plan. So we're going to start off with the overview of that process, then an overview of what we currently do for capital planning and what doesn't work about that and what we also learned, just from this session, was so many people coming up in the middle of the session saying, well, will you be our fiscal agent for this? We want to start a process much earlier in the year where if somebody wants – we actually have a formal process. And so we want to talk to you about what our current process is and things that we'd like to see done, and then also review our current capital projects, the status of each one, get an opportunity to ask any questions about your projects in your district or any projects that we have, and then anything we are short-funded on that we might need to put money to, or whether we have a stalled project. We don't have too many of those that are just like – we can't move forward, but we do have some that we want to discuss with you what the Board's preference would be.

CHAIR HAMILTON: And is that still scheduled to start at 10:00 am?

MS. MILLER: Ten am. I think we noticed 10:00. We put on the calendar 10:00 to 4:00. I don't think it will take that long. We are planning on bringing in some sandwiches, but I would say maybe more like 10:00 to 2:00.

CHAIR HAMILTON: Oh. Great. And is there the option to join by phone?

MS. MILLER: Madam Chair, you're always allowed to join by phone. We'd have to set a phone up, because that is something that is allowed by the Commission. It could be hard for you to do it by phone because you won't be able to see the spreadsheets and stuff. So it will be a little bit harder. But I wanted to give you – the agenda, I think it was in the front of your books up there but I just read it off to you so that you kind of know our timeframe. I estimate that 20-year CIP presentation, that could be about an hour. Then maybe an hour on our capital planning process, and an hour-plus on our current capital projects. It just really depends on how many questions you have. We don't have a ton of presentation. The first part is presentation-heavy but then the rest of it is more about a discussion of what we can do to improve our process and how we'd like to do that going forward and particularly going into this next cycle for our ICIP.

CHAIR HAMILTON: Excellent. Thank you.

MS. MILLER: And that's all I have.

VI. MATTERS FROM COUNTY COMMISSIONERS

A. Resolutions

1. Resolution No. 2019- ____, a Resolution Urging the Forest Service to Conduct a Comprehensive NEPA Analysis Process for the Santa Fe Mountains Landscape Resiliency Project (**Item Tabled to Meeting on April 9, 2019**)

B. Recognitions and Acknowledgements

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

CHAIR HAMILTON: Does anybody have announcements, updates? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. I'd like to share with people and the audience out in the world out there a few of the things. Last Sunday I went to a benefit for the Tularosa Downwinders who are trying to be covered by RCRA, which is the Radiation Exposure and Recovery Act, so that was really educational and interesting. The fact that they are not covered by the radiation, about being exposed to radiation from the Trinity site.

And then Commissioner Moreno and I had the honor of going to an Easter Seals El Mirador ribbon-cutting, which also the new Secretary of Human Services, David Stills was there and it was really nice to see a new Secretary who was so concerned about behavioral health. It's exciting to have that and I wanted to thank Patsy Romero for organizing that. These behavioral health groups, five or seven people live in a home and it's for the mentally disabled and youth that is challenged. It was a great thing to be at.

And then on Sunday I attended the Agua Fria Mutual Domestic meeting and I just wanted to state that they got a number of things from Senator Rodriguez and the legislature and some is for allocation for moving water lines when we're doing the sewer lines, so I feel like that was very helpful because as we do the sewer lines in Agua Fria it appears that we are going to be needing to move the water lines at the same time which is going to create on these very narrow streets more of a problem.

Then also on Saturday, I wanted to mention this in our Housing Authority, a good friend of mine over many, many years – the Rutherford family is long-time political family here and one of the brothers – there's Tom and Rusty and James, and Rusty Rutherford passed away and he was also known as Sombrero Man in Santa Fe. He had the fortunate opportunity to live in our Housing Authority. And I can't tell you how grateful the family was that he had that ability to live in our Housing Authority and how much it meant to them. And so I think it's really great to have that kind of personal stories of people telling you how grateful they are that their family member could live in the Housing Authority and how much they appreciated it. It was a really nice celebration of his life and they had about four tables filled with sombrero memorabilia that you could

take away and it was really sweet. He had a lot of memorabilia on sombreros. So that was a very nice afternoon celebrating his life and his contributions to the community of Santa Fe.

So thank you.

CHAIR HAMILTON: Thank you very much. Any other Commissioners?

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: I'd just like to see if Commissioner Hansen will wear one of those sombreros to the next meeting.

COMMISSIONER HANSEN: I took a little tiny one.

COMMISSIONER GARCIA: Also, I would just like to thank Manager Miller for coming forward with a comprehensive capital improvement plan. I think that's good that the County is going to come forward with that because we have a lot of projects that we need to get moving. So I appreciate that and then also once again, congratulations on the highest bond rating that a county can actually get possibly in the state of New Mexico. Very good job. Thank you.

CHAIR HAMILTON: Well said.

COMMISSIONER MORENO: Bravo.

COMMISSIONER HANSEN: Yay.

CHAIR HAMILTON: Any other Commissioners?

COMMISSIONER GARCIA: Actually, just real quick, Madam Chair. I forgot this one. Maybe Manager Miller or Tony or somebody, we do have a ribbon-cutting for the First Choice and I think it's on the 28th. Can you guys remind us. We'll have a Commission meeting or two before that, but just kind of a reminder so you can put it on your calendar. We do have a ribbon-cutting for the new First Choice Health Clinic in Edgewood.

MR. FLORES: Thank you, Madam Chair, Commissioner Garcia. Yes. On April 29th which is a Monday, 1:30 pm we will be doing a ribbon-cutting. Actually you'll be hosting the ribbon-cutting, Commissioner Garcia, and a community celebration at the new Mountain and Valley Regional Health Facility in Edgewood.

CHAIR HAMILTON: Great. Thank you.

IX. INFORMATION ITEMS

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

CHAIR HAMILTON: Before we go into executive session, I wanted to ask the Commissioners if there are any questions from the monthly reports in the back so that our stalwart division and department directors don't have to stick around until afterwards. Other than thanking them very much for the reports.

COMMISSIONER HANSEN: I just have one correction. Do the

information reports – are they on the web? Are they public also?

MR. FLORES: Yes.

COMMISSIONER HANSEN: Okay. So on page – it's under Public Works. The staff report, the BDD Board meeting at approximately 6:00 pm. It should have "ended" in there at 6:00 pm. So people know what's going on. But otherwise, thank you. I appreciate reading the reports and knowing what staff is doing. It's a very good informational item, so thank you to all the staff for all that information.

CHAIR HAMILTON: Thank you, and thank you for sticking around to the bitter end.

VIII. 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. **Regional Water System Related to Aamodt Settlement**
 2. **Disposal of 55.893 Acres of Real Property in Lemitar, Socorro County**

BRUCE FREDERICK (County Attorney): Madam Chair, we're requesting to go into executive session, hopefully for a short time to discuss the matters listed under agenda item VIII, pursuant to the authorities listed in the same item number.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Yes.

COMMISSIONER ROYBAL: I'd like to move that we go into executive session for the items that were summarized by County Attorney Frederick.

COMMISSIONER MORENO: Second.

CHAIR HAMILTON: Thank you so much. I have a motion and a second. Can I have a roll call?

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

Commissioner Garcia

Aye

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

[The Commission met in closed session from 6:30 to 6:43.]

Commissioner Hansen moved to come out of executive session where the only things discussed were the two items listed on the agenda. That motion was seconded by Commissioner Roybal.

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

VIII. CONCLUDING BUSINESS

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

Upon motion by Commissioner Roybal and second by Commissioner Hansen, and with no further business to come before this body, Chair Hamilton declared this meeting adjourned at 6:45 p.m.



ATTEST TO:

Geraldine Salazar
GERALDINE SALAZAR
SANTA FE COUNTY CLERK

Approved by:

Anna Hamilton
Board of County Commissioners
Anna Hamilton, Chair

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Respectfully submitted:

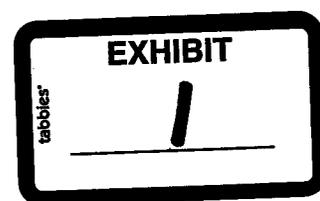
Karen Farrell
Karen Farrell, Wordswork
453 Cerrillos Road
Santa Fe, NM 87501

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 110

I Hereby Certify That This Instrument Was Filed for
Record On The 3RD Day Of May, 2019 at 09:00:30 AM
And Was Duly Recorded as Instrument # **1885356**
Of The Records Of Santa Fe County

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



Madam Chair and Commissioners. Thank you for the opportunity to speak on behalf of our forests.

My name is Sam Hitt. I am the President of the Santa Fe Forest Coalition. We are an all volunteer group whose mission is to participate in management decisions by giving voice to local forests and wildlife.

NEPA has been America's national environmental charter for nearly 50 years. Like the 400 years old Magna Carta, NEPA gives **ALL** citizens a place at the table—a right to be involved—when major decisions are made concerning our public lands. NEPA is clear on this point. To quote:

Federal agencies **shall to fullest extent possible** encourage and facilitate public involvement in decisions which affect the quality of the human environment.

Our birthright to be involved is unfortunately under assault. The public is barely notified when major operations are proposed affecting thousands of square miles of public lands. Decisions to clear forests in the name of fire safety are rushed to completion before a hard look can be given to the environmental consequences.

Some voices are listened to more than others. Peer review evidence supporting the views of some are ignored or dismissed out of hand. While the opinions of others — that advocate massive manipulation of forest ecosystems—have undue influence on management decisions. The result is outcomes we will likely regret.

The Forest Service has a long history of ignoring ecological wisdom that runs contrary to the narrow view that forests can be managed like crops. In 1964—the year Silent Spring was published—the entire city of Santa Fe was sprayed with DDT in a futile attempt to suppress native forest insects. The Forest Service continued this ineffective program for another two decades—spraying over two million acres of Santa Fe and Carson national forests with a variety of pesticides.

Following WWII the Forest Service and the timber industry virtually eliminated old growth forests in the Southwest. Less than 3 percent of the once vast ponderosa pine forests remain today. Thousands of miles of logging roads still bleed sediment into mountain streams and dozens of species of wildlife have yet to recover.

Today NGOs with huge budgets and close corporate ties virtually co-manage the Santa Fe national forest. In their view, the American public—the deed holders of

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public lands—are mere customers not citizens with the rights and duties that come with ownership.

This body should demand that all voices be heard—that an Environmental Impact Statement be prepared that examines alternatives, including preserving forests in their natural condition, as well as document unavoidable adverse impacts, insisting that enforceable standards are in place to mitigate foreseeable harm.

Our obligation is to leave a livable planet for the next generation—and not to repeat the mistakes of the past—a past when the moderating voice of citizens enabled by NEPA was silenced and national forests were mismanagement and abused.

A non-binding resolution requesting that an EIS be prepared that engages the public and provides a full and fair discussion of significant environmental impacts is the least you do.

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Common Myths about Forests and Fire

CHAD HANSON

Does Logging in Forests Distant from Homes Protect Communities? No. Defensible space work within 100 feet or less from homes, along with making homes themselves more fire-safe, is very effective in protecting homes from wildland fire, but vegetation management activities beyond 100 feet from homes has no additional influence on whether or not a home survives a wildland fire (Syphard et al. 2014, DellaSala and Hanson 2015).

Do “Thinning” Logging Operations Stop or Slow Wildland Fires? No. “Thinning” is just a euphemism for intensive commercial logging, which kills and removes most of the trees in a stand, including many mature and old-growth trees. With fewer trees, winds, and fire, can spread faster through the forest. In fact, extensive research shows that commercial logging, conducted under the guise of “thinning”, often makes wildland fires spread *faster*, and in most cases also *increases* fire intensity, in terms of the percentage of trees killed (Cruz et al. 2008, 2014).

Does Reducing Environmental Protections, and Increasing Logging, Curb Forest Fires? No, based on the largest analysis ever conducted, this approach increases fire intensity (Bradley et al. 2016). Logging reduces the cooling shade of the forest canopy, creating hotter and drier conditions, leaves behind kindling-like “slash” debris, and spreads combustible invasive weeds such as cheatgrass.

Do “Thinning” Logging Operations Improve Forest Carbon Storage? No. In fact, this type of logging results in a large overall net *reduction* in forest carbon storage, and an *increase* in carbon emissions, relative to wildland fire alone (no logging), while protecting forests from logging maximizes carbon storage and removes more CO₂ from the atmosphere (Campbell et al. 2012, Law et al. 2018). To mitigate climate change, we must protect forests.

Are Our Forests Unnaturally Dense and “Overgrown”, and Do Denser Forests Necessarily Burn More Intensely? No. We currently have a similar number of trees per acre compared to historical forests (Williams and Baker 2012, Baker 2014, Baker and Hanson 2007), but we have fewer medium/large trees, and less overall biomass—and therefore less carbon (McIntyre et al. 2015). Our forests actually have a carbon deficit, due to decades of logging. Historical forests were variable in density, with both open and very dense forests (Baker et al. 2018). Recent studies by U.S. Forest Service scientists, regarding historical tree density, omitted historical data on small tree density, and density of non-conifer trees. When these missing data were included, it was revealed that historical tree density was 7 times higher than previously reported in ponderosa pine forests, and 17 times higher than previously reported in mixed-conifer forests (Baker et al. 2018). Wildland fire is driven mostly by weather, while forest density is a “poor predictor” of future fire behavior (Zald and Dunn 2018).

Do Forests with More Dead Trees Burn More Intensely? Small-scale studies are mixed within 1-2 years after trees die, *i.e.*, the “red phase” (Bond et al. 2009, Stephens et al. 2018), but the largest analysis, spanning the entire western U.S., found no effect (Hart et al. 2015). Later, after needles and twigs fall and quickly decay into soil, and after many snags have fallen, such areas have similar or *lower* fire intensity than areas with fewer dead trees (Hart et al. 2015, Meigs et al. 2016).

Do We Currently Have an Unnatural Excess of Fire in our Forests? No. There is a broad consensus among fire ecologists that we currently have far less fire in western US forests than we did historically, prior to fire suppression (Hanson et al. 2015). We also have less high-intensity fire now than we had historically (Mallek et al. 2013, DellaSala and Hanson 2015, Baker et al. 2018).

Do Current Fires Burn Mostly at High-Intensity Due to Fire Suppression? Current fires burn mostly at low/moderate-intensity in western US forests, including the largest fires (Mallek et al. 2013, Baker et al. 2018). For example, over 70% of the Rim Fire burned at low and moderate intensity. The most long-unburned forests experience mostly low/moderate-intensity fire (Odion and Hanson 2008, Miller et al. 2012, van Wagtenonk et al. 2012).

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Are Forest Fires Causing Forests to Become a Carbon Source? No. Recent unpublished reports from the Forest Service, and some state agencies, regarding wildfire carbon emissions are based on a discredited model (FOFEM) that has repeatedly been shown to exaggerate carbon emissions by nearly threefold (French et al. 2011). Further, the FOFEM model falsely assumes that nothing grows back after a fire to pull CO₂ out of the atmosphere. Field studies of large fires find only about 11% of forest carbon is consumed, and only 3% of the carbon in trees (Campbell et al. 2007), and vigorous post-fire forest regrowth absorbs huge amounts of CO₂ from the atmosphere; within a decade after fire, post-fire growth absorbs more carbon from the atmosphere than the fire emitted (Meigs et al. 2009).¹

Would Landscape-Scale Prescribed Burning Reduce Smoke Particulates? No, it's the opposite. Any short-term reduction in potential fire behavior following prescribed fire lasts only 10-20 years, so using low-intensity prescribed fires ostensibly as a means to prevent mixed-intensity wildland fires would require burning a given area of forest every 10-20 years (Rhodes and Baker 2008). This would represent a tenfold increase, or more, over current rates of burning occurring from wildland fire (Parks et al. 2015). Contrary to popular assumption, high-intensity fire patches produce relatively lower particulate smoke emissions (due to high efficiency of flaming combustion) while low-intensity prescribed fires produce high particulate smoke emissions, due to the inefficiency of smoldering combustion. Therefore, even though high-intensity fire patches consume about three times more biomass per acre than low-intensity fire (Campbell et al. 2007), low-intensity fires produce 3-4 times more particulate smoke than high-intensity fire, for an equal tonnage of biomass consumed (Ward and Hardy 1991, Reid et al. 2005). As a result, a landscape-level program of prescribed burning would cause at least a ten-fold *increase* in smoke emissions relative to current fire levels, and it would not stop wildland fires when they occur (Stephens et al. 2009).

Are Recent Large Fires Unprecedented? No. Fires similar in size to the Rim fire and Rough fire, or larger, occurred in the 1800s, such as in 1829, 1864, and 1889 (Bekker and Taylor 2010, Caprio 2016). Forest fires hundreds of thousands of acres in size are not unprecedented.

Do Large High-Intensity Fire Patches Destroy Wildlife Habitat or Prevent Forest Regeneration? No. Hundreds of peer-reviewed scientific studies find that patches of high-intensity fire create "snag forest habitat", which is comparable to old-growth forest in terms of native biodiversity and wildlife abundance (summarized in DellaSala and Hanson 2015). In fact, more plant, animal, and insect species are associated with mature forests that burn at high-intensity, where most or all of the trees are killed, than any other habitat type in the forest (Swanson et al. 2014). Forests naturally regenerate in heterogeneous, ecologically beneficial ways in large high-intensity fire patches (DellaSala and Hanson 2015, Hanson 2018).

Do Occasional Cycles of Drought and Native Bark Beetles Make Forests "Unhealthy"? Actually, it's the opposite. During droughts, native bark beetles selectively kill the weakest and least climate-adapted trees, leaving the stronger and more climate-resilient trees to survive and reproduce (Six et al. 2018). In areas with many new snags from drought and native bark beetles, most bird and small mammal species *increase* in numbers in such areas, because snags provide such excellent wildlife habitat (Stone 1995).

Is Climate Change a Factor in Recent Large Fires? Yes. Human-caused climate change increases temperatures, which influences wildland fire. Some mistakenly assume this means we must have too much fire but, due to fire suppression, we still have a substantial fire deficit in our forests.

For more information, contact Chad Hanson, Ph.D., Ecologist, John Muir Project (cthanson1@gmail.com).

References

Baker, W. L. 2014. Historical forest structure and fire in Sierran mixed-conifer forests reconstructed from General Land Office survey data. *Ecosphere* 5: article 79.

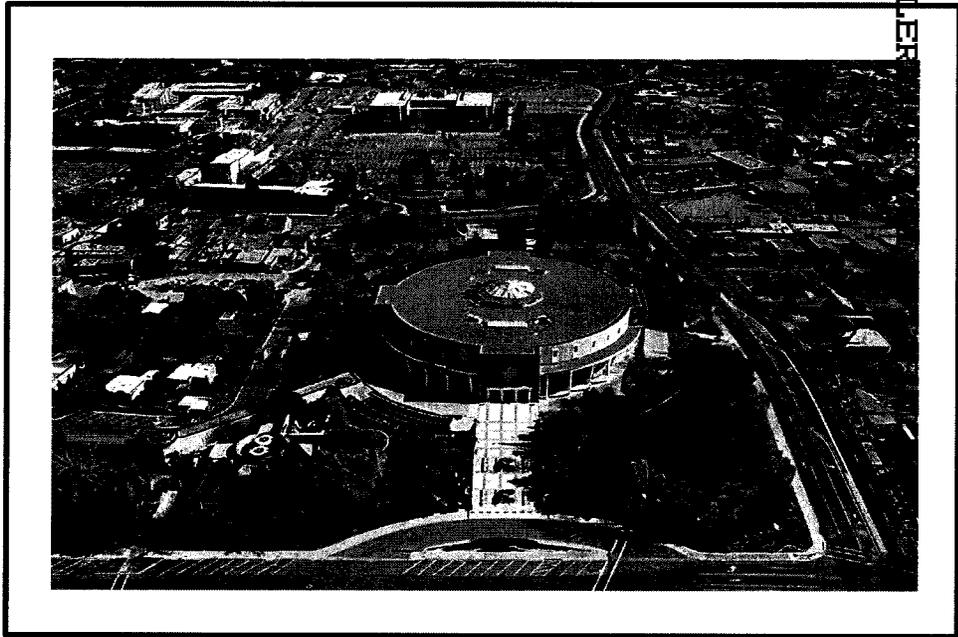
¹ For example, Campbell et al. (2007) found that the Biscuit fire of 2002 emitted an average of 19 tons of carbon per hectare, and Campbell et al. (2016) found that decay of fire-killed trees in the Biscuit fire emitted an average of about 0.75 tons of carbon per hectare per year over the first 10 years post-fire (there were lower emissions from decay in subsequent decades). Therefore, for the first 10 years post-fire, the total carbon emissions from the Biscuit fire (carbon emissions from the fire itself, plus subsequent emissions from decay) were approximately 26 tons of carbon per hectare. Meigs et al. (2009) (Table 5) report that, by only five years after fire, regrowth was pulling 3.1 tons of carbon per hectare per year out of the atmosphere. Therefore, by 10 years post-fire, this equates to approximately 31 tons of carbon pulled out of the atmosphere by regrowth—i.e., an overall net increase in carbon of 5 tons per hectare relative to pre-fire levels.

2019

LEGISLATIVE

SESSION

REPORT



SEC CLERK

MARCH 26, 2019

Santa Fe County
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2019 REGULAR SESSION SCHEDULE (60-Day Session)

April 5

Legislation not acted upon by governor is pocket vetoed

June 14

effective date of legislation not a general appropriation bill or a bill carrying an emergency clause or other specified date

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Bill Statistics

Current Statistics for All Bills (2019 Reg)	Total	Ratio
Bills Introduced	1663	100.00%
Bills Passed in 1st House	645	38.79%
Bills Passed in 2nd House	326	19.60%
Bills Sent to Governor	164	9.86%
Bills Signed into Law	65	3.91%

Current Statistics for House Bills only (2019 Reg)	Total	Ratio
Bills Introduced	817	100.00%
Bills Passed in 1st House	336	41.13%
Bills Passed in 2nd House	148	18.12%
Bills Sent to Governor	74	9.06%
Bills Signed into Law	28	3.43%

Current Statistics for Senate Bills only (2019 Reg)	Total	Ratio
Bills Introduced	846	100.00%
Bills Passed in 1st House	309	36.52%
Bills Passed in 2nd House	178	21.04%
Bills Sent to Governor	90	10.64%
Bills Signed into Law	37	4.37%

Bills Signed Into Law

BILL	DESCRIPTION	House 1				House 2				G	PL/Chap	Last Action	Status
		I	C	RC	P	C	RC	P					
HB1	<i>Stapleton (D19)</i> LEGISLATIVE FEED BILL Makes a series of General Fund appropriations to cover expenses of the 2019 Session of the Legislature and the operation of legislative agencies during FY2019 and FY2020.	☑	☑	☑	☑	☑	☑	☑	☑		P.L.2019, c.1	01/28/2019	SIGNED
HB7	<i>Cadena (D33)</i> CENTERS OF EXCELLENCE FOR HIGHER EDUCATION Creates a "Center of Excellence" at four higher education institutions to promote innovation in and expand various industries.	☑	☑	☑	☑	☑	☑	☑	☑		P.L.2019, c.60	03/15/2019	SIGNED
HB44	<i>Stapleton (D19)</i> TECHNICAL TEACHER & EDUCATION ASSISTANT DEVELOPMENT FUNDS (Identical to 2017 HB307, unanimously passed by both chambers and vetoed by the Governor as unnecessary) Amends the School Personnel Act to require the Public Education Department to provide development training for career-technical teachers and educational assistants.	☑	☑	☑	☑	☑	☑	☑	☑		P.L.2019, c.2	02/05/2019	SIGNED
HB50	<i>Martinez, R. (D39)</i> AUDIT REVIEWS BY BOARD OF FINANCE Mandates Educational Retirement Board, State Treasurer, Public Employees Retirement Association and State Investment Council to present the agency's current annual financial audit to the State Board of Finance within six months after the report is due to the State Auditor.	☑	☑	☑	☑	☑	☑	☑	☑		P.L.2019, c.3	02/05/2019	SIGNED
HB66	<i>Thomson (D24)</i> PATIENT ACCESS TO MAMMOGRAPHY INFORMATION (Almost identical to 2017 HB243, passed unanimously by both chambers but pocket vetoed by the Governor) Requires facilities that perform mammograms to include information about the patient's breast density in the federally required summary report that is required to be provided to a patient, and in certain cases also to include specific language about attendant risks.	☑	☑	☑	☑	☑	☑	☑	☑		P.L.2019, c.4	02/05/2019	SIGNED
HB72	<i>Thomson (D24)</i> OCCUPATIONAL THERAPY DEFINITION AND SCOPE OF PRACTICE (For the Legislative Health and Human Services Committee) (Identical to 2017 HB253, passed by both chambers but pocket vetoed by the Governor). Redefines the meaning of "occupational therapy" and delineates in greater detail the scope of practice of occupational therapy services; eliminates the definition of and provision for an unlicensed "occupational therapy aide or technician"; and requires supervision for an occupational therapy assistant.	☑	☑	☑	☑	☑	☑	☑	☑		P.L.2019, c.5	02/05/2019	SIGNED

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HB74	<i>Gonzales (D42)</i> TRADITIONAL HISTORIC COMMUNITY QUALIFICATIONS (Identical to 2018 HB 81, passed by both chambers but pocket vetoed by the governor; related to 1995 HB 1171) Removes condition that Class B counties be considered an urbanized territory. Revises definitions of traditional historic communities and urbanized territories by removing the exception for urbanized territories in unincorporated areas of Santa Fe County (class B counties with populations between 95,000 and 99,500).	<input checked="" type="checkbox"/>	P.L.2019, c.6	02/05/2019	SIGNED								
HB91	<i>Stapleton (D19)</i> CAREER-TECHNICAL EDUCATION PILOT PROJECT (For the Legislative Education Study Committee) Creates a seven-year Career Technical Education Pilot Project for public high schools administered by the Public Education Department; establishes criteria for the project; includes a teacher professional development component; requires collection and analysis of data in coordination with the Higher Education Department and Workforce Solutions Department; requires reports; creates a fund. Does not include an appropriation.	<input checked="" type="checkbox"/>	P.L.2019, c.61	03/15/2019	SIGNED								
HB97	<i>Salazar, T. (D70)</i> ERB, PERA, SIC IN LOCAL GOVERNMENT INVESTMENT POOL (Identical to 2017 HB215, passed by both chambers but vetoed by the Governor on the grounds that it is unnecessary) Clarifies that the Educational Retirement Board, the Public Employees Retirement Association, and the State Investment Council may participate in the Local Government Investment Pool.	<input checked="" type="checkbox"/>	P.L.2019, c.7	02/05/2019	SIGNED								
HB124	<i>Sweetser (D32)</i> FIRE PROTECTION FUND FOR LAND PURCHASE (Endorsed by the New Mexico Finance Authority Oversight Committee) Clarifies that money from the Fire Protection Fund may be used to purchase land for fire stations and substations; allows fund awards to entities with outstanding obligations associated with prior fund awards.	<input checked="" type="checkbox"/>	P.L.2019, c.55	03/14/2019	SIGNED								
HB127	<i>Romero, G. (D10)</i> INCREASE COLLEGE AFFORDABILITY MAXIMUM AND FUND DISTRIBUTION (Duplicate of 2019 SB81) Increases the per-student per-semester College Affordability Scholarship maximum from \$1,000 to \$1,500, and increases the annual distribution from the College Affordability Endowment Fund to the College Affordability Scholarship Fund. Appropriates \$50 million (GF nonreverting) to the College Affordability Endowment in FY 2020. (2019:SB81)	<input checked="" type="checkbox"/>	P.L.2019, c.56	03/14/2019	SIGNED								
HB137	<i>Allison (D4)</i> COUNTY AND TRIBAL HEALTH PLAN ACT Creates the County and Tribal Health Plan Act; repeals the Maternal and Child Health Plan Act.	<input checked="" type="checkbox"/>	P.L.2019, c.57	03/14/2019	SIGNED								
HB162	<i>Trujillo, J. (D45)</i> INSURANCE PREMIUM TAX ACT	<input checked="" type="checkbox"/>	P.L.2019, c.47	03/13/2019	SIGNED								

	(Related to 2018, HB 223) (For the Revenue Stabilization and Tax Policy Committee) Transfers administration and enforcement of the Insurance Premium Tax Act from the Insurance Superintendent to the Taxation and Revenue Department; amends the distribution of insurance premium tax receipts; and requires the Superintendent of Insurance to provide certain information to TRD.																			
HB203	<i>Small (D36)</i> AGRICULTURAL ECONOMIC DEVELOPMENT (Identical to 2017 HB289, passed nearly unanimously in both houses and vetoed by the governor.) Expands the statewide Economic Development Finance Act to include agricultural enterprises in the lists of economic development goals and eligible entities for which revenue bonds may be issued. Agricultural enterprises include new or ongoing agricultural projects and projects that add value to New Mexico agricultural products.	<input checked="" type="checkbox"/>	P.L.2019, c.8	02/05/2019	SIGNED															
HB216	<i>Trujillo, L. (D48)</i> COUNTY SUBDIVISION REGULATION RECORDATION REQUIREMENTS Relates to county government; removes requirement that county subdivision ordinances be filed with the State Records Administrator.	<input checked="" type="checkbox"/>	P.L.2019, c.9	02/05/2019	SIGNED															
HB217	<i>Trujillo, L. (D48)</i> INFRASTRUCTURE DEVELOPMENT ZONE ACT NOTICES Relates to the special districts called Infrastructure Development Zones and the method of notice required for public hearings and the inclusion of territory within the zone.	<input checked="" type="checkbox"/>	P.L.2019, c.10	02/05/2019	SIGNED															
HB226	<i>Harper (R57)</i> REGISTERED LAY MIDWIVES AS PRACTITIONERS (Essentially identical to 2017 HB299 as amended and passed/pocket vetoed) Amends the New Mexico Drug, Device and Cosmetic Act to add Registered Lay Midwives licensed by DOH as practitioners who can procure, carry and administer drugs.	<input checked="" type="checkbox"/>	P.L.2019, c.11	02/05/2019	SIGNED															
HB227	<i>Harper (R57)</i> USE OF ATTENDANCE IN TEACHER EVALUATIONS (Virtually identical to 2017 HB241 as HEC amended, passed by large margins in both chambers but vetoed by the Governor) Amends the School Personnel Act to ensure that a teacher's use of personal leave and up to ten days of sick leave annually, consistent with board policy, shall not affect the teacher's annual performance evaluation. Permits a performance evaluation to reflect the lowest score as to attendance if sick leave use contravenes board policy, PED rules, or terms of a collective bargaining agreement.	<input checked="" type="checkbox"/>	P.L.2019, c.12	02/05/2019	SIGNED															
HB229	<i>Ezell (R58)</i> REGIONAL AIR CENTER SPECIAL ECONOMIC DISTRICT ACT Empowers a municipality (Roswell), together with the county (Chaves) in which the municipality is situated, to create an industrial air center special economic district governed by an authority. Main purpose is to	<input checked="" type="checkbox"/>	P.L.2019, c.13	02/05/2019	SIGNED															

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	construct and maintain airport facilities. Declares authority to be a political subdivision which may issue bonds against its revenues. These bonds are tax-exempt. Authority may impose charges and fees for use of its property and land.																			
HB237	<i>Ruiloba (D12)</i> UNIVERSITY POLICE OFFICERS AUTHORITY BOUNDARIES (Identical to 2017 HB233 as amended and passed, pocket vetoed) Extends the authority of university police officers on campuses at institutions of higher learning to include public streets and highways that are immediately adjacent to a campus where students are educated.	<input checked="" type="checkbox"/>	P.L.2019, c.14	02/05/2019	SIGNED															
HB242	<i>Gallegos, Doreen (D52)</i> REGULATION OF CONTACT LENS AND GLASS PRESCRIPTIONS (Identical to 2017 HB64 as passed but vetoed by Governor on grounds the bill limits the availability of ocular health services through new technologies such as phone and internet apps) Prohibits unlicensed persons from performing an eye exam on an individual physically present in the state or from writing a prescription for contact lenses or spectacles. Prohibits writing a prescription for contact lenses or spectacles unless based upon a prior eye examination and its findings.	<input checked="" type="checkbox"/>	P.L.2019, c.15	02/05/2019	SIGNED															
HB250	<i>Lente (D65)</i> NATIVE AMERICAN EDUCATION STUDENT NEEDS ASSESSMENT Amends the Indian Education Act to require school districts and charter schools to conduct assessments of needs for services to help Indian students graduate and be college- and career-ready, and to develop and publish systemic frameworks of measures to close the achievement gap between Indians and all other student groups in New Mexico.	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	P.L.2019, c.16	02/05/2019	SIGNED													
HB257	<i>Ezell (R58)</i> EXPANDS USES OF MUNICIPAL ENVIRONMENTAL SERVICES GRT Allows revenue from municipal environmental services gross receipts tax to be dedicated, in addition to existing uses, to acquisition, construction, operation and maintenance of infrastructure necessary for storm water runoff control and expands operation of solid waste facilities to include collection of solid waste and disposal of demolition debris.	<input checked="" type="checkbox"/>	P.L.2019, c.17	02/05/2019	SIGNED															
HB266	<i>Bandy (R3)</i> FOREST AND WATERSHED RESTORATION ACT Establishes the Forest and Watershed Restoration Act and an Advisory Board; appropriates and distributes \$1 million each annually from the Rio Grand Income Fund and the New Mexico Irrigation Works Construction Fund to the Forest Land Protection Revolving Fund to fund approved projects pursuant to the act.	<input checked="" type="checkbox"/>	P.L.2019, c.62	03/15/2019	SIGNED															
HB276	<i>Sweetser (D32)</i> ADVANCED MAPPING FUND FOR STATE ENGINEER	<input checked="" type="checkbox"/>	P.L.2019, c.18	02/05/2019	SIGNED															

SB11	<i>Cisneros (D6); Romero, A. (D46)</i> GROSS RECEIPTS TAX APPLICATION: LANL (Identical to 2018, SB 17 – vetoed by governor as tax increase, singling out of one nonprofit – LANL operator – and potential hardship to New Mexicans) Amends the Gross Receipts Tax Act to apply the tax to a prime contractor who operates a national laboratory in New Mexico, whether or not the prime contractor qualifies as a Section 501(c)(3) nonprofit organization. The bill does so by amending Sec. 7-9-29 relating to I.C. exemptions to specifically exclude a nonprofit prime contractor of a national lab from the exemption.	<input type="checkbox"/>	P.L.2019, c.44	02/28/2019	SIGNED								
SB16	<i>Ingle (R27)</i> GROSS RECEIPTS TAX DEDUCTION: TESTING OR TRANSPORTING MILK Expands the existing gross receipts tax deduction for receipts from testing and transporting milk to testing or transporting milk. Effective July 1, 2019.	<input type="checkbox"/>	P.L.2019, c.49	03/14/2019	SIGNED								
SB18	<i>Candelaria (D26)</i> LOCAL GOVERNMENT PLANNING FUND (Endorsed by the New Mexico Finance Authority Oversight Committee) Appropriates \$3 million from the Public Project Revolving Fund to the Local Government Planning Fund (administered by N..M. Finance Authority) for use in FY 2020 and subsequent fiscal years to make grants to evaluate and estimate the costs of implementing the most feasible alternatives for water or wastewater public projects or to develop water conservation plans, long-term master plans, economic development plans or energy audits and to pay the administrative costs of the Local Government Planning Program.	<input type="checkbox"/>	P.L.2019, c.20	02/04/2019	SIGNED								
SB22	<i>Padilla (D14); Trujillo, Christine (D25)</i> EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT CREATED A 55-page bill that creates the Early Childhood Education and Care Department (ECECD) as a cabinet-level department to manage, operate and administer all early childhood education, early pre-kindergarten and pre-kindergarten education programs and eligibility, child care assistance programs, and the Early Childhood Care and Education Act (birth to age 5). The first segment of the bill relates to the structure, responsibilities and duties of the new department and the later segment makes reconciling name and several substantive law changes to existing sections of law.	<input type="checkbox"/>	P.L.2019, c.48	03/14/2019	SIGNED								
SB28	<i>Padilla (D14)</i> CHILD PROTECTIVE CUSTODY, PREFERENCE TO RELATIVES (Related to 2017, SB 18, vetoed by governor as unnecessary) Requires a child in need of services be placed in the home of a relative in preference to any other shelter care facility.	<input type="checkbox"/>	P.L.2019, c.21	02/04/2019	SIGNED								
SB42	<i>Martinez, Richard (D5)</i> MISSING PERSONS NOTIFICATION AND REPORTING	<input type="checkbox"/>	P.L.2019, c.50	03/14/2019	SIGNED								

	unanimously by both chambers but vetoed by the Governor because of its negative impact on the Educational Retirement Fund) Authorizes Educational Retirement Program members who are eligible for retirement to convert unused sick leave to service credit.																		
SB164	<i>Sanchez, C. (D30)</i> ALLOWS INSURANCE AGENTS TO GIVE CUSTOMERS LIMITED GIFTS (Related to 2017 SB79) Amends the Insurance Code to allow prizes and gifts with a value of no more than \$100 to be given to an insurance customer or prospective customer by a property or casualty insurer.	<input checked="" type="checkbox"/>	P.L.2019, c.32	02/04/2019	SIGNED														
SB179	<i>Stefanics (D39)</i> LOTTERY SCHOLARSHIP FOR STUDENTS WITH DISABILITIES (Identical to 2017 SB188, passed unanimously by both chambers but vetoed by the Governor as unnecessary, Senate Executive Message 48) Amends the Lottery Tuition Scholarship Act to clarify that a student who had to leave the state to receive an education pursuant to the Individuals with Disabilities Education Act is qualified to receive a Lottery Tuition Scholarship under certain circumstances.	<input checked="" type="checkbox"/>	P.L.2019, c.33	02/04/2019	SIGNED														
SB189	<i>Rue (R23)</i> MOBILITY LIMITATION TRANSPORT LICENSE PLACARDS (Identical to 2017 SB69, passed unanimously but pocket-vetoed by the Governor) Authorizes the Motor Vehicle Division to issue a four-year distinctive registration placard to organizations that own or lease vehicles that primarily transport persons with significant mobility limitations.	<input checked="" type="checkbox"/>	P.L.2019, c.34	02/04/2019	SIGNED														
SB191	<i>Ivey-Soto (D15); Chandler (D43)</i> LOBBYIST REPORTING REQUIREMENTS— EXPENDITURES UNDER \$100 (Very similar to 2018 SB67, passed unanimously by both chambers but vetoed by the Governor) Requires lobbyist expenditure reports to additionally include the cumulative total of all individual expenditures of less than \$100 made or incurred by the employer or lobbyist during the covered reporting period. The list shall be separated into three categories: (1) meals and beverages, (2) other entertainment expenditures, and (3) other expenditures.	<input checked="" type="checkbox"/>	P.L.2019, c.35	02/04/2019	SIGNED														
SB193	<i>Woods (R7)</i> BEEF COUNCIL ASSESSMENT OPT-OUT & RATE (Identical to 2018 HB164) Provides a method for beef producers who choose not to participate in the Beef Council assessment for registered livestock brands to opt-out of the assessment. Changes the rate the Council reimburses the Livestock Board.	<input checked="" type="checkbox"/>	P.L.2019, c.36	02/04/2019	SIGNED														
SB197	<i>Martinez, Richard (D5)</i> JUDGE PRO TEMPORE FUND (Virtually identical to final version of 2017 SB49, passed by large margins in both chambers but pocket vetoed by the Governor) Creates the Judge Pro	<input checked="" type="checkbox"/>	P.L.2019, c.37	02/04/2019	SIGNED														

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	Tempore Fund in the state treasury to be administered by the Administrative Office of the Courts. The fund is to be used to pay the costs of judges pro tempore and shall consist of appropriations and gifts made to the fund.																		
SB198	<i>Martinez, Richard (D5)</i> ADMINISTRATIVE OFFICE OF THE COURTS DIRECTOR FUNDS Expands the authority of the Director of the Administrative Office of the Courts to allow it to apply for and receive any available public or private funds, including U.S. government funds, to carry out its programs, duties or services.	?	?	?	?	?	?	?	?	?	P.L.2019, c.38	02/04/2019	SIGNED						
SB199	<i>Wirth (D25)</i> ELECTRONIC COMMUNICATIONS PRIVACY ACT (Identical to 2017 SB 61, passed/vetoed by Governor as a burden on law enforcement, harmful to law enforcement's ability to preserve investigative information and unnecessary) Cited as the Electronic Communications Privacy Act, the bill provides protections from government access to electronic communications by specifying the conditions under which a government entity may compel the production of or access to electronic communication information from a service provider. Requires the issuance of a warrant and specifies conditions that must be satisfied before a warrant or wiretap is authorized.	?	?	?	?	?	?	?	?	?	P.L.2019, c.39	02/04/2019	SIGNED						
SB200	<i>Wirth (D25)</i> MESSAGE THERAPY PRACTICE ACT CHANGES (Essentially identical to 2016, SB 275 as passed unanimously/vetoed by Governor on grounds of lowering instructional standards) Amends the Massage Therapy Practices Act by restating the scope of practice, expanding continuing education course work subject matter; reinforcing the Massage Therapy Board's authority to license a massage therapist; authorizing the board to set requirements for registration as a massage therapy school and to establish minimum curricula for massage therapy schools; and providing for the issuance and revocation of massage therapy school registrations.	?	?	?	?	?	?	?	?	?	P.L.2019, c.40	02/04/2019	SIGNED						
SB215	<i>Rodriguez (D24)</i> MATERNAL MORTALITY AND MORBIDITY PREVENTION ACT (For the Legislative Health and Human Services Committee) (Virtually identical to 2017 SB137, passed unanimously by both chambers but vetoed by the Governor) Creates the Maternal Mortality and Morbidity Prevention Act. Establishes a review committee in the Department of Health charged with making recommendations to prevent further maternal mortality. Defines its composition and prescribes its duties. Authorizes the committee to access medical records and other health information. Authorizes creation of an abstractor subcommittee to access and report data cleaned of personal	?	?	?	?	?	?	?	?	?	P.L.2019, c.41	02/04/2019	SIGNED						

	Amends the Public School Code to provide that local school boards may establish area vocational high schools at locations other than on the campus of postsecondary educational institutions. Removes plan approval authority from the Higher Education Department and restricts it solely to the Public Education Department.																			
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Passed Legislation Overview

cannabis

There was no action taken on recreational cannabis this year but the topic is expected to be on the agenda for next year's session.

health care

protect coverage for people with pre-existing conditions, for example, even if what has become known as Obamacare is repealed. HB346

jails

restrict the use of solitary confinement in prisons and jails for minors, pregnant women and people with severe mental illnesses. HB364

develop and implement policies for lactating inmates. SB124

consider a person's pregnancy or lactation status when determining whether the inmate is eligible for release. SB192

fire arm sales

which requires background checks for virtually all firearm sales in New Mexico. SB8

protective order firearm limitation

would prohibit people subject to a protection order in a domestic abuse case from possessing a firearm. SB328

film tax credit/rebate

Senate Bill 2 increases the cap from \$50 million to \$110 million. The measure also appropriates \$225 million to pay off a backlog of rebates owed to moviemakers. 5 percent in rebates for productions that shoot in rural areas.

"at risk" student spending

Allocation of an additional \$450 million for public schools. This included \$113 million targeted specifically at the state's "at risk" students. Teachers get 6 percent raises

time change

measures to stay in daylight savings time or to remain in standard time did not pass

voter registration

Senate Bill 672 allows voters to register during early voting. Current law cuts off registration at 28 days before an election.

new government

a new division for outdoor recreation and a Cabinet department for early childhood education created. now23
Cabinet posts appointed by the governor

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Land Grant Permanent Fund

attempt to draw more money from the state's \$18 billion Land Grant Permanent Fund failed. House Joint Resolution 1 would have tapped the endowment to expand early childhood education.

NM Grown Food

NM Grown Fruits & Vegetables for School Meals (HB328):

\$200,000 to PED, recurring (HB548 budget)

\$50,000 to PED, recurring (SB536 budget)

Senior Meal Programs and the Farmers' Market Nutrition Program (SB83):

\$100,000, recurring to Aging & Long Term Services/DOH (SB536 budget)

Purchase NM Grown Fruits and Vegetables for a Senior Citizen Meals Program (SB83):

\$50,000, recurring to Aging & Long Term Services/DOH (SB536 budget)

tax reform HB6

LOCAL GOVERNMENTS:

- State hold harmless distributions to municipalities and counties are terminated eight years early--as of June 30, 2021 instead of June 30, 2029;
- For the period July 2019 through June 2021, creates a new monthly distribution of \$1,250,000 to municipalities (apportioned on the basis of relative populations) and \$750,000 to counties (also distributed on the basis of relative populations);
- As of July 1, 2021, eliminates the exemption in the (renamed) Municipal Local Option Gross Receipts and Compensating Tax Act and the County Local Option Gross Receipts and Compensating Tax Act of receipts from transporting persons or property from one point in a municipality (county) to a point outside the municipality (county); no equivalent change made to the three other local option gross receipts tax acts;
- As of July 1, 2021, imposes local municipal and county compensating taxes at a rate equal to the combined local option gross receipts taxes imposed by the municipality or county for the use of tangible personal property, franchises, licenses or services in the municipality or county; value of the local use equals the value for purposes of the state compensating tax;

House Jr Bill, HB548, related items

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... SECTION 4. ADMINISTRATIVE OFFICE OF THE DISTRICT ATTORNEYS.--

The following amounts are appropriated from the GF to the administrative office of the district attorneys for use in FYs 2019 and 2020 for the following purposes:

- \$25,000 to cover backlog and conflict cases in any jurisdiction; and
- \$485,000 for upgrades to the statewide case management system and to replace preprosecution diversion fees.

... SECTION 7. DEPARTMENT OF FINANCE AND ADMINISTRATION.--

The following amounts are appropriated from the GF to the Department of Finance and Administration for use in FYs 2019 and 2020 for the following purposes:

- \$110,000 for the New Mexico mortgage finance authority to rehabilitate homes owned and occupied by low-income veterans;
- \$75,000 for the New Mexico mortgage finance authority to oversee the Affordable Housing Act;
- \$50,000 for matching funds for the New Mexico mortgage finance authority for a homeless youth demonstration project in northern New Mexico;

... \$50,000 to purchase safety equipment, including structural turnout gear, for the Santa Fe county fire department;

... SECTION 15. INDIAN AFFAIRS DEPARTMENT.--

The following amounts are appropriated from the GF to the Indian affairs department for use in FYs 2019 and 2020 for the following purposes:

- \$100,000 to establish a missing and murdered indigenous women task force;
- \$150,000 for a summit to promote American Indian women in business and to create a directory of American Indian women in business;
- \$140,000 for a study on streams and aquifers in the Espanola basin;

... SECTION 18. DEPARTMENT OF HEALTH.--The following amounts are appropriated from the GF to the department of health for use in FYs 2019 and 2020 for the following purposes:

- \$100,000 for teen mental illness and suicide prevention classes through the public health division;
- \$60,000 for a comprehensive health careers program and the provision of regional training opportunities in primary care;
- \$25,000 for comprehensive health careers programs and the provision of regional training opportunities in primary care in Grant county;

- \$50,000 to contract with a nonprofit dance program for at-risk and low-income children in the Roswell independent school district;
- \$170,000 to contract with a nonprofit dance program for at-risk and low-income children statewide;
- \$275,000 for data collection and to study oversight of health care in New Mexico;
- \$75,000 for the child and family databank commission, contingent on enactment of House Bill 173 or similar legislation of the first session of the 54th Legislature;
- \$100,000 for the southwest public health institute's operations and administration of health and social services infrastructure;
- \$100,000 to provide culturally and linguistically appropriate health care to immigrant children in Santa Fe county;

... SECTION 19. DEPARTMENT OF ENVIRONMENT.-- \$200,000 is appropriated from the GF to the Department of Environment for use in FYs 2019 and 2020 for a clean drinking water pilot project in northern New Mexico.

... SECTION 21. CHILDREN, YOUTH AND FAMILIES DEPARTMENT.—The following amounts are appropriated from the GF to the Children, Youth and Families Department for use in FYs 2019 and 2020 for the following purposes:

- \$150,000 to provide sexual assault services for children at child advocacy centers;
- \$50,000 to support a facility providing care services for abandoned children in Farmington;
- \$25,000 for La Casa community behavioral health for a youth substance abuse prevention program in Chaves county;
- \$50,000 to provide sexual assault services to children at a child advocacy center in Alamogordo;
- \$50,000 for child advocacy centers for services to victims of child sexual violence in Dona Ana county;
- \$60,000 for after-school recreation counseling services for at-risk youth in Ruidoso;
- \$50,000 for an anti-violence program in Taos;
- \$35,000 for domestic violence operations;
- \$50,000 to support and expand services at the Artesia head start program; and
- \$100,000 for a shelter providing domestic violence services in Santa Fe.

... SECTION 39. DEPARTMENT OF FINANCE AND ADMINISTRATION.--The following amounts are appropriated from the GF to the Department of Finance and Administration for expenditure in fiscal year 2020 for the following purposes:

- 1 \$17,500 for the New Mexico mortgage finance authority to rehabilitate homes owned and occupied by low-income veterans;
- 2 \$225,000 for the New Mexico mortgage finance authority for operations of a shelter providing services to the homeless in Espanola;
- 3 \$200,000 to provide legal services for land grants-mercedes, acequias and indigent persons in colonias; and
- 4 to the Local Government Division:

- § \$175,000 for equipment and operation of a spay and neuter program at the Valencia county animal shelter;
- § \$5,000 for public schools outreach by the Explora Science Center and Children's Museum;
- § \$150,000 for industrial infrastructure planning in Milan;
- § \$45,000 for planning and technical assistance services in the southeastern New Mexico Economic Development District;
- § \$60,000 for Chaves county to provide an equestrian-based therapy program for clients with autism and posttraumatic stress disorder;
- § \$140,000 for assistance for planning, development and construction of capital projects in northern New Mexico communities;
- § \$10,000 for food distribution in Gallup;
- § \$50,000 for homeless and veterans advocacy programs in McKinley county;
- § \$50,000 for homeless services in Gallup;
- § \$40,000 for equipment for the Dona Ana county youth initiative program;
- § \$60,000 for supplies and equipment for the public safety system in Sunland Park;
- § \$17,500 for supplies and equipment for the Chamberino water system;
- § \$17,500 for supplies and equipment for the La Union water system;
- § \$10,000 to purchase supplies and equipment for youth sports programming in Sunland Park;
- § \$50,000 to supplement the head start program in Silver City;
- § \$50,000 for community programs in Edgewood, including a neighborhood watch program, a spay and neuter program, a wi-fi program and a youth program;

...SECTION 46. CULTURAL AFFAIRS DEPARTMENT.-- \$200,000 is appropriated from the GF to the cultural affairs department for expenditure in fiscal year 2020 for a performing arts program using a performing arts venue to extend outreach to youth in school groups in Santa Fe.

... SECTION 60. PUBLIC EDUCATION DEPARTMENT.--The following amounts are appropriated from the GF to the Public Education Department for expenditure in fiscal year 2020 as follows:

- \$170,000 for public schools to provide feminine hygiene products;
- \$200,000 to purchase and distribute New Mexico-grown fruits and vegetables to public schools;

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Senate Jr Bill, SB536 related items

... SECTION 4. ADMINISTRATIVE OFFICE OF THE DISTRICT ATTORNEYS.

\$50,000 is appropriated from the GF to the administrative office of the district attorneys for expenditure in FYs 2019 and 2020 to purchase computers, software, equipment and vehicles in the first and ninth judicial district attorney's offices.

... SECTION 8. DEPARTMENT OF FINANCE AND ADMINISTRATION. The following amounts are appropriated from the GF to the department of finance and administration for expenditure in FYs 2019 and 2020 for the following purposes:

- \$57,000 for the New Mexico mortgage finance authority for oversight of the Affordable Housing Act;
- \$50,000 for the New Mexico mortgage finance authority to carry out the provisions of the New Mexico Housing Trust Fund Act;
- \$50,000 for the land grant-merced assistance fund contingent on enactment of House Bill 36 or similar legislation of the First Session of the Fifty-Fourth Legislature;
- \$50,000 to purchase accident reconstruction equipment, SCRAM monitors and other equipment and for operating costs for the Eddy County driving while intoxicated program;
- \$75,000 for the New Mexico renewable energy transmission authority for operational expenses;
- \$57,000 to the civil legal services fund; and
- \$150,000 for the local government division to provide local youth programs for northern New Mexico youth;
- \$50,000 for the law enforcement-assisted diversion program;
- \$307,000 for law enforcement-assisted diversion programs in Rio Arriba, Santa Fe, Bernalillo and Dona Ana counties;
- \$150,000 to purchase motor vehicles and equipment for the Bernalillo County sheriff's department;
- \$50,000 to purchase body armor for the Bernalillo County sheriff's department;
- \$50,000 to plan and design a facility in Edgewood for the department of behavioral health services in Bernalillo County;
- \$50,000 to allow Bernalillo County to contract with a community organization to expand on business incubation and entrepreneurial programs in the Ranchos de Atrisco community of Bernalillo County and the southwest quadrant of Albuquerque;
- \$50,000 for the investigation and seizure of controlled substances by the Catron County sheriff's department;
- \$100,000 to purchase protective body armor for the Chaves County sheriff's office;
- \$147,000 to purchase pursuit vehicles with off-road capabilities for the Chaves County sheriff's office;
- \$50,000 to establish and operate law enforcement-assisted diversion programs in Dona Ana County and other counties;
- \$50,000 to support domestic violence services in McKinley County;
- \$75,000 for drug recognition training and protection equipment for the Sandoval County sheriff's office;
- \$93,000 for leasehold community assistance for Cochiti Lake;
- \$64,000 to purchase a mini-excavator for the public works department of the Pueblo of Jemez;
- \$15,000 for the purchase of mechanical biological treatment equipment for San Miguel County;
- \$50,000 to provide funding for the law enforcement-assisted diversion program in Espanola;

... SECTION 21. DEPARTMENT OF HEALTH. The following amounts are appropriated from the GF to the department of health for expenditure in FYs 2019 and 2020 for the following purposes:

- \$100,000 for a statewide prenatal collaborative and program to improve health outcomes for pregnant women and newborns;
- \$50,000 to fund health services in southwest New Mexico;
- \$50,000 to fund community health plans and other functions performed by County and tribal health councils;

... SECTION 25. DEPARTMENT OF TRANSPORTATION. The following amounts are appropriated from the GF to the department of transportation for expenditure in FYs 2019 and 2020 for the following purposes:

- \$200,000 to improve Isleta Boulevard Southwest in Bernalillo County;
- \$65,000 to conduct a quiet-road study for road noise mitigation on United States Highway 84/285 north of Santa Fe;
- \$15,000 for road rehabilitation of County Road A042 near Morphy Lake in Mora County;
- \$50,000 to plan and design improvements to Steeplechase Roadway in Edgewood.

... \$57,000 to fund operational support for the law enforcement-assisted diversion program for the County and city of Santa Fe;

- \$57,000 for the design, construction and equipping of a maintenance facility, vehicle wash bay and fueling station in the north central regional transit district;
- \$150,000 for law enforcement-assisted diversion programs in Rio Arriba, Santa Fe, Bernalillo and Dona Ana counties;

... \$100,000 to purchase New Mexico-grown fresh fruits and vegetables for a senior citizen meals program and to provide financial assistance for a senior citizen farmers' market nutrition program;

- \$50,000 to purchase New Mexico-grown fresh fruits and vegetables for a senior citizen meals program;
- and

... SECTION 57. CHILDREN, YOUTH AND FAMILIES DEPARTMENT. The following amounts are appropriated from the GF to the children, youth and families department for expenditure in FY 2020 for the following purposes:

- \$110,000 to fund the provision of sexual assault services to children at child advocacy centers;
- \$200,000 for domestic violence and protective services statewide;
- \$50,000 for domestic violence intervention programs in Santa Fe County;
- \$100,000 to contract with a nonprofit organization focused on preventing domestic abuse in Santa Fe County; and

... SECTION 61. PUBLIC EDUCATION DEPARTMENT. The following amounts are appropriated from the GF to the public education department for expenditure in FY 2020 for the following purposes:

- \$357,000 for a short dyslexia screening for first grade students and for a dyslexia professional development plan that provides dyslexia training for teachers;
- \$50,000 for the purchase and distribution of New Mexico-grown fresh fruits and fresh vegetables to school districts, charter schools and juvenile detention centers throughout the department's school meal program;

SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR
SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
SENATE BILL 328

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019

Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

SFC CLERK RECORDED 05/03/2019

AN ACT

RELATING TO DOMESTIC VIOLENCE; EXPANDING THE CATEGORIES OF PERSONS WHO CANNOT RECEIVE, TRANSPORT OR POSSESS A FIREARM; PROVIDING THAT A PERSON SUBJECT TO AN ORDER OF PROTECTION SHALL NOT POSSESS, CARE FOR OR HAVE CUSTODY OR CONTROL OF A FIREARM; PROVIDING PENALTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 30-7-16 NMSA 1978 (being Laws 1981, Chapter 225, Section 1, as amended) is amended to read:

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"30-7-16. FIREARMS OR DESTRUCTIVE DEVICES--RECEIPT,
TRANSPORTATION OR POSSESSION BY [~~A FELON~~] CERTAIN PERSONS--
PENALTY.--

A. It is unlawful for [~~a felon~~] the following
persons to receive, transport or possess [~~any~~] a firearm or
destructive device in this state:

(1) a felon;

(2) a person subject to an order of protection
pursuant to Section 40-13-5 or 40-13A-5 NMSA 1978; or

(3) a person convicted of any of the following
crimes:

(a) battery against a household member
pursuant to Section 30-3-15 NMSA 1978;

(b) criminal damage to property of a
household member pursuant to Section 30-3-18 NMSA 1978;

(c) a first offense of stalking pursuant
to Section 30-3A-3 NMSA 1978; or

(d) a crime listed in 18 U.S.C. Sf6→922
921←Sf6.

B. [~~Any person violating the provisions of this~~
~~section~~] A felon found in possession of a firearm shall be
guilty of a fourth degree felony and shall be sentenced in
accordance with the provisions of the Criminal Sentencing Act;
provided that the violation of and the sentence imposed
pursuant to this subsection shall be increased to a violation

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of and the sentence for a third degree felony if the person has previously been convicted of a capital felony or a serious violent offense provided in [~~Subparagraphs (a) through (n) of~~] Paragraph (4) of Subsection L of Section 33-2-34 NMSA 1978.

C. Any person subject to an order of protection pursuant to Section 40-13-5 or 40-13A-5 NMSA 1978 or convicted of a crime listed in Paragraph (3) of Subsection A of this section who receives, transports or possesses a firearm or destructive device is guilty of a misdemeanor.

[~~C.~~] D. As used in this section:

(1) except as provided in Paragraph (2) of this subsection, "destructive device" means:

(a) any explosive, incendiary or poison gas: 1) bomb; 2) grenade; 3) rocket having a propellant charge of more than four ounces; 4) missile having an explosive or incendiary charge of more than one-fourth ounce; 5) mine; or 6) similar device;

(b) any type of weapon by whatever name known that will, or that may be readily converted to, expel a projectile by the action of an explosive or other propellant, the barrel or barrels of which have a bore of more than one-half inch in diameter, except a shotgun or shotgun shell that is generally recognized as particularly suitable for sporting purposes; or

(c) any combination of parts either designed or intended for use in converting any device into a

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destructive device as defined in this paragraph and from which a destructive device may be readily assembled;

(2) the term "destructive device" does not include any device that is neither designed nor redesigned for use as a weapon or any device, although originally designed for use as a weapon, that is redesigned for use as a signaling, pyrotechnic, line throwing, safety or similar device;

(3) "felon" means a person convicted of a felony offense by a court of the United States or of any state or political subdivision thereof and:

(a) less than ten years have passed since the person completed serving a sentence or period of probation for the felony conviction, whichever is later;

(b) the person has not been pardoned for the felony conviction by the proper authority; and

(c) the person has not received a deferred sentence; and

(4) "firearm" means any weapon that will or is designed to or may readily be converted to expel a projectile by the action of an explosion or the frame or receiver of any such weapon [~~or any firearm muffler or firearm silencer.~~
~~"Firearm" includes any handgun, rifle or shotgun]."~~

SECTION 2. Section 40-13-2 NMSA 1978 (being Laws 1987, Chapter 286, Section 2, as amended) is amended to read:

"40-13-2. DEFINITIONS.--As used in the Family Violence

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Protection Act:

A. "continuing personal relationship" means a dating or intimate relationship;

B. "co-parents" means persons who have a child in common, regardless of whether they have been married or have lived together at any time;

C. "court" means the district court of the judicial district where an alleged victim of domestic abuse resides or is found;

D. "domestic abuse":

(1) means an incident of stalking or sexual assault whether committed by a household member or not;

(2) means an incident by a household member against another household member consisting of or resulting in:

- (a) physical harm;
- (b) severe emotional distress;
- (c) bodily injury or assault;
- (d) a threat causing imminent fear of bodily injury by any household member;
- (e) criminal trespass;
- (f) criminal damage to property;
- (g) repeatedly driving by a residence or work place;
- (h) telephone harassment;
- (i) harassment;
- (j) strangulation;

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(k) suffocation; or

(l) harm or threatened harm to children

as set forth in this paragraph; and

(3) does not mean the use of force in self-defense or the defense of another;

E. "firearm" means any weapon that will or is designed to or may readily be converted to expel a projectile by the action of an explosion or the frame or receiver of any such weapon;

~~[E.]~~ F. "household member" means a spouse, former spouse, parent, present or former stepparent, present or former ~~[parent in-law]~~ parent-in-law, grandparent, grandparent-in-law, child, stepchild, grandchild, co-parent of a child or a person with whom the petitioner has had a continuing personal relationship. Cohabitation is not necessary to be deemed a household member for purposes of this section;

G. "law enforcement officer" means a public official or public officer vested by law with a duty to maintain public order or to make arrests for crime, whether that duty extends to all crimes or is limited to specific crimes;

~~[F.]~~ H. "mutual order of protection" means an order of protection that includes provisions that protect both parties;

~~[G.]~~ I. "order of protection" means an injunction

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or a restraining or other court order granted for the protection of a victim of domestic abuse;

[H-] J. "protected party" means a person protected by an order of protection;

[I-] K. "restrained party" means a person who is restrained by an order of protection;

[J-] L. "strangulation" has the same meaning as set forth in Section 30-3-11 NMSA 1978; and

[K-] M. "suffocation" has the same meaning as set forth in Section 30-3-11 NMSA 1978."

SECTION 3. Section 40-13-5 NMSA 1978 (being Laws 1987, Chapter 286, Section 5, as amended) is amended to read:

"40-13-5. ORDER OF PROTECTION--CONTENTS--REMEDIES--TITLE TO PROPERTY NOT AFFECTED--MUTUAL ORDER OF PROTECTION.--

A. Upon finding that domestic abuse has occurred or upon stipulation of the parties, the court shall enter an order of protection ordering the restrained party to:

(1) refrain from abusing the protected party or any other household member; and

(2) if the order is issued pursuant to this section and if the court also determines that the restrained party presents a credible threat to the physical safety of the household member after the restrained party has received notice and had an opportunity to be heard or by stipulation of the parties, to:

(a) deliver any firearm in the

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restrained party's possession, care, custody or control to a law enforcement agency, law enforcement officer or federal firearms licensee while the order of protection is in effect;
and

(b) refrain from purchasing, receiving, or possessing or attempting to purchase, receive or possess any firearm while the order of protection is in effect.

B. In an order of protection entered pursuant to Subsection A of this section, the court shall specifically describe the acts the court has ordered the restrained party to do or refrain from doing. As a part of any order of protection, the court may:

(1) grant sole possession of the residence or household to the protected party during the period the order of protection is effective or order the restrained party to provide temporary suitable alternative housing for the protected party and any children to whom the restrained party owes a legal obligation of support;

(2) award temporary custody of any children involved when appropriate and provide for visitation rights, child support and temporary support for the protected party on a basis that gives primary consideration to the safety of the protected party and the children;

(3) order that the restrained party shall not initiate contact with the protected party;

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(4) restrain a party from transferring, concealing, encumbering or otherwise disposing of the other party's property or the joint property of the parties except in the usual course of business or for the necessities of life and require the parties to account to the court for all such transferences, encumbrances and expenditures made after the order is served or communicated to the restrained party;

(5) order the restrained party to reimburse the protected party or any other household member for expenses reasonably related to the occurrence of domestic abuse, including medical expenses, counseling expenses, the expense of seeking temporary shelter, expenses for the replacement or repair of damaged property or the expense of lost wages;

(6) order the restrained party to participate in, at the restrained party's expense, professional counseling programs deemed appropriate by the court, including counseling programs for perpetrators of domestic abuse, alcohol abuse or abuse of controlled substances; and

(7) order other injunctive relief as the court deems necessary for the protection of a party, including orders to law enforcement agencies as provided by this section.

~~[B. The order of protection shall contain a notice that violation of any provision of the order constitutes contempt of court and may result in a fine or imprisonment or both.]~~

C. The order of protection shall contain notice

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that violation of any provision of the order of protection
Sf6→may be a crime pursuant to federal and state law.←Sf6
Sf6→is a violation of state law and that federal law, 18 U.S.C.
922, et seq., prohibits possession of firearms by certain
persons.←Sf6

[G.] D. If the order of protection supersedes or
alters prior orders of the court pertaining to domestic matters
between the parties, the order shall say so on its face. If an
action relating to child custody or child support is pending or
has concluded with entry of an order at the time the petition
for an order of protection was filed, the court may enter an
initial order of protection, but the portion of the order
dealing with child custody or child support will then be
transferred to the court that has or continues to have
jurisdiction over the pending or prior custody or support
action.

[D.] E. A mutual order of protection shall be
issued only in cases where both parties have petitioned the
court and the court makes detailed findings of fact indicating
that both parties acted primarily as aggressors and that
neither party acted primarily in self-defense.

[E.] F. No order issued under the Family Violence
Protection Act shall affect title to any property or allow a
party to transfer, conceal, encumber or otherwise dispose of
another party's property or the joint or community property of

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the parties.

[F-] G. Either party may request a review hearing to amend an order of protection. An order of protection involving child custody or support may be modified without proof of a substantial or material change of circumstances.

[G-] H. An order of protection shall not be issued unless a petition or a counter petition has been filed."

SECTION 4. A new section of the Family Violence Protection Act is enacted to read:

"[NEW MATERIAL] RELINQUISHMENT OF FIREARMS--PENALTY.--

A. After the court has issued notice that the restrained party is subject to the provisions of Paragraph (2) of Subsection A of Section 40-13-5 NMSA 1978, the restrained party shall relinquish all firearms in the restrained party's immediate possession or control or subject to the restrained party's possession or control in a safe manner to a law enforcement officer, a law enforcement agency or federal firearms licensee within forty-eight hours of service of the order.

B. A law enforcement officer or law enforcement agency shall take possession of all firearms subject to the order of protection that are relinquished by the restrained party or are in plain sight or are discovered pursuant to a lawful search.

C. A law enforcement officer or law enforcement agency that takes temporary possession of a firearm pursuant to

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this section shall:

(1) prepare a receipt identifying all firearms that have been relinquished or taken;

(2) provide a copy of the receipt to the restrained party;

(3) provide a copy of the receipt to the petitioner within seventy-two hours of taking possession of the firearm;

(4) file the original receipt with the court that issued the order of protection within seventy-two hours of taking possession of the firearm; and

(5) ensure that the law enforcement agency retains a copy of the receipt.

~~Sf1→D. A court that has probable cause to believe that a restrained party has failed to relinquish a firearm in violation of an order of protection or received or purchased a firearm while subject to the order of protection shall issue a search warrant pursuant to Rule 5-211 NMRA:~~

~~(1) describing the firearm;~~

~~(2) authorizing a search of the location where the firearm is reasonably believed to be; and~~

~~(3) authorizing the seizure of any firearm discovered pursuant to the search.←Sf1~~

Sf→E. D.←Sf An order of protection issued pursuant to Section 40-13-5 NMSA 1978 shall include:

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(1) a statement that the restrained party shall not purchase, receive, transport, possess or have custody or control of a firearm while the order of protection is in effect;

(2) a description of the requirements for the relinquishment of firearms as provided in this section;

(3) a statement that within seventy-two hours of the issuance of the order of protection the restrained party must file with the court issuing the order:

(a) a receipt identifying all firearms that have been relinquished or taken by a law enforcement officer or law enforcement agency; or

(b) a declaration of non-relinquishment;

(4) the expiration date of relinquishment;

(5) the address of the court that issued the order of protection; and

(6) a statement that violation of any provision of the order of protection is ~~Sf6~~→a ~~Sf1~~→crime pursuant to federal and ~~Sf1 Sf1~~→violation of ~~Sf1~~ state law ~~Sf1~~→and may be a violation of federal law←Sf1←Sf6 Sf6→a violation of state law and that federal law, 18 U.S.C. 922, et seq., prohibits possession of firearms by certain persons.←Sf6

Sf→F. E.←Sf If the respondent is present at the hearing on the order of protection, the court shall provide the respondent with a receipt form to identify all firearms to be surrendered or, if the respondent has no firearms to

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relinquish, a declaration of non-relinquishment. The court shall accept the completed form from the respondent for immediate filing.

~~Sf4→G. A law enforcement officer and law enforcement agency shall be immune from civil or criminal liability for any damage or deterioration of firearms stored or transported pursuant to this section. This subsection shall not apply if the damage or deterioration was the result of recklessness, gross negligence or intentional misconduct by the law enforcement officer or law enforcement agency.←Sf4~~

Sf→H. F.←Sf Evidence establishing ownership or possession of a firearm pursuant to this section shall not be admissible as evidence in any Sf7→unrelated←Sf7 criminal proceeding.

~~Sf5→I. The local law enforcement agency shall make a firearm available within thirty days of receipt of a request from a formerly restrained party who is then currently eligible to own and possess a firearm.←Sf5~~

Sf5→I. G. The law enforcement agency or federal firearms licensee with custody of a surrendered or seized firearm shall make the firearm available to a formerly restrained party within three business days of receipt of a request from a formerly restrained party who is then currently eligible to own and possess a firearm.←Sf5

Sf→J. H.←Sf A formerly restrained party who has

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surrendered or had firearms taken by a law enforcement officer or law enforcement agency pursuant to this section who does not wish the firearm returned or who is no longer eligible to possess a firearm may sell or transfer the firearm to a Sf3→~~licensed firearms dealer~~←Sf3 Sf3→federal firearms licensee←Sf3. The law enforcement agency shall not release the firearm to a Sf3→~~licensed firearms dealer~~←Sf3 Sf3→federal firearms licensee←Sf3 until:

(1) the Sf3→~~licensed firearms dealer~~←Sf3 Sf3→federal firearms licensee←Sf3 has displayed proof that the formerly restrained party has transferred the firearm to the Sf3→~~dealer~~←Sf3 Sf3→licensee←Sf3; and

(2) the law enforcement agency has verified the transfer with the formerly restrained party.

Sf→~~K~~. I.←Sf A law enforcement agency holding a firearm relinquished pursuant to this section may dispose of the firearm Sf8→~~six~~←Sf8 Sf8→~~twelve~~←Sf8 months from the date of proper notice to the formerly restrained party of the intent to dispose of the firearm, unless another person claiming to be the lawful owner presents written proof of ownership. If the firearm remains unclaimed after Sf8→~~six~~←Sf8 Sf8→~~twelve~~←Sf8 months from the date of notice, no party shall assert ownership and the law enforcement agency may dispose of the firearm. For the purposes of this subsection, "dispose" means to destroy a firearm or sell or transfer the firearm to a Sf3→~~licensed firearms dealer~~←Sf3 Sf3→federal firearms licensee←Sf3.

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Sf2→L. J. The provisions of this section shall not be interpreted to require a federal firearms licensee to purchase or accept possession of a firearm from a restrained party.←Sf2

~~Sf9→L. This section shall not affect the ability of a law enforcement officer to remove a firearm from a person pursuant to other lawful authority.←Sf9~~

Sf→M. K.←Sf The administrative office of the courts shall develop a standard receipt form and declaration of non-relinquishment form for use under this section."

SECTION 5. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2019.

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**Capital Outlay Projects
Chart by County**

SFC SUB SB280

Legislative Council Service
54th Legislature, 1st Session, 2019

Project Title	Amount	City	Fund	Track
4912 SAN FELIPE PUEBLO SENIOR CENTER CONSTRUCT	\$50,000	San Felipe Pueblo	GF	
4915 SAN FELIPE PUEBLO WATER LINES REPLACE	\$1,231,200	San Felipe Pueblo	GF	
5618 SAN LUIS-CABEZON MDWA RGNL WATER SYS PHASE 2	\$115,000		GF	
4849 SAN YSIDRO POLICE INFO TECH UPGRADE	\$50,000	San Ysidro	GF	
4848 SAN YSIDRO TRAFFIC SAFETY EQUIPMENT	\$60,000	San Ysidro	GF	
6441 SANDIA PUEBLO MISSION HILLS CONSTRUCT	\$1,311,795	Sandia Pueblo	GF	
6442 SANDIA PUEBLO SOLID WASTE TRANSFER STN	\$1,695,047	Sandia Pueblo	GF	
6440 SANDIA PUEBLO WATER & WWATER LIFT STN	\$292,000	Sandia Pueblo	GF	
6482 SANDOVAL CO DOMESTIC VIOLENCE SHELTER	\$320,000		GF	
6602 SANDOVAL CO FAIR BOARD BLDG PRCHS & CONSTRUCT	\$70,000	Cuba	GF	
7185 SANTA ANA PUEBLO ED CMLPX	\$360,000	Santa Ana Pueblo	GF	
5897 SANTA ANA PUEBLO ELECTRICAL GRID SYSTEM CONSTRUCT	\$90,000	Santa Ana Pueblo	GF	
5895 SANTA ANA PUEBLO PUBLIC SERVICES COMPLEX CONSTRUCT	\$635,000	Santa Ana Pueblo	GF	
5896 SANTA ANA PUEBLO WATER STORAGE TANK & WATER SYS	\$545,000	Santa Ana Pueblo	GF	
6456 SANTO DOMINGO PUEBLO BACKHOE PRCHS	\$50,000	Santo Domingo Pueblo	GF	
6458 SANTO DOMINGO PUEBLO WWATER LAGOON SYS CONSTRUCT	\$1,200,000	Santo Domingo Pueblo	GF	
4941 SSCAFCA CORONADO ARROYO IMPROVEMENTS	\$136,000	Bernalillo	GF	
4931 SSCAFCA LISBON ARROYO IMPROVEMENTS	\$408,000		GF	
4935 SSCAFCA LOMITAS NEGRAS PHASE 3 DRAINAGE	\$145,000		GF	
4939 SSCAFCA RIO MORA RD DRAIN & FLOOD CONTROL	\$200,000		GF	
6027 TORREON-STAR LAKE CHP EMERGENCY SERVICE BLDG	\$150,000	Torreon-Star Lake Cha	GF	
6028 TORREON-STAR LAKE CHP WWTR SYS CONSTRUCT	\$50,000	Torreon-Star Lake Cha	GF	
5507 V. SUE CLEVELAND HIGH SCHL GATES REPLACE	\$300,000	Rio Rancho	GF	
4979 VERANDA ROAD SAFETY IMPROVEMENTS RIO RANCHO	\$630,000	Rio Rancho	GF	
5511 VISTA GRANDE ELEM SCHL SECURITY IMPROVE	\$200,000	Rio Rancho	GF	
5759 ZIA PUEBLO CHILD DEVELOPMENT CTR	\$1,915,820	Zia Pueblo	GF	

Summary for Sandoval

\$28,221,069

County: Santa Fe

6731 1ST JUD DIST ATTORNEY BLDG UPGRADE	\$10,000		GF	
7014 1ST JUD DIST ATTORNEY VEH PRCHS	\$60,000	Santa Fe	GF	
6732 1ST JUD DIST CT SANTA FE SECURITY CAMERA SYS	\$60,000	Santa Fe	GF	
6411 1ST JUD DIST HERRERA CMLPX CONFERENCE ROOM	\$222,000	Santa Fe	GF	
6409 1ST JUD DIST HERRERA CMLPX JURY ROOM SPEAKER SYS	\$19,800	Santa Fe	GF	
7216 AAMODT INDIAN WATER RIGHTS SETTLEMENT INCREASE	\$2,000,000		GF	
6508 ACADEMY FOR TECH & CLASSICS CH SCHL	\$100,000	Santa Fe PSD	GF	
6307 ACEQUIA DE LA CIENEGA IMPROVE	\$53,000		GF	
5878 ACEQUIA DE LA COMUNIDAD IMPROVE	\$68,690	Nambe	GF	
5007 ACEQUIA DE LA OTRA BANDA IMPROVE SANTA FE CO	\$47,950		GF	
6319 ACEQUIA DE LOS ORTIZ DE NAMBE IMPROVE	\$133,200		GF	
6725 ACEQUIA DE LOS TRUJILLOS IMPROVE	\$27,750		GF	
6912 ACEQUIA DE SANTA CRUZ IMPROVE	\$90,000		GF	
4868 ACEQUIA DE SOMBRILLO IMPROVE SANTA FE CO	\$74,685		GF	
4864 ACEQUIA DEL BARRANCO ALTO IMPROVE	\$13,135		GF	
6758 ACEQUIA DEL MOLINO DIVERSION DESIGN	\$15,000		GF	
6507 ACEQUIA MADRE ELEM SCHL PLAYGROUND IMPROVE	\$10,000	Santa Fe PSD	GF	
5476 ACEQUIAS DE CHUPADERO IMPROVE SANTA FE CO	\$35,861		GF	
6877 AGUA FRIA CWSA OFFICE IMPROVE	\$100,000		GF	
6865 AGUA FRIA CWSA WATER SYS IMPROVE	\$550,000		GF	
5985 AGUA FRIA ST & S MEADOWS RD IMPROVE	\$125,000	Santa Fe	GF	

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**Capital Outlay Projects
Chart by County**

SFC SUB SB280

**Legislative Council Service
54th Legislature, 1st Session, 2019**

Project Title	Amount	City	Fund	Track
6928 AGUA FRIA WWATER SERVICE EXPAND	\$100,000			GF
6182 ASPEN COMMUNITY MAGNET SCHL FENCE	\$50,000	Santa Fe		GF
6506 ATALAYA ELEM SCHL PLAYGROUND	\$50,000	Santa Fe PSD		GF
6860 CAD CENTER FOR CONTEMPORARY ARTS IMPROVE	\$314,000	Santa Fe		GF
4671 CAD NM MUSEUM OF ART VLADEM CONTEMPORARY	\$4,010,000	Santa Fe		GF
6183 CAPITAL HIGH SCHL CAFETERIA COURTYARD IMPROVE	\$40,000	Santa Fe		GF
6969 CERRILLOS HILLS STATE PARK SITE IMPROVE	\$25,000			GF
6088 CHAPARRAL ELEM SCHL SIDEWALK SANTA FE	\$40,000	Santa Fe PSD		GF
6193 CHUPADERO WATER SYSTEM IMPROVE SANTA FE CO	\$110,000			GF
6551 CHURCH ST IMPROVE EDGEWOOD	\$450,000	Edgewood		GF
4688 DMA NM NAT GUARD BATAAN MILITARY MUSEUM	\$500,000	Santa Fe		CBRF
7128 DMA NM NAT GUARD MILITARY MUSEUM ELECTRICAL SYS	\$200,000	Santa Fe		GF
4678 DOH VITAL RECORDS & STATS BLDG CONSTRUCT - CBRF	\$400,000	Santa Fe		CBRF
4691 DPS EVIDENCE RECORDS & CRIME LAB PHASES 1 & 2	\$33,000,000	Santa Fe		GF
6086 E.J. MARTINEZ ELEM SCHL PLAYGROUND	\$30,000	Santa Fe PSD		GF
6855 EDGEWOOD HEALTH COMMONS PH 2 CONSTRUCT	\$568,273	Edgewood		GF
6557 EDGEWOOD WWATER TREATMENT PLANT UPGRADE	\$625,728	Edgewood		GF
6185 EDWARD ORTIZ MIDDLE SCHL PLAYGROUND IMPROVE	\$10,000	Santa Fe		GF
6512 EL DORADO CMTY SCHL IMPROVE	\$15,000	Santa Fe PSD		GF
6755 EL GUICU COMMUNITY DITCH IMPROVE	\$100,000			GF
6560 ELDORADO AREA WSD WATER SUPPLY SYSTEM IMPROVE	\$312,000			GF
6534 ELDORADO HIKE-BIKE NETWORK EXTEND	\$200,000	Eldorado		GF
6545 ELDORADO ROADS IMPROVE	\$150,000	Eldorado		GF
6770 GALISTEO CMTY PARKS IMPROVE SANTA FE CO	\$50,000			GF
7123 GALISTEO MDWCA IMPROVE	\$86,000			GF
6529 GONZALES COMMUNITY SCHL PGRND	\$15,000	Santa Fe PSD		GF
6481 GREATER GLORIETA CRMDWC & SW DRINKING WATER PRJT	\$260,000			GF
5980 HARRISON RD IMPROVE SANTA FE CO	\$200,000	Santa Fe		GF
4683 HSEMD GARAGE EXTENSION - CBRF	\$200,000	Santa Fe		CBRF
4711 IAIA CAMPUS INFRASTRUCTURE UPGRADES	\$275,000			GF
6068 KEARNY ELEM SCHL IMPROVE SANTA FE	\$35,000	Santa Fe PSD		GF
6107 LA BAJADA COMMUNITY DITCH IMPROVE SANTA FE CO	\$45,000			GF
6192 LA BAJADA MDWCA WATER SYS IMPROVE	\$50,000	Santa Fe		GF
6968 LA CIENEGA LIBRARY IMPROVE	\$5,000	La Cienega		GF
6762 MADRID BALLPARK UPGRADE	\$125,000	Madrid		GF
6757 MADRID WATER MDWCA FIRE SUPPRESSION	\$235,000			GF
6075 MANDELA INTERNATIONAL MAGNET SCHL IMPROVE	\$10,000	Santa Fe PSD		GF
4799 MARY ESTHER GONZALES SENIOR CENTER - MEALS EQUIP	\$22,650	Santa Fe		GF
4788 MARY ESTHER GONZALES SENIOR CENTER - VEHICLES	\$110,890	Santa Fe		GF
6076 MILAGRO MID SCHL LIBRARY RESOURCES	\$50,000	Santa Fe PSD		GF
6044 MUSEUM OF INDIAN ARTS & CULTURE EXHIBIT SANTA FE	\$1,211,000	Santa Fe		GF
6137 NAMBE PUEBLO ADMIN BLDG CONSTRUCT	\$1,880,000	Nambe Pueblo		GF
6723 NAMBE PUEBLO HEALTH & WELLNESS CTR EXPAND	\$543,000	Nambe Pueblo		GF
7165 NAMBE PUEBLO TEEN CTR FACILITY CONSTRUCT	\$1,260,000	Nambe Pueblo		GF
6084 NINA OTERO CMTY SCHL OUTDOOR SEATING CONSTRUCT	\$35,000	Santa Fe		GF
6906 NM SCHOOL FOR THE ARTS DORMITORY/CAFETERIA	\$4,257,500	Santa Fe		GF
4723 NMSD ROOF/WINDOWS/STUCCO IMPROVE	\$875,000	Santa Fe		GF
5712 POJOAQUE FIRE STATION 2 CONSTRUCT	\$100,000			GF
7171 POJOAQUE PUEBLO ADMIN BLDG CONSTRUCT	\$157,500	Pojoaque Pueblo		GF
5865 POJOAQUE PUEBLO CHILD DEV CTR CONSTRUCT	\$99,750	Pojoaque Pueblo		GF

**Capital Outlay Projects
Chart by County**

SFC SUB SB280

**Legislative Council Service
54th Legislature, 1st Session, 2019**

Project Title	Amount	City	Fund	Track
5873 POJOAQUE PUEBLO POEH CENTER IMPROVE	\$470,000	Pojoaque Pueblo	GF	
5871 POJOAQUE PUEBLO WELLNESS CTR IMPROVE	\$700,000	Pojoaque Pueblo	GF	
5866 POJOAQUE PUEBLO WWATER FCLTY EXPAND	\$540,850	Pojoaque Pueblo	GF	
4667 PUBLIC RECORDS, COMM OF CARRUTHERS BLDG REN - CBRF	\$953,000	Santa Fe	CBRF	
6087 RAMIREZ THOMAS ELEM SCHL SHADE STRUCT	\$30,000	Santa Fe PSD	GF	
6081 SALAZAR ELEM SCHL ART STUDIO REN	\$50,000	Santa Fe PSD	GF	
7177 SAN ILDEFONSO MUSEUM & CULTURAL CTR CONSTRUCT	\$2,016,000	San Ildefonso Pueblo	GF	
5858 SAN ILDEFONSO PUEBLO IRRIGATION SYS IMPROVE	\$2,015,000	San Ildefonso Pueblo	GF	
4798 SAN ILDEFONSO PUEBLO SENIOR CENTER - CODE COMPLY	\$23,000		GF	
4790 SAN ILDEFONSO PUEBLO SENIOR CENTER - VEHICLES	\$68,000	San Ildefonso Pueblo	GF	
5863 SAN ILDEFONSO PUEBLO WWATER SYS PH 2 CONSTRUCT	\$1,040,985	San Ildefonso Pueblo	GF	
4978 SANTA CRUZ IRRIGATION DIST ELEC LINES IMPROVE	\$52,000		GF	
6869 SANTA FE BOYS AND GIRLS CLUB FCLTY IMPROVE	\$191,250		GF	
4869 SANTA FE BUSINESS INCUBATOR IMPROVE	\$260,000	Santa Fe	GF	
6431 SANTA FE CHILDREN'S MUS IMPROVE	\$193,777	Santa Fe	GF	
5691 SANTA FE CO AGUA FRIA WWATER & UTLTY SYS EXPAND	\$375,000		GF	
5692 SANTA FE CO FCLTY PHOTOVOLTAIC UNITS INSTALL	\$505,000		GF	
6066 SANTA FE CO FIRE DEPARTMENT EQUIP	\$220,000		GF	
4770 SANTA FE CO NM HWY 14 SENIOR CTR - CONSTRUCT	\$800,000		GF	
6884 SANTA FE CO RECOVERY PROGRAM BLDG IMPROVE	\$1,500,000		GF	
7141 SANTA FE CO SANTA FE MOUNTAIN CTR YURT	\$95,000		GF	
7142 SANTA FE CO SANTA FE MOUNTAIN URBAN ADVENTURE CTR	\$84,500		GF	
6882 SANTA FE CO SHERIFF'S OFFICE BODY CAMERAS	\$80,000		GF	
6565 SANTA FE CO WRONG-WAY DRIVING DETECTION TECH	\$200,000		GF	
5693 SANTA FE COMUNIDAD DE LOS NINOS BLDG IMPROVE	\$50,000	Santa Fe	GF	
6306 SANTA FE EL MUSEO CULTURAL IMPROVE	\$160,000	Santa Fe	GF	
7212 SANTA FE ELECTRIC VEH CHARGING STATIONS	\$1,500,000	Santa Fe	GF	
5944 SANTA FE HORTICULTURE THERAPY GREENHOUSE	\$150,000	Santa Fe	GF	
5977 SANTA FE MUNI COURT BULLETPROOF WINDOW INSTALL	\$117,000	Santa Fe	GF	
6196 SANTA FE MUNI RECREATIONAL CMLPX SOCCER IMPROVE	\$250,000	Santa Fe	GF	
5911 SANTA FE MUSEUM HILL PH 1 IMPROVE	\$50,000	Santa Fe	GF	
6195 SANTA FE PSD ALTERNATIVE SITES ED SPEC PLAN	\$10,000	Santa Fe	GF	
5852 SANTA FE PSD DANCE BARN ADDITION	\$530,000	Santa Fe	GF	
6069 SANTA FE PSD EDUCATIONAL SERVICES CTR GENERATOR	\$330,800	Santa Fe PSD	GF	
5976 SANTA FE PUBLIC RESTROOMS CONSTRUCT	\$550,000	Santa Fe	GF	
5970 SANTA FE RGNL AIRPORT PASSENGER TERMINAL CONSTRUC	\$9,000,000	Santa Fe	GF	
6800 SANTA FE SOLACE CRISIS TREATMENT CTR REPAIR	\$100,000	Santa Fe	GF	
5975 SANTA FE SOLAR FACILITIES PPP PLAN	\$925,000	Santa Fe	GF	
5971 SANTA FE SOUTHSIDE TEEN & RESOURCE CTR CONSTRUCT	\$1,100,000	Santa Fe	GF	
6967 SANTA FE ST VINCENT HOSPITAL SUBSTANCE ABUSE	\$50,000	Santa Fe	GF	
5987 SANTA FE WELCOME SIGNAGE CONSTRUCT	\$50,000	Santa Fe	GF	
6387 SFCC ADULT EDUCATION INFRA IMPROVE	\$10,000	Santa Fe	GF	
6386 SFCC CONTROLLED ENVIRONMENT GREENHOUSE LAB IMPRO	\$150,000	Santa Fe	GF	
6309 SFCC EMERGENCY PREPAREDENESS	\$15,000	Santa Fe	GF	
6308 SFCC FILM AND MEDIA DEPT IMPROVE	\$25,000	Santa Fe	GF	
6310 SFCC HEALTH SCIENCES SIMULATION LAB	\$115,000	Santa Fe	GF	
4739 SFCC ROOF UPGRADES	\$1,000,000	Santa Fe	GF	
4740 SFIS ACCESS ROAD PHASE 1	\$1,095,000	Santa Fe	GF	
7118 SFIS LEADERSHIP INSTITUTE EQUIP	\$25,000	Santa Fe	GF	
7228 SLO ELECTRICAL SYSTEM REPLACE - SLMF	\$390,000	Santa Fe	SLMF	

SFC CLERK RECORDED 05/03/2019

**Capital Outlay Projects
Chart by County**

SFC SUB SB280

**Legislative Council Service
54th Legislature, 1st Session, 2019**

Project Title	Amount	City	Fund	Track
6082 SWEENEY ELEM SCHL PLAYGROUND IMPROVE	\$35,000	Santa Fe PSD	GF	
6330 TEODORO Y TEODORA DITCH IMPROVE SANTA FE CO	\$17,945		GF	
5890 TESUQUE PUEBLO FIRE EQUIP PRCHS	\$126,020	Tesuque Pueblo	GF	
7182 TESUQUE PUEBLO STORM DRAIN CONSTRUCT	\$1,500,000	Tesuque Pueblo	GF	
6727 TIERRA ENCANTADA CH SCHL CONSTRUCT	\$10,000	Santa Fe	GF	
4753 TRD MAIL INSERTERS	\$275,000	Santa Fe	GF	
5875 TURQUOISE TRAIL CHARTER SCHOOL	\$50,000	Santa Fe	GF	
6080 WOOD GORMLEY ELEM SCHL IMPROVE	\$20,000	Santa Fe PSD	GF	
6864 ZAFARANO DR CONSTRUCT SANTA FE CO	\$100,000		GF	

Summary for Santa Fe

\$89,654,489

County: Sierra

6344 CAMINO CINCO IMPROVE SIERRA CO	\$198,771	Elephant Butte	GF	
5705 SAN MIGUEL COMMUNITY DITCH PIPELINE CONSTRUCT	\$100,000		GF	
4866 SIERRA CO SIERRA VISTA HOSPITAL CONSTRUCT	\$1,259,229	Truth or Consequences	GF	
4674 SIERRA VISTA HOSPITAL RENOVATION - PCCF	\$4,000,000	Truth or Consequences	PCCF	
7214 SPA SPACEPORT AMERICA IMPROVE	\$19,000,000		GF	
7211 VSD NMSVH SURVEILLANCE	\$151,467	Truth or Consequences	GF	
4694 VSD NMSVH WALKWAYS & PARKING REPAIR & REPLACE	\$958,619	Truth or Consequences	GF	

Summary for Sierra

\$25,668,086

County: Socorro

6410 ACEQUIA DE LA JOYA IMPROVE SOCORRO CO	\$50,000		GF	
6167 ALAMO CHP GRADER PRCHS	\$500,000	Alamo	GF	
7101 ALAMO CHP WELL DRILL	\$787,500	Alamo Chapter	GF	
7143 COTTONWOOD VALLEY CHARTER SCHOOL SECURITY	\$12,000		GF	
6830 COTTONWOOD VALLEY CHARTER SCHOOL SOCORRO	\$28,000		GF	
6938 LA JOYA GYMNASIUM REN	\$100,000	La Joya	GF	
4801 MAGDALENA SENIOR CENTER - CODE COMPLY	\$34,980	Magdalena	GF	
4719 NMIMT ELEC DOOR LOCK SYSTEM UPGRADE CAMPUSWIDE	\$1,295,000	Socorro	GF	
4718 NMIMT KELLY & GOLD BLDGS & WORKMAN CTR ROOFS	\$2,056,600	Socorro	GF	
6576 NMIMT MESA INFO TECH	\$15,000	Socorro	GF	
5932 NMIMT MINER MEMORIAL CONSTRUCT	\$10,000	Socorro	GF	
6957 NMIMT VEH PRCHS	\$94,000	Socorro	GF	
6260 SABINAL COMMUNITY CTR PH 4 CONSTRUCT	\$370,000		GF	
6264 SOCORRO ANIMAL SHELTER PORTABLE BLDG	\$75,000	Socorro	GF	
6270 SOCORRO COUNTY COURTHOUSE COMPLEX IMPROVE	\$100,000	Socorro	GF	
6274 SOCORRO COUNTY DETENTION CTR FULL BODY SCANNER	\$150,000	Socorro	GF	
6272 SOCORRO COUNTY DETENTION CTR RENEWABLE ENERGY SY	\$150,000	Socorro	GF	
6275 SOCORRO COUNTY SOLID WASTE ROLL-OFF VEH	\$200,000		GF	
6261 SOCORRO FINLEY GYM & YOUTH CTR REN	\$100,000	Socorro	GF	
4802 SOCORRO SENIOR CENTER - CODE COMPLY	\$116,532	Socorro	GF	
4796 SOCORRO SENIOR CENTER - VEHICLES	\$63,262	Socorro	GF	
6263 SOCORRO STREETS CONSTRUCT	\$200,000	Socorro	GF	
4793 VEGUITA SENIOR CENTER - CODE COMPLY	\$64,236	Veguita	GF	
4797 VEGUITA SENIOR CENTER - VEHICLES	\$50,820	Veguita	GF	

Summary for Socorro

\$6,622,930

County: Statewide

7226 ALTS SENIOR CTR EMERGENCY REPAIRS STATEWIDE	\$500,000		GF	
7227 ALTS SENIOR CTR SMALL EQUIPMENT	\$500,000		GF	

Sunday, March 10, 2019

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Chart Funded Projects by County 3A
sort order: County/Project Title

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