

SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

March 31, 2020

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

SANTA FE COUNTY

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March 31, 2020

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:25 p.m. by Chair Henry Roybal.

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

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

B. Roll Call

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

Members Present:

Commissioner Henry Roybal, Chair
Commissioner Anna Hansen, Vice Chair
Commissioner Rudy Garcia [late arrival]
Commissioner Anna Hamilton
Commissioner Ed Moreno

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance was led by Chair Roybal, the State Pledge by Firefighters Union President Nestor Garcia, and the Moment of Reflection by the president of the AFCSME Union, Felix Herrera.

F. Approval of Agenda

CHAIR ROYBAL: Manager Miller, do we have any changes to the agenda?

KATHERINE MILLER (County Manager): Yes, Mr. Chair, Commissioners. We do have an amended agenda that was posted on March 27th at 5:45 pm. On the agenda we have added that time, under the Consent Agenda we have item 2.

SFC CLERK RECORDED 05/20/2020

p.m. On the agenda we have added that time, under the Consent Agenda we have item 2. G, which is a budget resolution, adding a state appropriation to our budget.

We also under Miscellaneous Action Items, we added item 4. C, which is a contract with Sandoval County for the juvenile detainees, and item 4. D, which is approval of the closure of the Youth Development Facility, and a YDP lay-off plan. We also have item, under Matters from the County Attorney, item 10. A. 2. Those are under Executive Session. And I believe those are all the changes to the originally published agenda.

CHAIR ROYBAL: Okay. Thank you for those changes, Manager Miller. What's the pleasure of the Board?

COMMISSIONER HANSEN: Mr. Chair, I wish to move to approve.

CHAIR ROYBAL: Thank you, Commissioner Hansen. So I have a motion from Commissioner Hansen. Do I hear a second?

COMMISSIONER HAMILTON: I'd second.

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

The motion passed by unanimous [4-0] roll call vote.

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

1. G. Approval of Minutes: February 25, 2020

CHAIR ROYBAL: I'm going to go to Commissioner Hansen. Usually you have corrections.

COMMISSIONER HANSEN: I move to approve the minutes with changes. I have given the changes to the stenographer. We spoke over the phone, so she has them, so I wish to approve with changes.

COMMISSIONER HAMILTON: I will second.

CHAIR ROYBAL: So we have a motion from Commissioner Hansen and a second from Commissioner Hamilton. Is there anything else under discussion? Okay, hearing nothing, no other comments.

The motion passed by unanimous [4-0] roll call vote.

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

H. Recognition of New Hires

MS. MILLER: Mr. Chair, Commissioners, in your packet, your books, there is a list of new hires from February 1 to February 29, 2020. I'll quickly read through those and just welcome them to the County. We have Melissa Ryan in the Assessor's Office, Monique Garcia in the County Clerk's Office. We have Devin Baldwin and Lowell Kessler in Community Services, and Andrew McCarthy in Senior Services.

In Corrections we have Jesse Thompson, Kimberly Wood, Jasmine Apache, Dana Henderson, Joshua Martinez, Joshua Trujillo, and Tanner McReynolds. At our dispatch center, the Regional Emergency Communications Center, Ricardo Aguilar-Lara, Marisol Carrillo, Stephanie Sterns, and Derrick Solano.

In Public Works Administration we have Candace Gomez and Ryan Ward and in Public Works/Projects and Facilities, Oscar Salgado, and in Public Works/Utilities, Ira Roybal.

I'd just like to extend a warm welcome to those new County employees.

CHAIR ROYBAL: Thank you, Manager Miller. I also want to extend a warm welcome to all these new hire employees and just say welcome to the Santa Fe County family workforce. We all work really well together and we welcome you here and hope that you build a career with us. I'm going to go to every Commissioner and see if there's any comments. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Commissioner Roybal. I want to say, yes, welcome to all our new employees, especially in these trying times. We look forward to meeting you along the way. So welcome.

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

COMMISSIONER HAMILTON: Yes, I just wanted to add my voice to welcome everybody, especially under such difficult times. It's a very difficult time to start but I'm sure in the long run this will prove rewarding.

CHAIR ROYBAL: Absolutely. Thank you, Commissioner Hamilton. Commissioner Moreno, did you have any –

COMMISSIONER MORENO: Yes, I want to extend my congratulations for the new hires. Santa Fe County is a great place to work and may your tenure be long. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Moreno.

1. I. Recognition of Years of Service

CHAIR ROYBAL: Okay, so we're going to go on to item I, and this is on the flip side of the coin, this is a recognition of the years of service and dedication from our County employees that have served several years already. I'm going to go to County Manager Miller.

MS. MILLER: Yes, Mr. Chair. We don't have – sometimes we have a big long list of them but this time we only have two employees that met their five-year or ten-year mark, and that's in Road Maintenance we had Ryan Erickson in our Public Works Department and his five-year anniversary was on March 9th. And then in our Fire

Department, in Fire Administration, Michael Feulner, and it's his ten-year anniversary on March 2nd. And I'd just like to congratulate them and thank them for their service to Santa Fe County and it's residence and for staying with the County.

CHAIR ROYBAL: Absolutely. Thank you, Manager Miller, and I couldn't express that gratitude any better. I do want to thank them for choosing to make a career here at Santa Fe County where our employees are our biggest asset. So thank you guys very much for your dedication. I'm going to go to Commissioner Hamilton.

COMMISSIONER HAMILTON: Well, once again, the flip side of really welcoming new people is the congratulations and appreciation for people who have started a while ago and stuck with it and contribute so well to how well the County does and I want to congratulate them for these milestones and thank them for their service.

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

COMMISSIONER HANSEN: Thank you, Mr. Chair. Congratulations to our two people in Road and Fire, Michael and Brian. Thank you for your service and we'll see you around the block.

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

COMMISSIONER MORENO: Just to relay my congratulations to the honorees on their service to the citizens of the great County of Santa Fe.

2. CONSENT AGENDA

- A. **Request Approval of County Health Care Assistance Claims in the Amount of \$560.59 (Community Services Department/Jennifer Romero)**
- B. **Resolution No. 2020-___, a Resolution Requesting a Budget Increase to the Law Enforcement Operational Fund (246) in the Amount of \$183,699 (Finance Division/Yvonne S. Herrera) ISOLATED FOR DISCUSSION**
- C. **Resolution No. 2020-25, a Resolution Accepting Grant 19-D3405 for the Zafarano Drive Construction Project (Finance Division/Yvonne S. Herrera)**
- D. **Resolution No. 2020-26, a Resolution Authorizing the Disposition of Fixed Assets Worth Less Than \$5,000 in Accordance with State Statute (Finance Division/Yvonne S. Herrera)**
- E. **Resolution No. 2020-27, a Resolution Requesting an Increase to the Lodgers' Tax Facility Fund (214) and the Lodgers' Tax Advertising Fund (215) to Budget Additional Funding in the Total Amount of \$110,000 (Finance Division/Yvonne S. Herrera)**
- F. **Final Order in CASE #19-5160 Colibri Subdivision (Formerly Known as Turquoise Trail North) Phase 1 and Phase 2 Preliminary Plat Approval and Phase 1 Final Plat Approval. Turquoise Land Investment, LLC., Applicant, JenkinsGavin, Inc., Agent, Requested Preliminary Plat Approval for Phase 1 and Phase 2 and Final Plat Approval for Phase 1 of the Colibri Subdivision (Formerly Known As Turquoise Trail North Subdivision). Phase 1 Will Consist of 117-Lots**

and Phase 2 Will Consist of 115 Lots on 101.49 Acres, More or Less. The Property is Located Within the Santa Fe Community College Planned Development District, at 4530 NM 14, Within Sections 24 and 25, Township 16 North, Range 8 East (Commission District 5) (Nathan Manzanares, Case Manager)

- G. Resolution No. 2020-28, a Resolution Requesting a Budget Increase to the State Special Appropriations Fund (318) for State Grant for Census Outreach in the Amount of \$137,924 (Finance Division/Yvonne S. Herrera)**

CHAIR ROYBAL: I'm going to go to Manager Miller and ask for her to read off every one of these items.

[Manager Miller read the Consent Agenda into the record.]

MS. MILLER: Those are all the items, Mr. Chair, and I did want to note that Commissioner Moreno did have a comment on item F.

CHAIR ROYBAL: Commissioner Moreno.

COMMISSIONER MORENO: Yes, thank you, Mr. Chair. About a year ago we met residents of the Phase 1 Colibri Development and a number of residents in that area have had serious issues having to do with inadequate parking spaces. I know a number of people noted that a lot of the residents have had to put vehicles in their yards and I think it's kind of a touchy subject. And I want to register that please make accommodation for more parking and access through the development.

CHAIR ROYBAL: Was that it, Commissioner Moreno?

COMMISSIONER MORENO: Yes, that's it.

CHAIR ROYBAL: Okay. Thank you for those comments, Commissioner Moreno. I think you definitely participated quite a bit in this.

COMMISSIONER HAMILTON: Chair Roybal.

CHAIR ROYBAL: Yes.

COMMISSIONER HAMILTON: I wonder if – I have a question on item B, so I don't know if that might be one, we want to pull off and discuss separately.

CHAIR ROYBAL: So if you'd like to pull item B, we can pull item B and have more discussion. Are there any other items that we have comments for or that Commissioners would like pulled for clarification? Okay, hearing none, we're going to go ahead and pull item number B, so that we can get additional information. With that item deleted what's the pleasure of the Board?

COMMISSIONER HANSEN: Mr. Chair, I would like to move to approve with item B removed.

COMMISSIONER HAMILTON: Second.

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

The motion passed by unanimous [4-0] roll call vote.

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

2. B. Resolution No. 2020- a Resolution Requesting a Budget Increase to the Law Enforcement Operational Fund (246) in the Amount of \$183,699 (Finance Division/Yvonne S. Herrera)

COMMISSIONER HAMILTON: Thank you, Mr. Chair. The question I had – the numbers don't seem to add up. I don't have a problem with the principle of what they're trying to accomplish but the total amount is \$185,000+ or \$183,000. It implies – it sounds like they're going to replace two vehicles, but the numbers that were given for replacement costs in Attachments A and B, those were reasonable, but Attachment A the costs were two vehicles which the total was \$78,000. Actually B was for one vehicle at \$39,000. So even – and together those three add up to \$118,000. If they're replacing four vehicles it would be between \$150,000 and \$160,000. So I'm wondering where the \$183,000 comes from, and how many vehicles we're replacing. Just for clarity. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hamilton.

MS. MILLER: Mr. Chair, Commissioner Hamilton, I believe that the actual resolution states they're replacing two vehicles, if you look at all of the quotes that are attached – so we had four vehicles that were in accidents. I believe three of those were caused by incidents not at our deputies' faults and one I think might have been our deputy's fault, but there's two different kinds of vehicles. There's the interceptor vehicles and then there's also further back in the quotes there's two other vehicles, and that ¾-ton long bed crew 4x4. And then you have to purchase all of their equipment that goes on – light bars, computers, everything that goes on them. And I believe that each of the vehicles end up by the time you do all that running in the high \$80,000s. What we can do prior to the purchase of anything is just make sure that it all correctly adds up to what's being budgeted and if the money isn't spent for anything but replacing the vehicles that were in an accident.

COMMISSIONER HAMILTON: Thank you, Manager Miller. I did look at the estimates and I understand some of the extras were not included. But there were quite a few extras included, specified in the estimates. Like I said, there were estimates for three vehicles. They said they were replacing two. The estimates that were presented looked totally reasonable, it just doesn't all add up. And so I have no problem with approving replacement of vehicles and I have no problem with the estimates provided in Attachment A and Attachment B, but I do have a problem approving an amount that I can't reconstruct from the attachments. Especially given it's replacement vehicles which I don't think was accurate.

MS. MILLER: Mr. Chair, Commissioner Hamilton, I would just propose to table this item till the next meeting until all the numbers reconcile.

COMMISSIONER HAMILTON: I have no problem with that. I'd love to be able to approve it. I just feel like it should be accurate. We clearly need that.

MS. MILLER: Mr. Chair, Commissioner Hamilton, I would agree with you and we'll just pull it until [poor audio quality]

CHAIR ROYBAL: Okay, so we'll go ahead. That was a good point to bring up, Commissioner Hamilton. I appreciate you bringing that forward. So is there a motion to table that to our next BCC meeting? Commissioner Hamilton.

COMMISSIONER HAMILTON: Sure. I'll make a motion to table, just to revise the numbers appropriately.

CHAIR ROYBAL: Okay. So we have a motion.

COMMISSIONER HANSEN: I'll second.

The motion to table passed by unanimous [4-0] roll call vote.

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

COMMISSIONER HAMILTON: With apologies to the Sheriff for the delay.

COMMISSIONER HANSEN: Thank you, Commissioner Hamilton, for catching this. I have no problem with approving this. I too would like to make sure the numbers agree.

3. APPOINTMENTS/REAPPOINTMENTS

A. Request Approval of Appointments and Reappointments of Board Members to the Santa Fe County Valuation Protest Board

LISA KATONAK (County Manager's Office): Thank you, Chairman Roybal, Commissioners. The Santa Fe County Valuation Protest Board consists of volunteers appointed by the Board of County Commissioners to hear property tax valuation protests. The Valuation Protest Board consists of volunteers that examine and rule on property tax valuation protests. It is comprised two board members and two alternates. One member and one alternate must demonstrate experience in the field of property valuation. The Protest Board members are appointed for two-year terms by the Santa Fe County Board of Commissioners and members shall not be employed by the State of New Mexico, a political subdivision, or a school district, and shall not hold an elected public office. They must be registered to vote in Santa Fe County.

Positions are not assigned by district but are countywide board members. Members must reside within Santa Fe County. There are three Board member appointments for consideration. One primary board member requiring valuation experience, one alternate board member requiring valuation experience, and one alternate

board member not requiring experience. The board member requiring experience, previously held by Ms. Agnes Leyba Cruz was appointed by the County Commission. Ms. Leyba Cruz completed her term. The alternate board member requiring experience was held by Ms. Suzanne Taylor was appointed by the Board of County Commissioners for a two-year term from January 2018 to January 12, 2020. The alternate board member not requiring experience was held by Mr. Murphy appointed for a two-year term from January 2018 to January 12, 2020.

The term of these board members will be from March 31, 2020 to March 31, 2022. Santa Fe County advertised the board member positions for the Valuation Protest Board two times, on July 31st as well as on February 7, 2020. Staff has received letters of interest and résumés and all mandatory forms from the following individuals for the board member requiring valuation experience. They are Ms. Suzanne Taylor and Ms. Lisa Blum. Staff has received letters of interest and résumés and all mandatory forms from the following individuals for alternate Board member not requiring valuation experience. Those are one, Mr. Paul Early, two, Ms. Jan Gill, three, Mr. Richard Herrman, and four Mr. Thomas Quaid.

The recommended action is to appoint Ms. Suzanne Taylor to the primary board member position requiring valuation experience as Ms. Taylor previously served in the alternate board member position, and to appoint Ms. Lisa Blum to serve as the alternate board member requiring valuation experience. All applicants that applied for the alternate board member position not requiring valuation experience are very qualified individuals with diverse backgrounds that would like to serve their community and have an opportunity to serve on this board.

The recommendation is to appoint Mr. Paul Early for the alternate board member position not requiring valuation experience. I stand for any questions.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen, go ahead.

COMMISSIONER HANSEN: I would like to appoint Ms. Suzanne Taylor to the primary board position and Ms. Lisa Blum to serve as the alternate board member, and to appoint Mr. Paul Early for the alternate board member position.

COMMISSIONER HAMILTON: Mr. Chair, I'll second.

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

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

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

COMMISSIONER HANSEN: Mr. Chair, Commissioner Garcia is showing on the participant list.

CHAIR ROYBAL: Commissioner Garcia, did you have a vote? I think you might be on mute.

COMMISSIONER GARCIA: I actually vote yes.

CHAIR ROYBAL: Welcome sir.

COMMISSIONER GARCIA: Thank you.

4. MISCELLANEOUS

A. Request (1) Approval of Construction Agreement No. 2020-0141-PW/MAM Between Santa Fe County and Anissa Construction, Inc. in the Amount of \$605,000, Exclusive of NM GRT, for the Construction of an Apparatus Bay and Storage Room at the Eldorado Fire Station, and (2) Authorization for the County Manager to Execute the Purchase Order

BILL TAYLOR (Purchasing Manager): Thank you, Mr. Chair. Good afternoon, Commissioners. This is a construction contract for an additional 1,550 square foot addition with the apparatus bay and storage room. It also includes the overhead doors, new heating, exhaust, filtration, new metal signage. Part of the project is also to replace an existing septic system with a new septic system and adjust asphalt driveway around the new bay doors and water retention.

The construction schedule is substantial completion is projected to be 180 working days. Purchasing received four bids for this project. All were within close proximity on bid amounts. It was a good bid, and with that, Mr. Chair, I will stand for any questions and I believe Chief Litzenberg is also available for any questions.

CHAIR ROYBAL: Do we have any questions for Mr. Taylor or Mr. Litzenberg from the Commissioners?

COMMISSIONER HAMILTON: Mr. Chair.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: I do have a question, but I would like to move to approve this. My question, when we're under discussion is how they think this will proceed under current restrictions, if they perceive any problems.

COMMISSIONER HANSEN: Second. And I have a question or comment also.

CHAIR ROYBAL: Okay. I'll go to each Commissioner individually. So first, we have a motion from Commissioner Hamilton and a second from Commissioner Hansen. So I'm going to go back to Commissioner Hamilton to see if we can get her question answered.

COMMISSIONER HAMILTON: Thank you. So the question is, under the current restrictions, with respect to our coronavirus, does anybody anticipate substantial problems with undertaking the construction?

MR. TAYLOR: Mr. Chair, from what we've seen, the construction industry is operating as usual. You do see some construction sites in town now that appear to be shut down so what we understand from Anissa Construction is that they will proceed with the construction schedule that they submitted on the bid. And so we don't anticipate any restriction to the construction schedule due to the COVID-19 from what

we've seen in the current construction industry.

COMMISSIONER HAMILTON: Thank you, Mr. Taylor. That sounds good, though I would wonder if we should anticipate in the contract the potential for something to come up. Construction is considered essential so I know this might be unnecessary.

MR. TAYLOR: I understand, Mr. Chair and Commissioner Hamilton. Our contracts contain terms and conditions and general conditions for contracts for any kind of schedule changes, adjustments, change orders for those types of things. So the contracts have those terms and opportunities in there to manage the project accordingly.

COMMISSIONER HAMILTON: Thank you.

CHAIR ROYBAL: Okay. Do we have any other comments?
Commissioner Garcia did you have a comment?

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen, go ahead.

COMMISSIONER HANSEN: So one of the many complaints that I have received over the last couple of days is that construction companies and workers are not observing social distancing and are not wearing masks and they're not wearing gloves. So I don't know if this is something we need to have as a policy for construction work. If workers are abiding by these rules, even though it's an essential business. I did have construction workers have to come to my house last week and they wore masks and gloves and they limited their time in my house. So I think that is something we have to look at at this day and age.

CHAIR ROYBAL: Okay.

COMMISSIONER HANSEN: And they my one other comment is when we're going out to bid, I'm hoping that solar is feasible and part of this project would be included as part of the bid process.

MR. TAYLOR: Mr. Chair, Commissioner Hansen, absolutely. That's noted. We've had continued discussions with our departments, our customer agencies, and that is the direction we've been given and will be included absolutely in new construction of facilities, based on the feasibility and the funding available for that. It will be part of the design and the cost estimation for the project.

COMMISSIONER HANSEN: Thank you very much for that. I just wanted to make sure about the mask and the gloves.

MR. TAYLOR: Mr. Chair, Commissioner Hansen, we can direct the general contract to, as much as possible, follow the protocol for social distancing and combating the spread, but it is the responsibility of the contractor by submitting his responsive bid, they are going to conduct themselves according the standards of the construction site. We'll emphasize that to them. P.J., if you wanted to add anything to that, as project manager, possibly.

COMMISSIONER HANSEN: I think that since this is a directive from the governor, we're just trying to follow that as much as possible.

P.J. MONTANO (Project Management): Mr. Chair, Commissioner Hansen, I think that's a request that we can make to all of our general contractors to follow that. I can send out part of this to other construction that's going on.

COMMISSIONER HANSEN: Thank you very much, P.J. Nice to see you.

MR. MONTANO: You too.

CHAIR ROYBAL: Okay, was that it, Commissioner Hansen?

COMMISSIONER HANSEN: Yes, that was all I had. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Commissioner Garcia, did you have any comments?

COMMISSIONER GARCIA: Just really quick, Mr. Chair. I understand the whole solar stuff. We've talked about this every single project that comes us is regarding solar. I'm sure staff is actually on that every time we go out to bid. I understand that. In regards to the question I have, the contractor is going to take over that site, so it's his responsibility to make sure he's following the guidelines that we have throughout the government. So I hope he will do that because we want to meddle with what the contractor is actually doing but I understand that.

Just another thing, it's a small, little addition. Why the duration of 180 days. Nonetheless, it already went out to bid, but those are just concerns I have. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Do we have an answer for that?

P.J. MONTANO: Mr. Chair, Commissioner Garcia, because of the relocation of the septic tank, leach field, it's going to take a little bit of time to get that moved before we can actually start construction on the footings for the addition.

COMMISSIONER GARCIA: That's fine. Thank you.

CHAIR ROYBAL: Okay. Thank you for your comments. Commissioner Moreno, do you have anything to add, sir? Questions, comments?

COMMISSIONER MORENO: Yes. That firehouse is in my district and it needed some work and the folks who work there, train over there. I've been there. I think it really needs to be rehabbed and I'm happy to support the project.

CHAIR ROYBAL: Okay. Thank you, Commissioner Moreno. Thank you again to Mr. Taylor and Mr. Montano. I think we have a motion and a second already. I'm going to go to a roll call.

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

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

4. B. **Request (1) Approval of Amendment No. 5 to Lease Agreement No. 2010-0447-CSD/PL Between Santa Fe County and Santa Fe Mountain Center, Inc. for the Lease of Office Space and Property at 1160 Parkway Drive in Santa Fe, NM, and (2) Authorization for the Submittal of Amendment No. 5 to the State Board of Finance for Approval**

SCOTT KASEMAN (Real Property Supervisor): Good afternoon, Mr. Chair, this item requesting approval of amendment No. 5 to a lease agreement between the County and Santa Fe Mountain Center. This amendment increases the annual rent from \$10 per square foot to \$12 per square foot, annually. This increase is based on a market rent appraisal completed on September 17, 2019 as required by the Department of Finance and Administration. If the Board approves the amendment it will be submitted to the DFA for final approval and execution. With that, I'll stand for questions.

COMMISSIONER GARCIA: Mr. Chair. Just really quick. I'd like to recuse myself from the action. I'm on the board of the Santa Fe Mountain Center, so I'd like to recuse myself. If I do make a vote on this, because I have the ability to make an actual vote but at this time I'd like to recuse myself from this vote.

COMMISSIONER HAMILTON: Mr. Chair, I have a question.

CHAIR ROYBAL: Commissioner Hamilton, go ahead.

COMMISSIONER HAMILTON: The question is: the market appraisal was done last year. It makes total sense. What I'm wondering is, in general, we're not moving into a real economic downturn, so we're about to approve an agreement, which I'm sure we have to do, but still, at some point we have to think about this sort of thing. The agreement has an assessment from last year that's going to hold us in the future through a pretty big market downturn and this kind of thing within a matter of months will potentially impact valuations of things. And I wonder just how a little discussion about how and when it's appropriate to consider that sort of thing.

COMMISSIONER GARCIA: Just really quick. I certainly understand what Commissioner Hamilton is actually asking. It's a day-by-day moving target. We're paying \$12 a month, if we can't afford \$12 a month for this organization that actually does tremendous stuff. We should evaluate every single thing we have going for us. That's just my comment on that. But I appreciate Commissioner Hamilton's comment.

COMMISSIONER HAMILTON: Commissioner, I understand that. I don't have a problem with this specifically, and with all respect I want to point out you recused yourself, so I was actually looking at it from a technical point of view. Perhaps Manager Miller –

MS. MILLER: Mr. Chair, Commissioner Hamilton, we built that facility and it's intended to be [poor audio quality] – we're required by state law to get an appraisal and we can extend our lease year by year. This is a payment that comes to us; not a payment that we make to them. We own the facility and then they lease from us. My anticipation would be if this is too much money for them to pay to us they would come back and ask for some relief from the County. But I think in order to extend the lease so that they can stay [poor audio quality] We're complying with state law and State Board of Finance Rules as to how we extend this lease with them.

COMMISSIONER HAMILTON: Absolutely. I understand that and I want to emphasize I don't have a problem with our rate whatsoever, with our arrangement with them, and I asked the question partly because fairness goes in both directions and I was wondering whether there are particular thinking about that sort of thing. So it was meant as sort of a broader question moving forward.

GREG SHAFFER (County Attorney): Mr. Chair, Commissioners, I think it's a very timely question to ask. I think, however, any time you set rent for a five-year

period your accepting market risk, either positive or negative. And so I think that that's the basic premise of doing the market rate valuation every five years is that we'll live with the results.

COMMISSIONER HAMILTON: Thank you very much, Mr. Chair. That makes sense to me. I appreciate it.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. Are there any other comments from the Board?

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: I just wanted to point out that this is \$12 per square foot for 3,677 square feet of usable building area which means that their annual rent is \$44,124. So that is what we are approving for their annual rent, so I just wanted to be clear about that. I do also understand Commissioner Hamilton's issue and concern about the rent and I think maybe DFA maybe also has to chime in, because all these contracts have to go –

COMMISSIONER GARCIA: Just really quick, I understand the Commissioner's concerns and I think we should [poor audio quality] from that perspective as to whether we can re-evaluate this throughout the coming years because we don't know where we are tomorrow. We don't know where we're going to be next month. I would hope that would be in the contract.

COMMISSIONER HANSEN: So I believe the \$44,124 is per year, and this is a five-year lease. So that would be \$44,124 per year for five years. Is that not correct?

MR. SHAFFER: Yes.

COMMISSIONER HANSEN: So I'm just being clear. I see you have something to say.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Commissioner Moreno did you have a comment as well?

COMMISSIONER MORENO: No.

MR. SHAFFER: Mr. Chair, if I could just address the question relative to term. As I understand it, the lease is a long-term lease that goes through June 30, 2034. As a condition of the approval of such a long term, the Board of Finance requires the five-year market rate adjustment. Again, some years or some cycles that will benefit the County as lessor, and some years and some cycles that will benefit the lessee. For example, I think it stands to reason that market rates were increasing over the last five years and we were basing a rent based upon a market rent appraisal that was done when the times were not so good. So again, I think that's inherent in the structure and nature of such a long-term lease. I hope that clarifies what's in the actual document and the parties' agreement.

CHAIR ROYBAL: We do not have a motion yet.

COMMISSIONER HANSEN: So I would like to make a motion to approve.

COMMISSIONER HAMILTON: Second.

COMMISSIONER MORENO: Second.

CHAIR ROYBAL: So we have a motion and multiple seconds.

The motion passed by unanimous [4-0] roll call vote.

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

4. C. Request (1) Approval of Indefinite Quantity Contract No. 2020-0154-CORR Between Santa Fe County and San Juan County for Housing of Juvenile Detainees, Agreement No. 2020-0154-CORR/TVR, and (2) Authorization for the County Manager to Sign the Purchase Orders

PABLO SEDILLO (Public Safety Director): Good afternoon, Mr. Chair, members of the Commission. San Juan County has agreed to enter into contract #2020-0154-CORR/TVR to house Santa Fe County juvenile detainees in the juvenile service center known as the San Juan County Facility. The terms of the contract are for an indefinite number of youth detainees subject to space availability for an indefinite number of bed-days. A bed-day is any day where a Santa Fe County youth detainee is housed at the San Juan Facility the entire day or a fraction thereof. San Juan County will provide housing, food and medical care for the detainees at the facility subject to the terms and conditions of the contract.

The term of the contract is for April 1, 2020 through March 31, 2021 and the contract may be extended for an additional annual period by mutual consent. The cost per day is \$225. Santa Fe County is also responsible for the cost of medical expenses of its youth detainees housed at San Juan Facility. The contract is for an indefinite quantity and therefore requires the approval of the Santa Fe County Board of County Commissioners.

The contract is necessary for two independent reasons. First, during the COVID-19 emergency the County may need to house adults from the adult detention facility, ADF, at the youth development program, YDP facility. This could allow for a greater distancing of adults in isolation or quarantine status in the presumably health population at ADF. Adults cannot be housed in the same facility as juveniles. It thus may be necessary to move Santa Fe County youth detainees to the San Juan Facility during the COVID-19 emergency. In fact, youth could be moved to the San Juan facility in advance of the YDP facility being used to house adults so as to free up nursing resources and to make the facility ready to house adults.

It is important to note that, due to the COVID-19 emergency, there is no in-person visitation at either ADF or YPD. Consequently, housing youth detainees at the San Juan Facility will not deprive such youth of in-person visitation that they would have if housed at YDP. Second, should the Board of County Commissioners decide to permanently close YDP, it would be necessary for the County to have one or more alternate facilities at which to house its youth detainees. San Juan County has indicated a willingness to house

all of our youth detainees, as well as to explore a guaranteed bed-day contract with Santa Fe County in the future, after it has some months of experience with our population.

Approval of indefinite quantity Contract No. 2020-0154-CORR/TRV and authorization for the County Manager to sign the purchase orders. I stand for questions.

CHAIR ROYBAL: Thank you, Mr. Sedillo. Do we have questions from the Commissioners?

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I just want to point out that up here earlier in the contract or in the comments it says that San Juan County will be responsible for providing food – the second paragraph – and medical care to detainees. And then it says later on that Santa Fe County is responsible for all medical expenses. So possibly medical care needs to be – it will provide medical care but what it's saying is we will be responsible for the cost of medical care. Right?

MS. MILLER: So this is similar to how we handle housing inmates for other jurisdictions. We provide medical care within the facility. We have medical staff, and so that medical care is included in the per diem. However, if a juvenile has to go out for dental work or go to the hospital or some other medical provider the San Juan County will take them and make sure that they have that medical care provided, but they will pass that bill on. So that's pretty standard for how it works in detention centers. So the basic medical care within the facility is covered in the per diem, but if there's additional medical care we'll make sure that the juvenile gets that and the County would be billed that extra cost.

COMMISSIONER HANSEN: Okay. I'm with that. Thank you, Manager Miller. I would like to move approval of contract No. 2020-0154-CORR/TRV and authorize the County Manager to sign the purchase order.

COMMISSIONER HAMILTON: I would second.

CHAIR ROYBAL: Motion from Commissioner Hansen and a second from Commissioner Hamilton. Anything else under discussion? So I'm going to go to a roll call vote.

COMMISSIONER GARCIA: Mr. Chair, I have some questions.

CHAIR ROYBAL: Okay, Commissioner Garcia.

COMMISSIONER GARCIA: Just a little bit going into detail. We're actually closing our juvenile facility, just for a quick motion and I guess some of the questions I have is all of a sudden because the virus came about, it seems like the reason Director Sedillo read as in to now this is why we're closing the juvenile facility, because we have to move all the adults to the YDP. This is the first I hear about that.

And also in regards to travel, so let's assume we have ten juveniles in our facility right now. The reason, it seems to me is that two of them are actually from Santa Fe County and the others are from Taos and the others are from Native Americans. So who is going to pay for the travel of all ten people to transfer them to San Juan? Have we talked with the Sheriff on this or who's transporting these juveniles? Are we just responsible for paying for the two juveniles that are from Santa Fe County or are we responsible for everyone that we house, the eight or ten individuals that are not Santa Fe County?

MS. MILLER: Mr. Chair.

CHAIR ROYBAL: Manager Miller.

MS. MILLER: So Mr. Chair, Commissioner Garcia, to the first question about all of a sudden bringing it forward and asking for this contract, it doesn't have anything to do with COVID-19. If you recall in January before any cases of COVID-19 were in New Mexico this was brought forward to the Board. As a request that we would be bringing back to the Board. And that's to close the YDP. This particular item that we're on right now is not the discussion on whether to close the YDP. It is merely to request approval of a contract with San Juan County so that we have a place to take our juveniles. Regardless of whether you choose to close the facility or not it is an opportunity for us to have a backup facility to our existing facility in the event that we could potentially use our facility for something else.

Also, we have not had since that meeting in January with the Board of County Commissioners when we discussed this we told you that staffing was below at the facility and we've been unable to staff the facility up to what I'll call a long-term adequate staffing and we've been actually borrowing detention officers from the adult facility in order to cover staffing at the juvenile facility for the last three months.

So we could potentially need, just to house our juveniles somewhere else, whether you make the decision long term to close our facility this would provide that opportunity for us. If we don't take a juvenile up there we don't pay anything. And if we take one juvenile or five juveniles we pay the same rate per day per juvenile at that facility.

Secondly, in January when we did talk about the potential of closing our facility one of the things we said is we would not want to put the burden on the Sheriff's Office and the deputies, so we would actually hire our own detention officers and convert some of the positions we currently have to taking juvenile detainees up to San Juan County. And those would be Santa Fe County juveniles. We also have not had other entities in our facility. We used to have a couple of US Marshall's juveniles. They have since moved and Rio Arriba County, we have one juvenile from Rio Arriba County, but we have not been taking Taos County or any of the other entities' juveniles for at least the past month if not longer because we did not have the staff to take care of additional juveniles.

So for instance, I believe today's population is three Santa Fe County juveniles and one Rio Arriba County juvenile. I believe that's pretty much what it's been for the better part of a month. It costs us over \$2.5 million to keep that facility open and what we had indicated to the Board back in January, if we closed the facility and housed our juveniles at either Bernalillo County or San Juan County we would save approximately \$1.5 to \$1.7 million a year.

So the contract in front of you in this particular item is merely to approve a contract that we do not even have to use if we don't move our juveniles out of our facility but provides us that backup for a place to put our juveniles in the event that we either don't have enough staffing to safely operate our juvenile facility, in the event that the Board closes our juvenile facility, or in the event we need to repurpose our juvenile facility during the COVID-19 crisis.

COMMISSIONER GARCIA: Thank you, Manager Miller. So my understanding – so what's happening is this is basically allowing the train to start going down the track and you did brief us as to what's happening with the closing of the facility

and we all talked about it and we all have sort of a semi-agreement. And so I just want to make sure that we will only be paying for Santa Fe County juveniles to get transported, if needed, to Farmington. Correct?

MS. MILLER: Mr. Chair, Commissioner Garcia, if Rio Arriba County would like us to transport their juveniles and we're going that way, we could likely try to have some kind of transportation agreement with them. It wouldn't make sense for us to pick up too many other juveniles unless they're actually on the way, but we would have the transport team that is not our Sheriff's deputies. It would be detention officers and we counted that in our estimate, that if we had transportation officers in addition to how many juveniles we have averaged over the last several years, Santa Fe County juveniles, we would still save approximately \$1.5 million to \$1.7 million a year.

COMMISSIONER GARCIA: That's really great. So for lack of a better term, if little Johnny So-and-So gets arrested in Rio Arriba County, who's going to pay for the little individual or the juvenile to get transported to San Juan County?

MS. MILLER: Mr. Chair, Commissioner Garcia, as it stands right now, Rio Arriba County is responsible for Rio Arriba County juveniles. If Rio Arriba County wanted to enter into a contract with us that could be possible, but as it stands right now all other jurisdictions besides the City of Santa Fe and Santa Fe County, which are Santa Fe County juveniles, that's all we are responsible for transporting and paying the per diem for.

COMMISSIONER GARCIA: Thank you, Manager Miller. And then I've got a couple of I guess answers that I need. Why San Juan County and not Bernalillo County? Because in reading in the paper, Bernalillo County has the most top of the line juvenile facility. They've spent millions and millions of dollars into Bernalillo County, so why are we not contracting with Bernalillo, because it's a little bit less of a trip to go to Bernalillo than it is to San Juan. So I'm just asking.

MS. MILLER: Mr. Chair, Commissioner Garcia, we actually are engaged in negotiations with Bernalillo County. We sent a request to both Bernalillo County Manager - I sent it personally to the Bernalillo County Manager and the San Juan County Manager relative to engaging in a contract either at a per diem rate or a guaranteed bed provision. Both counties came back and said they didn't want to do a guaranteed bed. Both counties said they'd be willing to do a per diem rate but San Juan County Commission approved their contract approximately 2 ½ weeks ago or two weeks ago and sent it to us last week, and then Bernalillo County responded to me that they would enter into a contract with us but they couldn't do it till July 1st. They have renovations scheduled and so they have some concerns with capacity while they'll going through renovations.

COMMISSIONER GARCIA: Thank you, Manager Miller. Just so the other Commissioners know, we're actually going to be making a big policy decision. I know what the contract is about, so this is starting the train to get it going down the track. And so one of the other things is this is a big, big policy, as Director Sedillo knows and Manager Miller knows as into taking juveniles out of their area. So have we checked with the juvenile probation and parole, the judges that actually sentence these juveniles? Are they okay with it? Do we have an opinion from them?

MS. MILLER: I'll let Director Sedillo answer that because he's had quite a few conversations with all the entities.

MR. SEDILLO: Mr. Chair, Commissioner Garcia, we have had discussions with the chief judge of the juvenile, Judge Marlowe, and CYFD. We had a collaborative meeting once and an individual meeting with the judge as well. They understand, both of them understand what Santa Fe County is trying to achieve. So they're versed. We keep in communication with them about if we go this direction this is what we would be doing. And the Sheriff too. The Sheriff and I have had conversations regarding this with his command staff about the transportation component of it as well.

COMMISSIONER HANSEN: I would like to make a request. I understand that you need to see the agenda, but I would also really like to see Manager Miller speaking, or Pablo Sedillo. So that was part of the reason why we're doing video. So I would just like to request that. We can toggle back and forth between the agenda and the –

COMMISSIONER GARCIA: Mr. Chair, that's fine. We can put everyone on the page again. So put whoever's talking on the page. Some of the other questions I have is, they're well versed in what's happening, Director Sedillo? So are they okay with this?

MR. SEDILLO: Mr. Chair, Commissioner Garcia, there was no opposition whatsoever from the judges. They actually indicated that they understand the financial component of it as well and right now, everybody is having video visitations. They'll continue to have those video visitations in San Juan County. CYFD, they have a few questions in regards to the transportation of outside counties other than Santa Fe, and as Manager Miller did indicate, if other counties would like to enter into transportation agreements I think Santa Fe County would have to look at that as well.

COMMISSIONER GARCIA: Thank you, Director Sedillo. So then there's not going to be any repercussion from any judges or juvenile probation as into Santa Fe County actually moving our juveniles, and so on and so forth. You feel comfortable with that? With me saying that?

MR. SEDILLO: Mr. Chair, Commissioner Garcia, as far as my discussions I do feel comfortable about it.

COMMISSIONER GARCIA: Thank you. A couple of the other questions I have is: medical, so the County's going to be providing costs, let's call it costs for medical. So who is monitoring whether or not these juveniles are actually getting the proper medical treatment out there in San Juan – hopefully in Bernalillo County, but there's a lot of stuff that's happening at our jail. There's always – is her answer the right one? So I just don't want that to happen with our juveniles so many miles away from Santa Fe County.

MR. SEDILLO: Mr. Chair, Commissioner Garcia, San Juan County has an excellent facility. They are accredited through our New Mexico Association of Counties. They actually just sent me a form yesterday on the COVID-19 protocol that they have and it's pretty stringent. It's pretty comparable to ours, which is pretty stringent as well. So I'm very comfortable about that and I would have a monitor go down to San Juan County and just see how our kids are doing at any time.

COMMISSIONER GARCIA: So Director Sedillo, would that monitor go down to San Juan County?

MR. SEDILLO: Well, at the beginning I think we should go down there a few times a month just to see how everybody is doing. But as I indicated, our count in Santa Fe County has been pretty low. And throughout the state there's 266 beds in the state of New Mexico and they're averaging 126 detainees for the state of New Mexico right now. So as County Manager Miller indicated, we've had three Santa Fe County kids for probably over a couple months.

SAM CHAVEZ: But you guys are losing kids.

COMMISSIONER GARCIA: Excuse me. Who is the gentlemen?

MR. CHAVEZ: This is Sam Chavez. I'm the [poor audio quality] I couldn't hold it back. There's a lot of things that are going on here that I don't know if the Commission is well aware of or not.

COMMISSIONER HAMILTON: The audio was not very clear. I didn't understand the content.

MS. MILLER: Mr. Chair.

CHAIR ROYBAL: Yes.

MS. MILLER: I think you will quickly lose control of this meeting if somebody can just bust in and start talking. Mr. Chavez, the Chair is aware that you're here and you will be called upon [inaudible].

COMMISSIONER GARCIA: Thank you, Manager Miller. I appreciate that, for providing guidance on that because I totally follow you. Then in regards to – let's see what other questions I have here. So just really quick, so let's say a juvenile will be taken, as soon as he gets arrested and our facility is closed, does he get transported that exact night to San Juan or any of the contracting services that we have, or would he be kind of detained in an area of the YDP? Do we know that yet?

MR. SEDILLO: If an individual is being arrested, and of course CYFD is the only person that can authorize detaining a juvenile and that is – we try to do it effectively and efficiently. So that individual will be brought in through the adult back sally port and through our EM, electronic monitoring entrance, and that separates sight and sound from the adult population in the back. And we have a process in regard – they will only go in if it's empty. And we can empty that pretty quickly.

The peak time for incarceration of juveniles is about 4:00 in the afternoon all the way to 1:00 in the morning. Mostly it's the latter rather than earlier, and then our biggest time for EM is between the hours of 6:00 am and 8:00 am, and then again from 12:00 to I believe it was 3:00. But we would have a process on making sure there is no adult clients in there on their EM devices. That way we can have our medical department come in and do an assessment on them really quickly instead of them driving all the way down to YDP, which would be empty. And so we would have a medical personnel go through one door. That's it.

Our booking would be right there. The paperwork would be sent to San Juan County. So they've been medically assessed, the paperwork sent down and authorized to go there by San Juan County, and then we would transport them over there. Our transport team would be there as well.

COMMISSIONER GARCIA: Director Sedillo, the reason why I was asking the questions is because I want to make sure and clear to the public and on record that we are definitely in communication with CYFD and the juvenile probation, and just to make sure that the public understands that all we are doing is when a juvenile goes into our facility we are just holding them. We do not make the decisions for the juvenile; it's up to CYFD as well as juvenile probation, but thank you for answering the questions. I have no further questions, Mr. Chair. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Is there any other questions from other Commissioners? No? I'm going to go through the Commissioners real quick. Commissioner Hansen, any additional questions?

COMMISSIONER MORENO: Yes, I have a question.

CHAIR ROYBAL: Commissioner Moreno, go ahead, sir.

COMMISSIONER MORENO: In my experience, we annually go to the big jail and the juvenile facility and that's part of the constitutional requirement, and are we going to go to San Juan and inspect their jail?

MR. SEDILLO: Mr. Chair, we will be inspecting their jail just like other entities that we hold in our facilities, come and do surprise visits at any time. We have a good relationship with the administrator, both at Bernalillo County and at San Juan County, so I don't think that would be a big issue, and as I indicated before, I can assign a monitor to go and check on those individuals and walk through the facility as well.

COMMISSIONER MORENO: Thank you.

CHAIR ROYBAL: Thank you, Commissioner Moreno.

MS. MILLER: Mr. Chair.

CHAIR ROYBAL: Go ahead, Manager Miller.

MS. MILLER: So they're required to do their inspections and it's their facility. San Juan County Commission is required to do their inspections of their facilities. This is not our facility so our Board of County Commissioners certainly would not be required to do an inspection of their facility, just like we house all kinds of entities at our adult and at our juvenile. Their governing bodies don't come and inspect our facilities.

I would say though that I am sure if individual Commissioners would like to go see the facility at any time a tour of the facility or an inspection of the facilities, all of those terms, could be arranged. I don't think we could have our whole Board of County Commissioners go up and carry on a Commission meeting inside of another facility. That would be a little challenging. I'm just speaking candidly about the practicality of that. I do think as Pablo said though, we have a good relationship with San Juan County. Obviously we have a contractual relationship with San Juan County. They would entertain visits from us as requested.

CHAIR ROYBAL: Okay. Thank you, Manager Miller. I'll go to Commissioner Hamilton. Do you have any concerns or comments?

COMMISSIONER HAMILTON: No, I don't. Thank you very much, Mr. Chair.

CHAIR ROYBAL: Okay. Commissioner Hansen.

COMMISSIONER HANSEN: No. I've asked my questions. Thank you very much. I call for the vote.

CHAIR ROYBAL: Okay, we have a call for the vote. What's the pleasure of the Board.

COMMISSIONER HANSEN: I made a motion to approve.

CHAIR ROYBAL: Did we have a second? Who made the second?

COMMISSIONER MORENO: I'll second.

COMMISSIONER HANSEN: I believe Commissioner Hamilton made the second.

CHAIR ROYBAL: I do have some other questions myself. I haven't had the opportunity to ask any yet.

COMMISSIONER HAMILTON: Just for clarity, I believe I was the one who originally seconded.

CHAIR ROYBAL: Okay. So we have a motion from Commissioner Hansen and a second from Commissioner Hamilton. I do want to ask, if we have an arrest that's made in the middle of the night, are we going to send these juveniles directly, drive them directly to San Juan in the middle of the night, if it's 1:00 in the morning, midnight? Or are we going to have like a holding tank that we hold them temporarily until we can send them out there and then at that point are we going to need to have some staff in that position as well?

MR. SEDILLO: Mr. Chair, to answer your question, number one, we are authorized, we would be authorized through CYFD to have a holding place for the juveniles up to six hours. Our objective is not to hold them longer than we have to. This is why we moved it to EM, to go right through and expedite all the process and take them to San Juan County.

CHAIR ROYBAL: At 1:00 in the morning, they will pretty much be taken to San Juan County immediately, and then when it's time for them to be seen by the judge they'll bring them back? Is that correct?

MR. SEDILLO: Mr. Chair, we're working on that option, but yes to your question. We would be responsible, just like the Sheriff's Department would be responsible for bringing them from placement to court, but we're working something out on a video arraignment at this time. But until then we will transport them to court and back. Now, just one added thing for your comfort level is that in order to release, what San Juan County would probably do and I will probably do as well is taken them on an out-count, where they are out of their facility, and check them all up so that they go back to Santa Fe and a judge releases them, you don't have to go all the way back to San Juan County. We can release them there, and we would probably work with CYFD to see if they're going to release them to their parents or what's going to happen at that point. They might be going to a placement for any recent substance abuse or any program, I should say.

So we would be in good coordination and good communication hopefully with CYFD.

CHAIR ROYBAL: Okay. So I guess my other question is at this point though, because we're going to be using the facility to house adult detainees in both of the areas now, in case we have to do a separation for COVID-19 epidemic or pandemic. Do we – so we're not going to have any cost savings at this point at this facility, right?

MS. MILLER: Mr. Chair.

CHAIR ROYBAL: Yes, Manager Miller.

MS. MILLER: Mr. Chair, let me answer that first and then I'll turn to Pablo. First of all, we're not saying we are definitely going to use the juvenile. What we're saying is that this was an item that was going to come to you anyway. It happens to be coming to you at this meeting instead of the last meeting in April because we actually are in a position, now that we have this potential contract with San Juan County, we could start to move toward closing this facility. If we don't have a contract with any other entity, obviously we can close the facility. But as you know, we're trying to build a budget for next year and having some decisions made so that we could move forward. The next item we'll get into the issues with employees and the union agreements, but at the end of the day we were going to bring this to you regardless of COVID-19. The thought process behind the COVID-19 is if we do have an outbreak of it at our jail and I hope to god we do not. I hope we don't have a single case at our adult detention facility. But if we have to start to spread individuals out into more spaces because we cannot isolate them or separate them from the general population well enough at the adult facility, we want to be able to utilize the juvenile facility for that.

Additionally, we could potentially need that facility for some other community need. It is our sincere hope that doesn't have to happen. But two things are happening right now and that is in about a month we will start to see a drop in our revenues and I need to look at ways to cut expenditures through the end of this fiscal year, plus you'll be entertaining the budget through budget study sessions in April. If this is something that we actually know that the Board is going to support, closing the juvenile facility, that's \$1.5 million I don't have to find somewhere else in order to balance our budget. And when I say somewhere else, that's through other – our biggest recurring cost is salaries and benefits. So I'm trying to balance the need to make this decision, whether it's this BCC meeting or the next BCC meeting, to balance whether it makes sense for us to continue to operate a facility for two to three juveniles that costs us \$2.5 to \$3.5 million a year to operate.

Additionally, we're not required to have a juvenile facility. Counties are not required to have a juvenile facility, and the conversation across the state, not just in Santa Fe County is having some regional facilities. We made every effort to make Santa Fe County a regional facility and we still only had about – with all the other entities that were booking youth at our facility, about ten juveniles, maybe generating \$300,000 to \$500,000 a year in income to offset our \$2.5 to \$3.5 million worth of expenses.

So as Director Sedillo said, the number of juveniles being incarcerated now, it's a different environment than it was ten years ago or even five years ago. We have consistently seen a drop in our juvenile population, and at some point, while this isn't a popular decision by any means, and not something we want to say, oh, Santa Fe County doesn't want to provide this service, but the cost of this service per juvenile that we serve is so lopsided, I'm not really sure how I could justify or recommend to the Board that we continue keeping our facility open if we don't actually have a larger population.

CHAIR ROYBAL: Thank you, Manager Miller. That pretty much concludes my questions. I do have just a couple of quick comments. Relative to what we did discuss as far as when a juvenile gets arrested in the middle of the night, by the next morning that juvenile will be in San Juan County. And just as far as the expense of what

it's going to cost Santa Fe County I think Commissioner Garcia brought that up as well, and even the liability of transporting these juveniles such a long distance, there's still things that I'm concerned with but we have called for the vote, and so we have a motion from Commissioner Hansen and a Commissioner Hamilton. I'm going to go through a roll call vote.

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

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

COMMISSIONER GARCIA: I'm okay with the concept and I actually do hope we bring back some other contracts from other communities, for Bernalillo County as Manager Miller mentioned. I think everybody out there knows that the juvenile population has not increased.

CHAIR ROYBAL: Thank you, Commissioner Garcia. I'm going to vote yes as well but I really think that the next item should have been previous to this one maybe.

MS. MILLER: Mr. Chair, I understand the concern about the orders of the items but without a contract to house our juveniles elsewhere the second item is the reason we haven't brought this subject to you previously. Because if we didn't have a place to house the juveniles then there was no point in having a conversation about whether or not we close the facility. As I said in the last item we do not have to actually use that contract but having that contract in place allows us that flexibility to house our juveniles at San Juan County.

4. D. Request Approval of the Closure the Youth Development Program (YDP) and YDP Layoff Plan

MS. MILLER: The current item, item 4. D on your agenda, which I'll just read that caption is to request approval of the closure of the Youth Development Program and the Youth Development Program layoff plan. I'm going to just start this but Pablo, Director Sedillo and Sonya Quintana from HR and Greg Shaffer are on the line, and Sam Chavez is also on the line. He requested an opportunity to speak to the Board and express his concerns. So before I give a general overview, Mr. Chair, I'd like you to ask Mr. Chavez for his comments, and then open it up for discussion. This is a request for approval of the closure of the YDP and the layoff plan.

At the January 28th Board of County Commissioners meeting the BCC directed staff to bring forward a plan for the YDP and since that time Santa Fe County staff have negotiated this previously approved contract between Santa Fe County and San Juan County for the housing of juveniles. We also, as I stated earlier, began negotiations with

Bernalillo County with a hoped for effective date of July 1, 2020.

We also had the Children, Youth and Families Department, or CYFD inspect and tentatively approve the County's plan for temporarily holding youth detainees within the electronic monitoring building for the purpose of arranging transportation and/or release and as stated before up to six hours, and negotiated a closure/layoff plan with AFSCME 1413 and AFSCME 1413macro unions, which represent employees who would be affected by the layoff.

Staff is now requesting approval of the closure of YDP and YDP layoff plan. The layoff plan will only be implemented to the extent affected employees decline offers of employment to the average stay of those juvenile residents is relatively short.

As you know, this is one of our oldest facilities and we have an aging facility with an estimated deferred maintenance of over \$10 million as of a few years ago. Largely, we have fixed costs that do not vary materially based upon the YDP population. So having three juveniles versus having 12 juveniles is relatively the same fixed cost. And our staff turnover, as noted in January, we have had a great deal of difficulty recruiting staff to all of our detention facilities but in particular our Youth Detention Facility. So we have a lot of staff turnover and vacancies associated with running a detention center.

Mr. Chair, you mentioned the liability of transporting the juveniles but we have an even greater liability housing those juveniles in our facility. These are items that we discussed in the January 21st memorandum which is attached and in your packet. This is what came to you previously at the BCC meeting in January.

And then the additional item that has brought this even more to the forefront is the COVID-19 emergency which has provided additional impetus for us to move forward on closure of the YDP. It's added an urgency to this risk relative to the spread of COVID-19. The Public Safety Department is actively making plans for the YDP facility. Potentially, as I said earlier it is our hope that this does not have to happen, but to house adults from our adult detention facility who are being isolated or quarantined, in particular if they are diagnosed.

We fortunately have tested 12 inmates to date and all of those have come back negative, but also a large housing facility may prove valuable for other uses during the COVID-19 emergency such as the homeless population, and we have been called upon as to whether our facility would be available for use to assist the City with the homeless population. Clearly, with juveniles in the facility that would not be possible.

Third, we estimate closing YDP will save approximate \$1.7 million per year. That is significant at any time, but it's even more significant, as I mentioned earlier, given the economic emergency caused by the COVID-19, and efforts to slow the spread of COVID-19 and shutting down just about every facility and all economic activity.

Our closure plan is as follows: There are 11 employees potentially affected by the closure of YDP, in the following positions: We have a YDP Shift Supervisor, Case Manager, Life Skills Worker II and Life Skills Worker I; and two nurses.

The County and AFSCME 1413 and 1413M have negotiated the following general timeline relative to the YDP closure and potential layoff of employees who refuse job offers for other County positions. On March 31, 2020 affected employees would return right of first refusal questionnaire, which the County will utilize to determine what job to offer the employee based upon their interests, minimum qualifications for the

position, number of vacancies for the position, and seniority. April 3, 2020 is the target date to make job offers to affected employees. Some positions, however, have testing, physical fitness, interview, and background check requirements that may not be completed by April 3rd. So April 10, 2020 is the deadline for affected employees to make a decision on job offer from County if they receive job offer on April 3rd. If the job offer is made after April 3rd, the employee will have seven calendar days to make a decision on the job offer. On April 30, 2020 employees who decline a job offer from the County will be laid off.

The County currently has enough vacancies to offer each affected employee a job. In some cases, the vacant job pays more than the employee is currently making. In other cases, the vacant position may pay less. But everyone who wants to continue working for the County will have the opportunity to do so, though it may not be in their first job choice and may be at a lower initial salary.

In that vein, it is worth noting that the collective bargaining agreement only requires the County to offer laid off employees positions with the same or lower midpoint salary range as that held at the time of the employee's separation. In order to ensure that all affected employees would receive a job offer and in exchange for the union's agreement to waive the requirement that management provide the union with thirty days' notice before presenting a lay off plan to the BCC, the County included jobs with a higher midpoint than the one that some employees currently have.

Alternate facilities: For now, Santa Fe County youth detainees will be housed at the San Juan County Juvenile Services Center. It is important to note that this will not prevent in-person visitation that would have otherwise occurred. As I said, no visitation will be allowed at YDP or at ADF during the COVID-19 emergency. In other words, youth are not currently receiving in-person visits at YDP.

We have also begun negotiations with Bernalillo County to house youth detainees at its facility. It has indicated that the County may be able to do so, beginning on July 1st. The extent of its capacity to do so will depend upon the ongoing, major renovation to its facility. With that I stand for questions but Mr. Chair, I would also like to suggest that you call on Mr. Sam Chavez.

MR. SHAFFER: I apologize for interrupting but I did want to note that since the memo was finalized we did, working with the union, extend the deadline for the right of first refusal questionnaire to be returned tomorrow, April 1st, rather than today, March 31st. So I did want to correct that before we moved on. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Attorney Shaffer. So Mr. Chavez, do you want to address the Commission now?

MR. CHAVEZ: Yes, I would like to, because there was something said that I think I should comment to.

CHAIR ROYBAL: Okay, sir. Go ahead.

MR. CHAVEZ: First of all, Mr. Chair, members of the Board, AFSCME doesn't – AFSCME opposes the closure. The employees of the facility are important people to the County, to the public and to their families. They have great concerns about what's going to happen with their livelihoods going forward. There was mention of a transport team. When we were speaking with the Public Safety Director and the HR

Director, the transport team was completely taken off the table. That job position is not even out there no more. That was something that is not there no more.

Same way with employees being able to transition to the adult facility. On one meeting, yes, it was all – you could go work as a corrections officer, but then the next day all of that was off the table itself. We have been negotiating. Negotiating I guess means one day they tell you one thing. We have a date of this date to submit your response to us and the next day we're being called and we're being told, no, we made a mistake. It is tomorrow. The date of the right of first refusal paperwork to be submitted to the employees, I was given a call and it was told to me it was going to be on the 31st. And I forwarded right of first refusal to the local president and to another employee there to distribute among the staff, I told them it was going to be on the 31st. Santa Fe County chose to extend that timeline on their own. Timeline to us was the 31st.

I submitted a list of – or some documents for you guys to review. In those documents there is a letter from the employees. I worked with the employees, corrections officers, nurses, people that work there at the YDP and this condition of YDP today is like that by design. This has been a – and I think the department has refused clients and the department has not hired the staffing. The department is, you know, just let the building and let the facility [inaudible] and now because they think the cost of it and the use not being in it we have no choice but to shut it down.

Youth detention by design is trying to trim and trying to go down, incentives aren't going to last long. I oversee YDDC over here in town. Their staffing levels are [poor audio] but what's going on is the judicial system is not sentencing youth any more. They're giving them a second and third chance. There's going to be a time when Santa Fe County is going to need a youth detention center and if it's [poor audio quality] the opportunity is lost.

That's truly all I've got to say. You know, I have worked with Greg. I have worked with Sonya to meet the, I guess, the time lines of the resolution that you guys passed at the emergency meeting based on the [poor audio]. I've worked as hard as I could to do something if they wanted. And to me, I have met every one of their needs.

So, again, please reconsider the closure of YDP and the employees will thank you for it.

CHAIR ROYBAL: Okay, thank you, sir. We appreciate your comments. Any other Commissioners have comments? Commissioner Garcia

COMMISSIONER GARCIA: Mr. Chair, Thank you. I just wanted to – I just have a quick question for Manager Miller or Ms. Quintana from the HR Department. By us closing the facility does that automatically mean that they're laid-off?

MS. MILLER: Mr. Chair, Commissioner Garcia, no, it doesn't. They have as I outlined in my presentation, they have first right of refusal on positions that they are offered.

COMMISSIONER GARCIA: Okay, thank you.

MS. MILLER: If there is something that they are interested in, they have to qualify for them and be offered and they have the first right of refusal on them.

COMMISSIONER GARCIA: So that would mean that that there could possibly be a pay in cut that they would get; correct?

MS. MILLER: Mr. Chair, Commissioner Garcia, yes, but it also could mean that they get an increase in pay. It will depend upon the position. They don't necessarily keep their pay because they move into a different position. But conversely if they move into a position that pays more, they get paid more.

COMMISSIONER GARCIA: Thank you, Manager Miller. I also appreciate the comments from Mr. Chavez. And, Mr. Chavez, what is his role, I didn't get, I know – what is his role in all of this?

MR. CHAVEZ: I work for AFSCME. I work for the union and it represents the employees for Santa Fe County whether it's blue collar, at the detention center at the YDP.

COMMISSIONER GARCIA: Thank you and also in regards to – I understand your comments but I've seen that facility over years and years and years – we just don't have and thank god actually, we don't have the population for juveniles to be placed in that facility and in order for us to actually keep officers working and stuff like that it just kind of amazes me that – and you know, I think that Manager Miller is actually looking forward and moving forward and working with employees and hopefully getting them some opportunities to go the adult facility. So I am very excited for staff to move forward on that. And I think those are all the comments I have for now, Mr. Chair, and if I have a few more after the Commissioners speak, I'll let you know.

CHAIR ROYBAL: Thank you, Commissioner Garcia. If we do have second comments from the other Commissioners, let's please make them as brief as possible. I'll go to Commissioner Moreno.

COMMISSIONER MORENO: We're in a predicament between a rock and a hard place. I'm not happy that our employees are going to be lodged from their positions and there may be and maybe not another position where it can prevent loss of work. It really hurts but I think the San Juan option is probably our best opportunity and I'm going to go that way. That's it.

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

COMMISSIONER HAMILTON: Thank you, Mr. Chair. I have to say that there are challenges with all difficult decisions. I am very satisfied with over a period of months now the questions and issues that the Commissioners have brought up and the response of County management and from the information that they have sought after and brought back to us with respect to this facility. I think that the facts that they brought back to us show that we don't have the population, from an economic point of view it is justified and more than reasonable before we knew about the budget downturns to make from an economic point of view the move to save \$1.7 million a year, assuming that we could make really acceptable alternatives it turns out that based on what County management and senior staff and the County manager have investigated that we do have acceptable options that we can as Manager Miller and Director Sedillo have pointed out, that we can track as well. San Juan is one of them. Bernalillo is another that we are still pursuing. So I don't think the County would choose to just rest with one option for juveniles as we are continuing to look for that.

So given that we have looked at those alternatives and we have at least one of them in place and economic and other reasons that are detailed to me are convincing with

respect to having to make the decision to close the facility. It is always scary for people faced with a change but I think the County is doing the right thing with respect to our employees which the County really values. All of our actions show that we do that and I think that the County is moving to try to find to work with our existing employees there and make the best position for them as possible.

So I feel comfortable with that process as well. And frankly, I would like to thank County staff for doing that and the Commissioners for asking the right questions over time. Thank you.

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

COMMISSIONER HANSEN: Thank you very much, Mr. Chair. And thank you, Mr. Chavez, for your comments and thank you Manager Miller for your comments also. I also want to thank Greg for his work on this and the negotiations.

I know that this is a hard decision to make but I think with the economy and the downturn in the economy and the cost of running the type of juvenile facility that we have at the moment, I think that it is the right decision to close this facility and offer our employees other positions where they continue to be part of the County.

In the future if something happens where we have a need for a juvenile detention facility, I would hope that we would create a more modern type of half-way house or a more modern facility that would be a more appropriate place for juveniles in the situation that they are in. Putting them in an adult, a former adult detention facility, to me doesn't seem like the best place to be for our youth. When we do get a contract with Bernalillo I would be very interested to go down and see their new facility. I have heard that they are moving in a really progressive way for a detention facility and so I would be interested in seeing that.

With that I would like to move approve the closure of the Youth Development Program and the Youth Development Department Lay-off plan, Mr. Chair.

COMMISSIONER HAMILTON: Mr. Chair, I would second that.

CHAIR ROYBAL: We have a motion from Commissioner Hansen and a second from Commissioner Hamilton. Once again we have motion and I'd like to make some comments. I would say that I think that we based our decision on our numbers at the Youth Detention and those in the detention facility and the savings that will be coming with that. I that we got all the information that we needed but I think we are pretty comfortable as far as it goes. With that being said we do have a motion by Commissioner Hansen and a second by Commissioner Hamilton. Is there any other discussion? Yes, Commissioner Garcia.

COMMISSIONER GARCIA: Yes, Mr. Chairman. I would like to have a timeframe as to work with staff and to have some sort of a [inaudible] because I do not want to have happen is what happened at the old juvenile complex because we moved staff in five, six, eight months, nine months and the next thing we know, we had to, with all due respect to architects and engineers, next thing you know we had to level that entire facility because the judges were under eight months and now we've got to shut it all down. So if we are going to use it for COVID, if we are going to use if for the homeless I would just like to know when the timeframe for that is. So thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Under comments though, I would like to see if there's anybody else in the public that would like to address the Board and also if Sonya has any additional comments. Let me go to Sonya.

MS. QUINTANA: Mr. Chair, members of the Board, I would just like to highlight that during negotiations there was a lot of discussion and ultimately we did provide a very generous package to employees that did include offering positions prior to employees being laid off which is not required but of course we have a common goal to keep employees with Santa Fe County. We also offered more positions that were required under the collective bargaining agreement and allowed employees input into the positions that they would actually like to be moved into that isn't just offering them positions. And, finally, at the union's request we included the nurses – even though we did not intend to lay them off.

So even though Mr. Chavez doesn't completely agree I appreciate that we always have positive negotiations and the common goal of keeping our employees employed here at the County.

CHAIR ROYBAL: Thank you. I do want to ask if there is anyone else from the public. I did get a couple of text messages saying that the live streaming is down. So they lost the connection to the live stream. So I don't know if we could have staff look at that. Manager Miller.

MS. MILLER: Mr. Chair, Yes, we did lose the connection to YouTube and they're working on it right now.

CHAIR ROYBAL: Thank you, Manager Miller. Is there anybody else from the public that would like to address the Board and speak on this issue?

MS. MILLER: All they have to do is unmute and there are some people that are on -- user 123. There's a call in user lever 12, 13, 14. I don't know who they are but if any of those are individuals from the public that would like to speak to this issue they could unmute and ask to make a comment.

CHAIR ROYBAL: Okay. Thank you, Katherine. I'm sorry, but who is this talking?

MS. MILLER: That is Kyle.

CHAIR ROYBAL: Go ahead, Kyle.

MS. MILLER: I'm not sure Kyle intended to talk. I think he's just listening to the meeting.

CHAIR ROYBAL: Okay. Once again, I'll ask if there's anyone from the public that would like to address the Board. Okay, seeing none, we have a motion and a second. I'm going to go to a roll call vote.

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

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

COMMISSIONER GARCIA: This is a difficult decision for me but due to the circumstances and what's happening and what's going on. Thank you for actually bringing that forward as into negotiations that we're trying to save jobs because it is a moving target. It is a whole different world. So all the stuff going on, my vote is yes. Thank you.

CHAIR ROYBAL: As Commissioner Garcia stated, it's a very difficult decision and right now it already has passed with four votes but I'm going to go ahead and vote in the affirmative as well but I do want to say that I want to make sure that we take care of our employees and that we make sure that we find positions for everybody.

5. MATTERS OF PUBLIC CONCERN

MS. MILLER: If there's anybody that wants to call in to make a public comment.

CHAIR ROYBAL: Do we have anybody from the public? On any issues? Please unmute your line so we can hear you. Okay, seeing nobody from the public that wants to address the Board I'm going to close Matters of Public Concern and go on to our next item with is item Matters from the County Manager.

6. PRESENTATIONS

There were no presentations brought forward.

7. MATTERS FROM THE COUNTY MANAGER

A. Miscellaneous Updates

B. COVID-19 Emergency Updates and Requests for Direction

CHAIR ROYBAL: I'm going to go to County Manager Miller.

MS. MILLER: Mr. Chair, I'm just going to add – I've got two computers here, so I was looking for the latest on our COVID-19 response but I'm not finding it. Oh, here we go. So as you know, we've had to change the way Santa Fe County does business, and it has been challenging, but I have to once again commend all of the staff who have worked so hard to make it so that we can still continue to provide services but protect the public and protect County staff from too much interaction with the public.

We have approximately 150 employees who are working remotely and again I want to thank the IT staff for making that happen and those employees for utilizing their own personal resources to accommodate us in that effort. Additionally, we do have - most of our facilities are generally closed to the public but we do have meetings or access by appointment only and you can go to the website and get the schedule but between 10:00 and 11:00 is the County Clerk; between 11:00 and 12:00 are appointments to the County Assessor; between 12:00 and 1:00 it's appointments with our Management Office, and between 1:00 and 2:00 appointments with the County Treasurer.

We still have had quite a few individuals from the public that have needs and these are critical needs to come in and actually have interactions with County staff, County elected officials or County directors. But we are limiting that contact to every

degree possible and still provide those services.

We also – Public Works Facility is closed to the public except for the foyer where they can come in and drop off utilities payments but they also at those facilities have a drop box. I want to reiterate that at Catron on the Grant Street side we have a drop box specifically for the Treasurer’s Office and property tax payments, and on the Griffin side entrance by the parking lot is where we have a drop box for other functions and we are emptying that a couple of times a day and getting anything the public has dropped off to us to the right County staff to respond.

We also – so we’ve cut down on traffic in all of our buildings to a minimum, from the public and/or staff that are remaining in the County facilities. We have much more social distancing than just the six feet. Staff are not working in cubicles next to each other. Most staff are in private offices with the doors closed, or significantly separated by a cubicle or more from any of their coworkers.

Many of the staff, and I really appreciate this of Santa Fe County staff, they don’t want to go home. They want to keep working and they want to provide services to the community and I appreciate that. I just want to make sure that they are safe in doing so and that they practice washing their hands, not touching their face, keep social distance, no matter who they’re talking to.

Also we are working to put out a policy that implements a mandatory leave requirement of the Federal Families First Corona Virus Response Act. That’s a mouthful. That was the act first passed by Congress, and signed by the president that expands the Family Medical Leave Act, and its primary goal was to do what the federal government – our policy is to primarily do what the federal government is requiring us to do. And so we are just putting that policy in place so people understand how to utilize those provisions and those items provided for in that act.

Also this is not – we just wanted to make sure we got that policy in place. We do not anticipate that this is the last policy relative to work arrangements. As things develop with COVID-19 we have found that we have to continually address policies. This is not something that – I think Greg and I come in every morning and say, what happened yesterday? Or what happened this morning? Or what happened last night? We need to make sure we put out a clear policy or directive to County staff or clear information to the public of how they would further interact with us.

So those are just a few things. I also wanted to highlight that we have, in conjunction with Christus St. Vincent’s; they’ve been really good to work with us. In the case of the public defenders who tested positive for COVID-19. Any of our inmates or individuals that had direct contact with that public defender have been tested and those tests did come back negative for our inmates. Additionally, we had I think three other inmates that have been tested and those tests have come back negative. I don’t think we have any additional pending tests but if we do we’ll chime in on that. We also have had some employees tested but not as a result of their interaction in their job. It’s been more as a result of interaction in their personal lives with somebody who may have tested positive. So our employees are doing well and as best we can tell practicing safe distancing and proper personal protective equipment when they are responding to any calls that may be COVID-19-related.

I think that’s about it. I did share that we have, I believe, three more cases in

Santa Fe today. I don't have any other details about that. Or four cases in Santa Fe County today.. I don't have any other details, but the administration has been letting me know before those are published, just the number of new cases in Santa Fe County. So I believe that adding that to the 38 I think we had this morning, not that puts us at 42 in Santa Fe County. With that I stand for any questions. Those are really the only updates I have unless you have additional questions.

CHAIR ROYBAL: I don't have any additional questions. Any other Commissioners?

COMMISSIONER HANSEN: Mr. Chair, Manager Miller, I don't know if this is the appropriate place, but Randall Kippenbrock, the director of SWMA, has just put out a press release today for residents. The greenwaste amnesty of April 4th and 5th has been cancelled. The scrap tire amnesty weekend of April 4th and 5th has been cancelled, and the free trash day on April 18th has been cancelled. We do have more events coming up in May for people, but we're trying to really limit the amount of people who come to SWMA. Their hours have been reduced. It seems that the highest influx of people coming to BuRRT, and all these free days are at BuRRT seem to be in the last hour. But they're trying to keep people spaced out so that there's proper social distancing at the BuRRT facility.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Any other comments, questions, from the rest of the Commissioners? Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, just a couple of questions. Thank you, Manager Miller, and your entire team. Everybody from Public Safety to the individuals taking meals to the seniors and everybody, everybody on staff. The road crew – I was out there watching the road crew. Thank you for all the staff that is out there working.

So the DA's office had some sort of a situation out there? Did we get somebody to clean that or how is that going to happen if we actually get a building that's infected? Did we get that cleaned, or how does that work?

MS. MILLER: Mr. Chair, Commissioner Garcia, so the public defender that tested positive had indicated that they were in the district attorney's office so we immediately – first of all, the employees were sent home. Our facilities staff is on top of making sure that we contracted with a company that specializes in that type of environmental cleaning and that facility was cleaned. It took Thursday, Friday and Saturday to do that. We also, because the public defender had been in the County jail, we cleaned the areas where the public defender had been and where they had met with inmates, and we did that same type of intensive cleaning in the jail. And then we also tested – we took the inmates that had direct contact with that public defender to be tested and all of those tests came back negative.

COMMISSIONER GARCIA: I appreciate that, Mr. Chair. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Commissioner Moreno. Commissioner Moreno, are you there? Do you have a comment, sir?

COMMISSIONER MORENO: No. I'm good.

CHAIR ROYBAL: Okay, Commissioner Hamilton.

COMMISSIONER HAMILTON: No, I don't have any additional questions but just want to thank Manager Miller and the entire staff for the extra level of

effort that's having to go into this.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. I'd like to express the same gratitude to staff for their hard work. Manager Miller, was that both of those items, 7 A and B? It was, correct?

MS. MILLER: Mr. Chair, yes.

CHAIR ROYBAL: Commissioner Garcia, you've got an additional comment?

COMMISSIONER GARCIA: Just really quick. I know it's kind of recommended that we do outdoor projects and so on and so forth, but really quick, I got asked several questions. Are we still issuing burn permits? Do we know?

MS. MILLER: Mr. Chair, is Chief Litzenberg on the line?

COMMISSIONER GARCIA: The only reason why I'm asking is because a lot of the acequias or the ditch associations will be cleaning their ditches in the next couple of weeks and I was just wondering if we were issuing burn permits.

MR. SEDILLO: County Manager Miller, I could find out real quick.

MS. MILLER: Mr. Chair, Director Sedillo, if you could get Jacob, who's on here –

MR. SEDILLO: County Manager Miller, they just indicated to me that they are. They're able to do it online.

COMMISSIONER GARCIA: Thank you.

CHAIR ROYBAL: Thank you very much. And did you have any other comments, Commissioner Garcia?

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

CHAIR ROYBAL: Okay. Thank you. Was that the end of those items, Manager Miller, or did you have something else?

MS. MILLER: Mr. Chair, that's all I have under those items.

CHAIR ROYBAL: Okay.

8. MATTERS FROM COUNTY COMMISSIONERS

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

CHAIR ROYBAL: Is there any comments or announcements from Commissioners? I'll go to Commissioner Hamilton first. Commissioner Hamilton, did you have any announcements? Comments?

COMMISSIONER HAMILTON: Yes, I do. I do. Two. One, if I'm not mistaken, BCU?? Tony Ruscetti retired today. I'm not totally sure today was his last day but the whole Fire Department was paged out this morning at 7:15 to announce his retirement and talk about his accomplishments. Under the current restrictions, we're not all getting together and able to celebrate somebody's retirement as has been done in the past, so I thought it was a wonderful idea that the Fire Department actually paged and announced that. And so I wanted to take the opportunity to mention it to the public and to congratulate him and to thank him for his service.

And then also I wanted to say that this coming Saturday is the first Saturday of the

month, and even though we're not able to get together in person, I'm going to do a virtual Coffee with the Commish from 9:00 to 11:00 and I believe it's going to be on Zoom and Tina Salazar has gotten some announcements out to the District 4 people and I think it will also be on Facebook, so that invitation will go out, so everybody should look for it.

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

COMMISSIONER HANSEN: Thank you, Mr. Chair. Thank you for this opportunity to speak to everyone. First, I too want to thank staff, Manager Miller, and Greg and Sonya and everyone who is in the County Complex, our liaison, for being at the front door in the last couple weeks to help people. Just the whole staff. Just thank you so much for all your hard work during this challenging time. It's really an unusual situation.

I also want to mention that we did pass this Earth Day Resolution. The County Manager and I have talked about the possibility of doing this possibly in the summer when we hopefully have moved on from the events of this stay at home order that we're under. So I'm hoping that that can happen. In the future we can all continue to remember how important the environment is to all of our beings and I want to thank Commissioner Garcia for mentioning the acequias. It is definitely a time when they need to be cleaned and thinking about that it's also really true.

Manager Miller was recently on the Richard Eeds Show and gave a really good presentation and I'm going to be on the Richard Eeds Show on this Friday at 2:00 pm, so I look forward to speaking to our constituents and giving them whatever updates I can. So of course all of this is being done remotely by everything, like the Coffee with the Commish. Good job on doing it remotely and I'm interested to see how that goes. Otherwise, thank you for everything and thank you, Mr. Chair, for running the meeting. We'll see each other on the other side.

CHAIR ROYBAL: Thank you, Commissioner Hansen. I'm going to go back to Manager Miller real quickly here. She had a couple more updates that she wanted to bring forward. Manager Miller.

MS. MILLER: Mr. Chair, as I said earlier here, I was looking for a couple of emails to give you the updates on from the Corona Virus Task Force. That's the County's internal task force. So I just wanted to give those because I couldn't find it when I was talking earlier. But as of March 30th, we had 281 New Mexicans who have tested positive and then 38 that reside in Santa Fe, and I told you we got four more today, so quite a few in Santa Fe County.

I told you about the [inaudible] testing, but also I just wanted to add that our Senior Services is currently providing about 300 – over 350 home-delivered meals per day to our seniors and they – we have our Meals on Wheels but what they have done is contacted a lot of seniors that also had congregate meals and making sure if they wanted meals delivered. We're doing that.

We also have a system set up between Santa Fe first responders and Christus St. Vincent's to have immediate testing and pre-immediate results to anyone who may have been exposed. [Poor audio quality]

And then also this is something that came out today on the national projection. New Mexico is set to peak the week of April 23rd. So I think we're going to continue to see an increase in cases in New Mexico over the next several weeks before we actually

peak and start to go down.

And then also, our Office of Emergency Management – I know someone talked about it – did we stand up our Emergency Management office, our EOC. And it is ready, but we have not called it into action. As Martin Vigil explained at our last meeting, at our special meeting, that's a whole other level of service, but that group is working and they're working with the state to increase the capacity to provide EMS transports during that potential peak time the week of April 23rd. I just wanted to give you those additional updates. Thank you.

CHAIR ROYBAL: Thank you, Manager Miller. So I'm going to go – I know I want to Commissioner Hamilton and Commissioner Hansen. I'm going to go to Commissioner Moreno. Did you have any announcements that you'd like to make, Commissioner Moreno.

COMMISSIONER MORENO: Well, not an announcement but I want to support the people in healthcare and police and all the people that work for us. And that's my parting shot. I'm supporting all the people that have their public service, and we appreciate them. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Moreno. I'm going to go to Commissioner Garcia.

COMMISSIONER GARCIA: Just real quick. Once again, thank you to everybody. Thank you to the general public for bearing with us during this moving target world that we live in. I just wanted to announce that I heard a rumor today that it's somebody's 37th anniversary. Actually, Commissioner Moreno and his wife, I'd just like wish them a happy anniversary today. Congratulations and too bad I can't take you out to dinner but congratulations Mr. Moreno for 37 years of married life. That's all I have, Mr. Chair. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia.

9. MATTERS FROM OTHER ELECTED OFFICIALS.

CHAIR ROYBAL: I believe the only other elected official we had on the line today was Madam Clerk. Geraldine, are you on the line? Do you have any announcements?

GERALDINE SALAZAR (County Clerk): Yes, thank you Chair and Commissioners. I want to thank everyone, especially County staff in general for the assistance to deal with this pandemic. Currently the County Clerk's Office has 14 staff out working remotely. We have ten in the office still and three at the warehouse. We're looking at a second round of having staff in the Clerk's Office work at home. If they have any concerns at all we will have them work at home.

We have a digitization project that we've been doing long before I was ever here, so we have a lot of work for staff who are home. Filing is indexed. Our massive digitization project for over 20 years is being continued, so we have work for staff. We're busy when we're here all day. As you can see from people wanting in the past to come to the Clerk's Office. So I appreciate – I want to thank my staff for being the greatest team and to continue to do the work that we have to do because we have a lot of responsibilities in the Clerk's Office. Not one, not two – we have many. One of the

greatest responsibilities, part of our democracy is running elections.

And I also want to announce to the public and voters and the citizens of Santa Fe County that 27 County Clerks went to the Supreme Court yesterday to ask that we can conduct an all-mail ballot. We have great concerns about our poll workers and our staff having to be out there running an election. If the Supreme Court issues a favorable opinion of this writ we'll still have to have four service centers, not for voting, but for helping those that need help, whether it be a provisional ballot or a new ballot, something that's lost and that we can track that. And so we're going to be required, even if we have an all-mail ballot to have four service centers for the public, and then also the Clerk's Office. So we'll work on managing that.

So thank you all to our citizens and our County staff. Please continue to wash your hands and social distancing is so important. You can go on a pretty amazing doctor's training video that we posted on the Clerk's Office that I found very hopeful and very insightful. So please go on there and see this video. I think it helps us understand more from a doctor who is in the trenches of this virus in New York, back east.

So take care. Best of health to all of us, and thank you so much for everyone's cooperation and consideration of each other.

CHAIR ROYBAL: Thank you, Madam Clerk Salazar. We really appreciate your comments and we really appreciate working with your staff to keep them safe during this pandemic. I think that you're taking great steps. I'm sure they really appreciate it as well. So thank you for doing that. Is there any other elected official that would like to make an announcement?

COMMISSIONER GARCIA: Mr. Chair, if nobody has anything.

CHAIR ROYBAL: Commissioner Garcia.

COMMISSIONER GARCIA: Can you give us an update on the laboratory? Is the laboratory closed, or portions of it? Do you know?

CHAIR ROYBAL: The laboratory is actually following somewhat of the same guidelines. We have a lot of the staff, 9,000 or a little bit more than that. Maybe up to 10,000 employees are working remotely from home. They do have some staff here for some of the critical experiments and other critical things going on. But they are also sort of sending people in sort of – people work twice a week. So they're kind of rotating, just to make sure they keep that social distancing. So they're doing a really great job as well at the laboratory, making sure that we have staff that is there keeping critical facilities going and doing preventative maintenance. The other systems that need to keep going at this time – they have a lot of different things in place for staff as well.

COMMISSIONER GARCIA: Thank you, Mr. Chair. One other thing is – I don't know if I mentioned this or not. Are the County parks closed?

MS. MILLER: Mr. Chair, they're not closed. The facilities are closed, so Stanley Center, the Pojoaque Ball Fields. But one of the things we're really looking at, and a matter of fact I know there's a constituent in your area asking about the parking lot areas. What we're looking at is how we can make sure how people don't collect in the parking lots. I was actually going to say, I went on the trail that goes out towards Diablo Canyon this weekend and it was actually really nice to see so many people out but far apart. I ride my bike on there quite frequently or run. I don't think I've ever seen so many people using our trails but what I did notice is they were actually being really good about

staying far apart from each other. You might see family members together but not – everybody else was fairly spread out and distant.

And so what we've worked on is signage at our facilities to remind people to stay separate, but we have not closed our trails and the few open space properties that we have open to the public we have not closed.

COMMISSIONER GARCIA: Thank you. And then also just keep in contact with all the providers like you guys have done, including Presbyterian Medical Services. Thank you.

COMMISSIONER HANSEN: Mr. Chair, Manager Miller.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: Have we been wiping down the playground equipment at Romero Park or have we been taking any precautions in that regard to some of the – I know that's the only real park we have, at least in my district. I know there's the Pojoaque Ball Fields. But the playground equipment – does anybody wipe the playground equipment down?

MS. MILLER: Mr. Chair, Commissioner Hansen, I don't believe so. It doesn't mean that we can't, but to be honest, it would be very difficult to wipe it down after every use. It's kind of like gym facilities, because you can't wipe it down after every single person uses it; you have to rely on people to do that themselves. So like I say, I think that we can go in and have our staff clean it, but as soon as a group of people use it, it really is ineffective. There's nothing that we can do that keeps it clean for use after use.

COMMISSIONER HANSEN: Maybe we can suggest that people themselves wipe it down and remind people to wash their hands. At least remind them about what's happening to them and how important it is to maintain cleanliness of our hands and face. Anyhow, thank you.

CHAIR ROYBAL: Commissioner Hansen, I think it's a great idea to have some sort of a sign out there as reminders to – the kids that are using it and the parents. So I think that would be good. I think pretty much everybody is pretty aware, but it doesn't hurt to have extra signs out there to remind everybody. So thank you for mentioning that.

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: Commissioner Garcia.

COMMISSIONER GARCIA: Also, I saw that Bernalillo County is possibly releasing some detainees from their facility out there. I don't know if we could check with the judges and see what their position is but just as long as we're on top of that. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia.

MS. MILLER: Mr. Chair, Commissioner Garcia, we have collected data on that already. We've worked with the judges on any time – first of all, the Sheriff has set protocols in place to not make arrests and book people into our facilities on misdemeanors. Additionally, we worked with the City Police for that same order, so that we're not booking people into the facility and exposing them or inmates that are already in the facility to individuals who might bring COVID-19 into the facility. Also we have gone through and done a really good analysis of all of those who are currently in our facility and been working with the judges to get released any individuals that would meet

the ability to be released if they have underlying health conditions that pose a risk and they have misdemeanor or non-violent crime charges against them.

COMMISSIONER GARCIA: Thank you.

12. INFORMATION ITEMS/MONTHLY REPORTS

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

MS. MILLER: Mr. Chair, before we go into Executive Session, I want to know if there are any questions from Commissioners on the reports that are in your packet so we can be sure to take care of that now while all of the directors are here.

COMMISSIONER HAMILTON: Mr. Chair, I have a question.

CHAIR ROYBAL: Go ahead, Commissioner Hamilton.

COMMISSIONER HAMILTON: Are we going to also – are we going to actually have item 11 as Public Hearings? I just wonder, should we do that before executive and do executive last?

MS. MILLER: Mr. Chair, Commissioner Hamilton is correct. I never thought we'd actually take until quarter after 5:00. Originally when we planned the meeting we thought we'd have time to go into executive session and then have to come back. We have two items on the agenda under Public Hearings, under item 11. We have two ordinances for you to consider. So what I would suggest, and concur with – and I'm glad that Commissioner Hamilton brought it up, is that we first ask if there are any questions on item 12, any of the reports, and then got to item 11, Public Hearings, and do 11. A and 11. B, because you will have to open those, open a public hearing and take public comment on both of those items. In addition, you'll have to do roll call votes on both of those. And after we finish those and then go into – have everybody get off of the line except the Commissioners, the attorney and the Manager and go into executive session, because I don't think that will take long either.

CHAIR ROYBAL: Excellent. We can do that. Commissioner Garcia.

COMMISSIONER GARCIA: Once again, Katherine, so we just stay on the line. Correct?

CHAIR ROYBAL: Yes.

11. PUBLIC HEARINGS

- A. Ordinance No. 2020-3, an Ordinance Amending Santa Fe County Ordinance No. 2014-10 (“Solid Waste and Recycling Management Ordinance”), as Amended by Ordinance Nos. 2018-7 and 2020-2, to Specify That Solid Waste Permits Do Not Expire**

CHAIR ROYBAL: Okay, I'm going to go ahead and deviate from our agenda and we'll go into executive session afterwards. So we're going to go into our

public hearings and we do have two on for tonight. From Public Works we have Mr. Gary Giron.

MR. GIRON: Mr. Chair, Commissioners, good afternoon. I believe this is the last time this will come before the Commission. It has come through in various iterations. With this version of the ordinance and this last update we will remove the expiration provision from the 2019 solid waste permits and we will amend the January 28, 2020 ordinance establishing that 2019 solid waste permits do not expire. And this says that going on the 2020 permits will also not expire. And with that I'll stand for any questions.

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

COMMISSIONER GARCIA: Mr. Chair, just really quick. So that means if somebody buys a permit today that permit does not expire. Correct?

MR. GIRON: Mr. Chair, Commissioner; that is correct.

COMMISSIONER GARCIA: Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia. So if there's not any other questions I'd like to move for approval.

COMMISSIONER GARCIA: Second.

CHAIR ROYBAL: Okay, we have a motion and a second. Is there anything else under discussion?

MR. SHAFFER: Mr. Chair, if I could interrupt for one second. This is a public hearing, so you should open the ordinance for any public comment to make sure that there are no individuals participating in the meeting who would like to speak on this item.

CHAIR ROYBAL: Okay. Thank you, Mr. Shaffer. So we're going to go on to public comments. So is there anybody from the public that would like to address the Board in regards to this ordinance? Okay, once again, I'd like to ask if there's anybody from the public that would like to address the Board in regards to this ordinance. Okay, seeing none, I'm going to close the public comment.

CLERK SALAZAR: Mr. Chair, when you're ready to take your vote I will take a roll call.

CHAIR ROYBAL: Okay. Thank you. So we have a motion and a second. So I'm going to go to roll call vote that will be called by our County Clerk, Ms. Salazar.

The motion to adopt Ordinance No. 2020-3 passed by unanimous [5-0] roll call vote.

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

11. B. Ordinance No. 2020-4, an Emergency Ordinance Authorizing the County Manager to Extend Due Dates for Money Owed the County and Waive Fees for County Services, Waive Penalties and Interest for Late Payments, or Delay the Consequences of Delinquent Payment During the COVID-19 Emergency

CRISTELLA VALDEZ (Assistant County Attorney): Good evening, Mr. Chair and Commissioners. As you know, last week the Board adopted Resolution 2020-24 which declared a public emergency regarding COVID-19 and directed staff to bring forward this ordinance. And the purpose of this ordinance as the title indicates is to give the County Manager the authority set forth in Section 3, which includes the authority to waive or reduce a typical County fee or a charge for County services rendered after the effective date of the ordinance, extend the due date for County imposed taxes due, or the fee or other charge for County services rendered after the effective date of the ordinance, and waive or reduce penalties for late payments due after the effective date of the ordinance, and refrain from imposing consequences for later missed payments.

And so in taking the action under Section 3 the County Manager is required to take into consideration the factors set forth in Section 4 of the ordinance. These include the benefit to the public, the impact to the County, the relative ease of administration, and whether the action can be implemented in an equitable way and other appropriate factors as determined by the County Manager.

And Section 5 of the ordinance requires the County Manager to document any actions that she takes and the reasons for taking those actions. And then also set forth noticing requirements which is important because the County Manager will have to post a summary of any action she takes on this ordinance on the County website and publish notice in one or more newspapers.

Going back to Section 1 of the ordinance, this section establishes that COVID-19 presents a public health and economic emergency that's an immediate danger to the public health, safety and welfare of the county. And those findings in that section are really necessary to allow the Board to take action immediately, and that's because state law allows the Board to adopt an ordinance dealing with an emergency that's an immediate danger to the public health, safety and welfare of the county without first approving title and general summary and it also allows the ordinance to become effective immediately upon recordation. So that means that the Board may take final action tonight and if they choose to take action the ordinance will take effect once it's recorded in the County Clerk's Office. I now stand for any questions that the Board might have.

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

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: Okay, go ahead, Commissioner Garcia.

COMMISSIONER GARCIA: Just really quick. This does not include penalties and interest for individuals who are not able to pay their property taxes, or it does?

MS. VALDEZ: Mr. Chair, Commissioner, that is correct. It does not extend to property taxes or gross receipts. And the reason it doesn't is because the County

doesn't have authority to extend the due dates for those or waive penalties and interest.

COMMISSIONER GARCIA: Thank you. I just wanted that for the record.
Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Any other questions or comments from the Board? Okay, seeing none, I'm going to go to public comment. Is there anybody here from the public that would like to address the Board or speak for or against this ordinance? Okay, once again I'll ask, is there anybody from the public that would like to speak for or against this ordinance. Seeing none, I'm going to close public comment and I'm going to go to the Commissioners. What's the pleasure of the Board?

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: I would move to approve this ordinance authorizing the county manager to extend due dates for money owed the County and waive fees for County services, waive penalties and interest for late payments, or delay the consequences of delinquent payment during the COVID-19 emergency.

COMMISSIONER HAMILTON: I second.

CHAIR ROYBAL: There's a motion from Commissioner Hansen and a second from Commissioner Hamilton. What I do want to – just under comments, I just want to say that I want to thank Manager Miller and staff for bringing this forward so we can do what we can to help our constituents during this time of need. And so are there any other comments from the Commissioners?

COMMISSIONER HAMILTON: Yes, Mr. Chair. I just want to add my voice to that. Thank you for doing it and doing it so quickly under pressure and such a good job. Thank you.

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

COMMISSIONER MORENO: I support it.

CHAIR ROYBAL: Thank you, Commissioner Moreno. Okay, seeing no other comments, we have a motion and a second. Can we get a roll call, Madam Clerk.

The motion to adopt Ordinance No. 2020-4 passed by unanimous [5-0] roll call vote.

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

MATTERS FROM THE COUNTY ATTORNEY

- A. Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Public Hearing(s) on the Agenda, as Allowed by Section 10-15-1(H)(3) NMSA 1978;**

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

- 1. Acquisition of Real Property Near the Santa Fe County Fairgrounds**
- 2. Executive Management Personnel Issues**

CHAIR ROYBAL: I'm going to go back to item 10, and this is Matters from the County Attorney. Mr. Shaffer, can you give us a summary of what we'll be going into executive session for?

MR. SHAFFER: Yes, Mr. Chair. The purpose for the executive session would be to discuss the acquisition of real property near the Santa Fe County Fairgrounds, as well as executive management personnel issues. And the authority for executive session to discuss those item are Section 10-15-1(H)(2) NMSA 1978 as well as Section 10-15-1(H)(8) NMSA 1978.

And I would recommend, Mr. Chair, that in making the motion to go into executive session that you make a motion to adjourn the meeting at the conclusion of executive session so that we do not have to come back in to a public meeting for the limited purpose of adjournment, and the statement required by the Open Meetings Act relative to the matters that were discussed during executive session can be added at the next Board of County Commissioners meetings and include in the minutes of that meeting as required by law. And again that will allow for a more efficient virtual meeting management if we proceed in that fashion. And I'd stand for any questions.

CHAIR ROYBAL: That's a good recommendation. Commissioner Hamilton.

COMMISSIONER HAMILTON: I was going to make a motion if that's appropriate.

CHAIR ROYBAL: Absolutely.

COMMISSIONER HAMILTON: So I'd like to move that we go into executive session for the purposes just defined by the County Attorney and that as part of that we have included in the motion that we adjourn the meeting at the end of executive session and make any necessary statements at the next meeting.

CHAIR ROYBAL: Okay. Thank you. I'll accept that motion.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hamilton, a second from Commissioner Hansen. Clerk Salazar.

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

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

CONCLUDING BUSINESS

- A. Announcements
- B. Adjournment

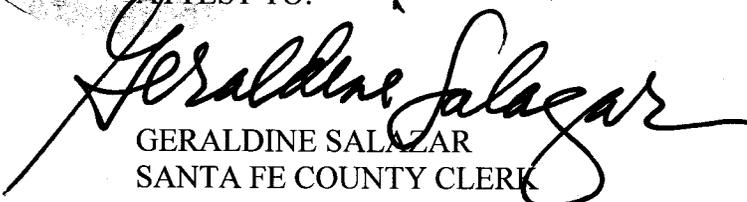
Having completed the agenda and with no further business to come before this body, Chair Roybal declared this meeting adjourned at approximately 5:25 p.m.

Approved by:


 Board of County Commissioners
 Henry Roybal, Chair



ATTEST TO:


 GERALDINE SALAZAR
 SANTA FE COUNTY CLERK

May 14, 2020

Respectfully submitted:

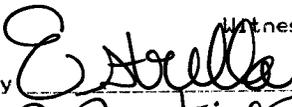

 Karen Farrell, Wordswork
 453 Cerrillos Road
 Santa Fe, NM 87501



COUNTY OF SANTA FE)
 STATE OF NEW MEXICO) ss

BCC MINUTES
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I Hereby Certify That This Instrument Was Filed for
 record On The 20TH Day Of May, 2020 at 11:22:28 AM
 and Was Duly Recorded as Instrument # 1916732
 of The Records Of Santa Fe County

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

SEC CLERK RECORDED 05/20/2020