

SEC CLERK SEC CLERK RECORDED 05/10/2020

**SANTA FE COUNTY**

**BOARD OF COUNTY COMMISSIONERS**

**SPECIAL MEETING**

**May 4, 2020**

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

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**SPECIAL MEETING**

**BOARD OF COUNTY COMMISSIONERS**

**May 4, 2020**

**1. Opening Business**

**A.** This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 8:25 a.m. by Commission Vice Chair Anna Hansen.

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 meeting.

[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 Anna Hansen, Vice Chair  
Commissioner Henry Roybal, Chair [8:45 arrival]  
Commissioner Anna Hamilton  
Commissioner Ed Moreno

**Members Excused:**

Commissioner Rudy Garcia

**C. Approval of Agenda**

VICE CHAIR HANSEN: I would like a motion to approve the agenda.

COMMISSIONER MORENO: So moved.

COMMISSIONER HAMILTON: Second.

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

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2. **Action Items**

A. **Resolution No. 2020-36, A Resolution Amending Resolution No. 2019-96 to Adjust Certain Precinct Boundaries and to Designate a New Polling Place/Voter Convenience Center**

Vice Chair Hansen read the agenda caption and invited the presenters to speak.

STEVE FRESQUEZ (Chief of Bureau of Elections): Good morning, Commissioner and members of the Commission. I am trying to post something on BoardDocs that shows the polling place revision designations by commission district and in the meantime we can go ahead and start.

Before you we have two resolutions. One will be to impose the polling place changes for the 2020 primary election. We are going to consolidate the precincts one more time. We are going to have 19 polling places instead of 30. Three of the polling places were San Ildefonso, Tesuque Pueblo and the Nambe Pueblo. The pueblo leadership decided that they did not want to have polling places in their pueblo because they are closed due to the corona virus.

The rest of them we are going to consolidate all the precincts for election day. We will be having early voting at all of the regular sites and we are going to be adding more early voting sites to include the Southside Library. The other resolution that was formalized, the resolution that was done a couple of weeks ago to change one of the locations from the Legacy Church in Edgewood to the Town of Edgewood Administrative Offices and to adjust a couple of precinct boundaries – I think you remember the resolution that we passed a couple of weeks ago..

So the intent is to formalize a resolution so that we can send the court order to district court. Thank you. Okay, Geraldine Salazar and myself stand for questions.

VICE CHAIR HANSEN: So I have the map on BoardDocs and what we are doing is we are reverting to the blue lines and not the dash red lines; is that what we're doing?

MR. FRESQUEZ: Let me bring one of those up and I'll be able to confirm that.

VICE CHAIR HANSEN: So I am looking at Precinct 140 and I'm looking at the map, Santa Fe County Precinct Adjustment, Exhibit A.

MR. FRESQUEZ: Yes. So we are going to change and move the boundary line back to the blue line from the red-dashed line.

VICE CHAIR HANSEN: Okay.

MR. FRESQUEZ: So Agua Fria Road where formerly both the House and the Senate boundary line was and we've changed it to the riverbed because we wanted to follow all those people between the blue line and the red line kept into the Agua Fria community because that's basically when you're drawing lines for the census they like to keep community and interests together. We created that for the census changes. But they shouldn't have gone into effect until 2021. We are moving the line

back to the blue line for this election cycle and they will be changed back in 2021 to the red lines.

VICE CHAIR HANSEN: Okay, I understand that. I just wanted to have clarity on that. Commissioner Hamilton?

COMMISSIONER HAMILTON: Yes, I think we have gained the clarity I wanted because the introduction for both resolutions I wanted to be sure that we're dealing with this one first because I have discussion on the second resolution. But this one is clearly, in my mind, pretty straight forward to change this back so it doesn't take effect until next year when it was supposed to. So notwithstanding any discussions or questions that anybody else would have, I'll make a motion to approve this.

VICE CHAIR HANSEN: Okay, do I have a second?

COMMISSIONER MORENO: Second.

The motion passed by unanimous [3-0] roll call vote. [Chair Roybal was not present.]

**B. Resolution No. 2020-37, A Resolution Amending Resolution No. 2019-96 to Adjust Consolidated Precincts and Re-Designate the Polling Place of Each Precinct for the 2020 Primary Election and Presidential Primary Election Only Due to the COVID-19 Public Health Emergency**

Vice Chair Hansen read the agenda caption.

VICE CHAIR HANSEN: Commissioner Hamilton, you have questions.

COMMISSIONER HAMILTON: Yes, thank you. I want to preface my questions by first saying that I truly appreciate the way the Clerk's Office is very careful in approaching election issues. I recognize that they are serious and committed to doing the best job possible with elections. And I say that sincerely. I think it is a critical thing. I recognize our Commission has a very positive focus on how we handle elections and minimize, in fact, more than just minimize any attempted intentionally or completely unintentional disenfranchisement, I think we actively work in the other direction trying to assure in being proactive in assuring enfranchisement of as many people as possible, which is the way it should be.

So first of all, the idea of reducing the number of election places gives me concerns. Not because of an intentional disenfranchisement but unintended consequences of having fewer places to go, of people being confused of where to vote and in particular because we're doing this because of the pandemic, in my mind, if we think we have enough poll workers to handle more sites there is a tradeoff that I want to find out if this tradeoff has been considered between having more places and therefore spreading people out if you have enough people to handle opening more sites compared to the tradeoff of seemingly having fewer poll workers exposed because you have fewer sites. So that is one question I'd like to have addressed.

And then finally, well, I have three or four questions so maybe we should deal

with that one first.

CLERK SALAZAR: Commissioner Hamilton, we have gone through great pains to analyze our numbers since the initial of the COVID 19 pandemic pushing for absentee voting including an additional early voting site, and using the County parking facility in the bottom of the new County Administrative building. We have gone through the numbers. We have gone through everything and we've utilized our expertise and experience in running elections. We are concerned, like you, because this is totally an unknown for everyone and we have worked very hard and these are the recommendations that we have. We encourage you to support what we are recommending because of the grave concern and health and safety of our community and poll workers and staff. I think we have strategically put together what would be the best and in the best interest of our community. Santa Fe County has been doing very well so we're following in line with all the other policies the County has put together and also in consideration of what is occurring now in our whole state and whole country and in the whole world.

So this is why we've come up with these because we feel that these would be in the best interest of health and safety.

COMMISSIONER HAMILTON: I recognize that but I think we need a little more discussion. You mentioned using the bottom of the County parking lot. I assume that's the idea to use that as a drive-thru voting location; is that being implemented?

CLERK SALAZAR: That's what we're working on right now and we're also having a dry run this morning. It's not going to be drive-by. We can't do that because we looked at the whole process and we figure we can't do that. There would be too many issues of moving machines back and forth and people coming out. So we're going to have early voting in the bottom parking lot and we're setting up an intake table where the poll workers will be so we're hoping that if people come in, they can come in, park immediately, stand in line while distancing – May 5<sup>th</sup>, Tuesday, will be very busy for us because that's the only day where voters can come in, register to vote or update the voter registration file, come in and request for an absentee ballot and then vote immediately. So we have many different processes that I still feel comfortable about – different ways that voters can vote. The Secretary of State is sending automatic applications to everyone that have not requested an absentee ballot. We have been working very hard. My staff works Sunday and Saturday, 7 to 7.

COMMISSIONER HAMILTON: I understand that and I really appreciate how hard the staff works. Are you telling me the underground parking lot is going to be like an outside voting place but not set up as a – but not for through drive access?

CLERK SALAZAR: Yes, that is correct.

COMMISSIONER HAMILTON: But it will be set up outside in a way that minimize contact in the building?

CLERK SALAZAR: Well, we don't want anyone in the building unless there's an emergency to go to the bathroom or if they have to go to the Clerk's Office but we want to minimize with no contact in the building. The more I thought of it, if for some reason that someone was infected would attempt to go into the building then we

would have a situation that the County would have to cleanse the whole facility based on some type of exposure. So I think the safest way would be down in the basement parking lot.

COMMISSIONER HAMILTON: No question. So I appreciate your doing that. What are the possibilities of some other early voting sites or having outside with tents set up like a drive-thru facility? So what is the possibility of setting up other places because in all honesty I really believe that many people are going to be very hesitant about going out and the more we can set up like drive-thru testing, the more we are going to encourage voting now and in November.

CLERK SALAZAR: I don't believe we have capabilities for the mounting of other facilities. The good thing is, as far as we know, that the schools where we will be conducting the voting convenience centers, the children will not be there and that helps us tremendously. And that is something that we do on a regular basis, communicating with the superintendents of schools and also with principals that give us a day when no children are around for their safety also because we never know who attends and who will come to vote. So we have that communication. So now with COVID and the schools closed that helps us even more under the situation that the children won't be either or employees.

We've added also an early voting site at the Southside Library. So we have tried in every way to successfully manage an election, under the circumstances, at 19 of the voting convenience centers and adding to the early voting sites and also the absentee ballot process that is ongoing for us in this office and now that the Secretary of State began issuing absentee ballot applications last Thursday. I believe that there are multiple factors and multiple ways that voters can vote.

COMMISSIONER HAMILTON: Well, I really appreciate that. I want to push just a little bit more.

VICE CHAIR HANSEN: Commissioner Hamilton, I wanted to stay on topic. We're working on this resolution. We have number C on agenda where we will be talking about strategies and updates and potential requests or direction on early voting.

COMMISSIONER HAMILTON: I think that's they're related and I appreciate your staying on topic. But I thought the two were related so frankly I thought they were being handled simultaneously but I'll happily defer. I just think it is very critical when we recognize that we're cutting the number of voting places substantially I want to make sure that it is not being done in a vacuum and that we're making these other considerations and that we're actually discussing them. So, I'll go with your direction.

VICE CHAIR HANSEN: Go ahead, Clerk Salazar. I'm trying to control this meeting so that we're not having a free for all.

CLERK SALAZAR: So Chair Hansen, Commissioner Hamilton, believe me, this is not in a vacuum. This is a strenuous process. In addition to that, I am low staff. I have four certified techs that will be out in the field. I have one who retired. So we are also short on staffing so that is another issue. Having the 19 will be ideal with everything that we have put together, the way that we have strategized, the support that we have from the County in setting up the County Clerk's early voting site here in the basement parking lot. So I believing that we doing an excellent job considering the

circumstances. Thank you.

COMMISSIONER HAMILTON: Chair, may I say one more thing?

VICE CHAIR HANSEN: Yes, Commissioner Hamilton.

COMMISSIONER HAMILTON: I really appreciate it. Clerk Salazar, I wholeheartedly agree that you guys are doing everything that you can. But I think that this discussion is really critical for the record and for motivating the follow-up that I deeply feel that what we do to publicize what's being done to push for the – just like the advertisements that your office and the Secretary of State's office are doing for absentee voting, all of this is going to be really critical to counteract unintentional voter suppression. And I think that is true for the pueblos as well. Rural areas are going to be impacted by this. And the pueblos, I respect that they are closing those three sites because of pandemic concerns; that's completely valid. And then we have to do everything we can to counteract the negative unintended consequences of that which is going to be to reduce their participation in the vote; which we do not want. We really want everybody to vote. I am questions not because I think you guys are doing an inadequate job; absolutely not. I respect what you guys are doing. But I think any brainstorming that we can do to help, everybody can participate in moving forward with this is really, really critical. Thank you, Madam Chair.

CLERK SALAZAR: Chair Hansen, Commissioner Hamilton, you are absolutely correct. Rigorous discussion and also thought is very important when it comes to elections and that's what we do for any and every election. Also, let me mention that the drive-thru voting is not supported in New Mexico Election Law and so when we first discovered after the opinion of the New Mexico Supreme Court I immediately contacted the Secretary of State and all clerks that I wanted the Secretary of State to take the lead statewide to inform the public, to educate the public, regarding the circumstances to advertise because we had so many responsibilities at the county clerks' level that we could not do that. So I expected the Secretary of State to advertise statewide and help us out in that area. So there has been rigorous discussion with the 33 county clerks, with the Secretary of State, with my staff and our internal processes and then also with the Santa Fe County management staff that has been working with us and helping us with the logistics in the basement parking lot.

I do appreciate your questions because you are absolutely correct. Thank you.

VICE CHAIR HANSEN: Commissioner Moreno, do you have any questions?

COMMISSIONER MORENO: I don't have questions but I am sensitive about having the maximum amount of voting places to make sure people can get to the polls. I think it's been a huge effort to make that happen and thanks to our esteemed Clerk. I think if people want to vote they have the opportunity to vote. If they are deterred by the process of being in person there is always the absentee, and that may be, if anything, you might encourage more people to go ahead and vote now.

VICE CHAIR HANSEN: Thank you, Commissioner Moreno. So I have a few questions. One, I would like to know if you can, Madam Clerk, I would like to know when you can get an absentee ballot up until when? How long do we have to request for an absentee ballot.

CLERK SALAZAR: Until May 29, 2020.

VICE CHAIR HANSEN: Okay, you can request a ballot up until May 29, 2020.

CLERK SALAZAR: Yes, and that is cutting it real short for us but we are encouraging people to immediately request for an absentee ballot if they want to vote for that process. And also know that we are also in communication with overseas voters. Our voters who are in the military and all over the world are communicating with us and requesting a ballot. So we are in that process now. I am in contact with my emails whether it is 2 o'clock in the morning and I am having my staff work with us so that they can get their ballot also.

VICE CHAIR HANSEN: With that, I would like to ask if there is a motion, if somebody would like to make a motion?

COMMISSIONER HAMILTON: I would but I would also like to mention that I see that Commissioner Roybal is on.

VICE CHAIR HANSEN: Oh, I am sorry.

COMMISSIONER HAMILTON: No, I just noticed that.

VICE CHAIR HANSEN: Welcome, Chair Roybal. We have been having a discussion on item B and we're on that resolution and I was just asking for a motion.

CHAIR ROYBAL: Thank you, Commissioner Hansen, for leading the meeting. I'm sorry I couldn't be here earlier. I had an unforeseen circumstance that I had to take care of and I appreciate you took over.

I do have – and maybe this was already discussed earlier but I have been listening for about five minutes. How are we working with our senior citizens? I know that sometimes – and I know that San Ildefonso talked to the governor a few days back and that they are willing to remain closed because they do have their gates closed right now to the public. In my district in this area of Pojoaque Valley do they have a community center in Nambe Community Center and the Pojoaque middle school and Tesuque; is that correct? Are those the three, Madam Clerk?

CLERK SALAZAR: That is correct, Chair Roybal.

CHAIR ROYBAL: Okay. I just want to make sure that I have the correct information. Is there anything that we're helping with for low income voters and senior citizens if they don't have a ride to the polls; is there anything that we're doing to help them in those situations?

CLERK SALAZAR: We don't manage that process. I'm sure that some of these that have transportation for seniors do that on a normal basis. I don't know and it's something that I would not like to have liability or responsibility for transporting senior citizens. But I would assume facilities and senior centers that do this on a regular basis would have that and would also follow protocol. But I don't know. And I also have been receiving lots of requests from children for their elder parents to request for an absentee ballot. So that is a process that I see that senior citizens are opting to use.

CHAIR ROYBAL: At some of the senior centers we do have seniors that voted at those convenient centers so I just wanted to make sure that we get the information out to everybody so that they're not confused in regards to a typical place

where they have voted. I assume we'll have signs at those locations as well, is that correct, Madam Clerk?

CLERK SALAZAR: There will be signs at all voting convenience centers and also I have put together this weekend an email to go out to all of Santa Fe County who manage and those that manage those senior centers who have access to that. I know that it did not go out so I sent a second request this morning for all of the information to go to Santa Fe County.

As soon as we resolve this today and further I would like to start advertising and doing what I have to on my end. I have concern about advertising before I get full approval so the resolutions that we have presented to you so that I can get going.

CHAIR ROYBAL: Would those signs also be put up at the old voting locations.

CLERK SALAZAR: That is correct. That is customary for our office that if we know that voters are accustomed to a certain polling place that we do put signs there directing them to other locations. Yes, you are correct, that is something that we do.

COMMISSIONER HAMILTON: Mr. Chair.

CHAIR ROYBAL: Yes, Commissioner Hamilton.

COMMISSIONER HAMILTON: I think your question is a good one and you're referring to populations, seniors for example and also low income, that aren't getting out for obvious reasons as much as they normally would be and so normal modes of communications like posting signs at senior centers is going to be less effective, very many fewer people will see that and these might be the same populations that don't really deal with social media very much, don't deal with email very much. And I have had some concerns about how to reach those populations and so I think some additional thought about how we do outreach, which, frankly, the Commissioners can participate in but it's a real concern about how to reach people who depend certain routines and they might just anticipate that there will be a poll to go to where they usually go to vote. Even the outreach to encourage absentee voters which is really critical and I wholeheartedly support, might need some creative modes of communicate, like maybe something as seemingly ridiculous as the kinds of yard signs or whatever people post around during campaigns. Not specially in people's yards but putting out more physical signs than just at the polling places to tell people where to go for information. I'm sure people in the Clerk's office will have a lot more better ideas than that but I would just like to see some thought given to the people that are going to be the hardest to reach and are going to be surprised by some of these changes.

CLERK SALAZAR: Chair Roybal and Commissioner Hamilton, it is customary throughout the state in senior services facilities that caregivers are aware and even request it because it is allowed by law that caregivers can request for an absentee ballot, and that is customary. But still with our senior services within the County and if we sent out the most recent email that I wanted sent out during the weekend for County staff throughout, I will assume that those in charge of senior center who also utilize some of the information that we're sending and also request from me anything they need whether a flyer or whatever they can put together and deliver to them during the meal deliveries, whatever ways that others have to help us out, such as, Public Works is

helping us, IT is helping us and all other departments are helping us through this process because it is massive. So I encourage senior citizen workers within this County system to also help us in any way that they can just like the mask. We have received tremendous help, thank you.

VICE CHAIR HANSEN: Chair Roybal.

CHAIR ROYBAL: Commissioner Hansen. Thank you. I appreciate all of the discussion. I think that it is really important about how we reach out to the voters. I think absentee voting is actually the way to go. So I am gratified that the Secretary of State is sending out information to all voters about getting an absentee ballot. There are things on the internet that have been going around that after May 5<sup>th</sup> you can't get an absentee ballot and so that is one of the reasons that I wanted to clarify that situation and I hope that the Clerk with her advertising will make sure that people know that they can get an absentee ballot up until, you know, that they can request until May 28<sup>th</sup>, 29<sup>th</sup> to get an absentee ballot.

And with that I would like to make a motion to approve Resolution 2B.

CLERK SALAZAR: Chair Roybal and Commissioner Hansen, I also want you to know that Friday evening we finalized a video that I worked with two citizens to put together a video on how to obtain an absentee ballot and how to submit it. So that was also in the press release that I wanted sent out this weekend. So there is a video that we created and we completed it all by Friday evening. So that's another opportunity. And I will hopefully send it out to you all, that video link, so that you can encourage people, thank you.

CHAIR ROYBAL: Okay, thank you So I had a motion. Is there a second?

COMMISSIONER MORENO: I'll second.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: Okay, so we have a motion and multiple seconds. Under discussion, are there any more comments or concerns? I do want to acknowledge our County Clerk for all of the hard work and due diligence in putting this together. It definitely is not going to be easy. But I do want to see us get together on KDCE if you could come with me on that "Coffee Break," Madam Clerk, we could make an announcement on the radio to our constituents. I think that would be really beneficial.

CHAIR ROYBAL: Yes, Commissioner Hamilton.

COMMISSIONER HAMILTON: I think that that is a great idea. I was going to encourage all of my fellow commissioners to try both brainstorm and actually implement some outreach with respect to voting and the options, just like some of us did for encouraging people to participate in the census and we used the radio for that. So I appreciate you making that suggestion, Commissioner Roybal.

CHAIR ROYBAL: Thank you, Commissioner. Another thought is that I'd like to work with you at the pueblos because we have a lot of community members in our valley that actually work in Pojoaque Pueblo and Buffalo Thunder and so I'd like to work with you and the pueblos to reach out.

COMMISSIONER HAMILTON: Thank you, yes.

CHAIR ROYBAL: Madam Clerk, would that be acceptable to you?

CLERK SALAZAR: Absolutely. Chair Roybal, you invited me last week to be on the radio and I focused on absentee voting. And I've also been invited to KSWV. So, yes, thank you, I am willing to be on it again with you.

CHAIR ROYBAL: Thank you, Madam Clerk.

The motion passed with Commissioners Hamilton, Hansen, Moreno and Roybal all voting in the affirmation.

CLERK SALAZAR: I want you all to know that we are truly appreciative for your support and your vote today so that we can continue to do what we need to do. Thank you.

**C. Update and Potential Request for Direction on Early Voting at 100 Catron Street**

KATHERINE MILLER (County Manager): Commissioners, Geraldine already gave that update. Early voting is going to be held at 100 Catron and will be held in the downstairs parking garage, the first floor of the parking garage. We were working with the Clerk to see if we could do just do a drive-up and stay in your car but as she stated that would require too much movement of the machines. But they will have it so people can come in, park there, vote there, and not come into the main building and I think that that was the main interest in trying to do it in the garage was to try and keep less public or to keep the public out of the building since we have other functions going on in the building as well.

VICE CHAIR HANSEN: Chair Roybal.

CHAIR ROYBAL: Yes.

VICE CHAIR HANSEN: One of the things that I heard, Katherine, was that people might have to go into the bathroom to use the toilet; is there a possibility that we could get a porta-potty put down in the underground parking so that we could avoid any people entering into the building?

CLERK SALAZAR: Chair Roybal and Commissioner Hansen, that has been discussed with Public Works. P.J. immediately thought of that so that is being considered, yes.

VICE CHAIR HANSEN: Okay, thank you.

CHAIR ROYBAL: I'm glad to hear that staff is on top of that and taking care of it right away. So thank you for your leadership, Madam Clerk, and thanks to Public Works and Mr. Montano for thinking of that right away and being proactive. Are there any other comments or questions?

I just want to say thank you to Manager Miller for bringing some more clarity on the subject. With that being said, I believe we're on announcements.

3. **Concluding Business**

A. **Announcements**

GREG SHAFFER: Mr. Chair, this is Greg Shaffer, County Attorney, speaking. We have typically been including our statement concerning executive or closed session at the next regular meeting of the BCC. Technically, under the Open Meetings Act, since this is the next open meeting, I would suggest that we go ahead and include the necessary statement concerning the April 28, 2020 that mainly at the BCC's April 28, 2020 meeting we went into executive session at the end of the meeting and did not reconvene in open session. I therefore would respectfully request a motion to have the minutes of this meeting reflect that the matters discussed during the April 28, 2020 executive session were limited only to those specified in the motion for closure.

VICE CHAIR HANSEN: Mr. Chair, so moved.

COMMISSIONER MORENO: Second.

CHAIR ROYBAL: Thank you, Commissioner Hansen for your motion and thank you Commissioner Moreno for your second. I'm going to go to roll call vote so we can take care of that matter first.

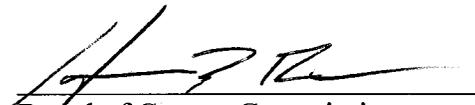
The motion passed by roll call vote with Commissioners Hamilton, Hansen, Moreno and Roybal all voting in the affirmative.

B. **Adjournment**

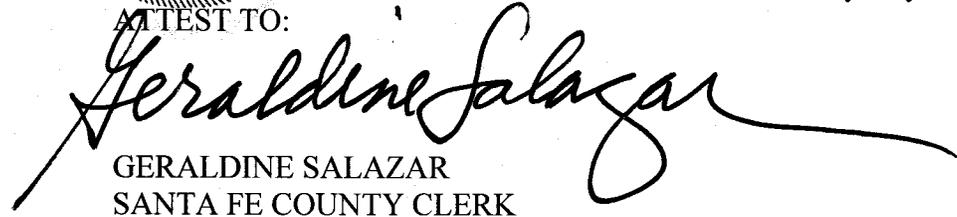
Having completed the agenda and upon motion by Commissioner Hansen and second by Commissioner Moreno, Commissioner Roybal declared this meeting adjourned at 9:08 a.m.



Approved by:

  
Board of County Commissioners  
Henry Roybal, Chair

ATTEST TO:

  
GERALDINE SALAZAR  
SANTA FE COUNTY CLERK

